



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
SPECIAL COMMITTEE ON COUNCIL PROCESSES
THURSDAY | 6:00 PM
18 April 2024

*Allison Conference Room (#225), Showers Building, 401 N. Morton Street
The public may also access the meeting at the following link:*

<https://bloomington.zoom.us/j/88343490202?pwd=a4jeR95UbcINyiLYeDafTeFLxHDoz8.1>

Chair: Isabel Piedmont-Smith

- I. Agenda summation
- II. Board and commission review with Deputy Mayor Gretchen Knapp
 - a. Training for newly-appointed board & commission members
 - b. Recruitment of board & commission members
 - c. New coordinator position
 - d. Public comment
- III. Review of Cm. Asare's proposal re: consensus-building activities and other processes
 - a. Discussion
 - b. Public comment
- IV. Scheduling additional meeting(s)
- V. Other business
- VI. Adjournment

Pre-Meeting Guidance and Checklist for Board and Commission Liaisons

Purpose of this document

This guidance and checklist is designed to help staff liaisons for City boards, commissions, councils and committees (all of which we refer to here as “boards” for convenience), take all necessary actions prior to and during a meeting of their board.

By following this guidance and checklist, liaisons will help ensure that members of the public know what boards are doing and are able to attend board meetings and provide input if they wish.

Following this guidance and checklist also will help ensure that board meetings comply with Indiana’s Open Door Law (“ODL”) and certain related City policies and best practices. The ODL applies to any “public agency,” and defines “public agency” to include any board, commission, or other body regardless of what it is called (council, committee, advisory commission, etc.), as long as it meets certain criteria listed in the ODL. You should assume that the board you are assisting is covered by the ODL and follow the guidance and checklist provided here for each meeting on your board.

This document is available on the Legal Department’s website and is a living document that will be updated to reflect changes in law or policy and to add further guidance as questions arise. If you have questions about anything in here or as you prepare for and support board meetings, please let us know.

THANK YOU!! for all that you do to support your board(s) and public participation in City affairs.

Major items to address for each board meeting

The major items that you must address for each board meeting are:

- **Notice** of the meeting – how to create and distribute an appropriate meeting notice
- **Meeting agenda** – how to create an agenda, what it should contain, and when and where to post it
- **Board member attendance and participation** – when board members must attend and participate in person, and when they may attend and participate remotely; how to track each board member’s virtual participation to make sure it does not go beyond what the ODL allows
- **Meeting memorandum** – how to ensure that certain key information about a board meeting is recorded during the meeting, as required by the ODL, and how to provide that information to the public after the meeting

- **Meeting minutes** – how to convert the meeting memorandum to minutes submitted to the board for approval and how to post the minutes after approval
- **Calendaring board meetings and posting the board “packet”** – how to do these things correctly and, for packet materials, in a way that maximizes accessibility of the documents
- **Handling material that comes in from staff or the public after the packet is posted**

We provide guidance on each of these items below.

Notice of Board Meetings

The reason for notifying the public of a board meeting is to let the public know the board is conducting public business and let members of the public listen to the meeting and provide comment as permitted. To serve these purposes, the Open Door Law requires that a notice give the public certain information about the meeting and that it be given at a place and time that reasonably lets the public learn of the meeting and decide whether to attend.

Specifically, to comply with the Open Door Law a notice of a board meeting (including rescheduled meetings) must do all of the following:

Give the name of the board and the date, time, and location of the meeting.

Be posted at least 48 business hours before the meeting takes place. Business hours do not include (1) weekends or (2) legal holidays, so be sure to exclude them when calculating the required notice date and time.

Example 1: For a meeting on Monday at 4:00 PM, the notice must be in place by 4:00 PM on the preceding Thursday, as Saturday and Sunday are not included in the 48-hour computation.

Example 2: For a meeting on Wednesday at 4:00 PM when the preceding Monday is a legal holiday, notice must be in place by 4:00 PM on the preceding Friday, as Saturday, Sunday, and Monday (as a legal holiday) are not included in the 48-hour computation.

Be posted at City Hall. If a board meeting is properly calendared on a board’s electronic meeting calendar per Section V below, the kiosk display in the Atrium at City Hall will automatically display a lawful meeting notice that meets this requirement.

After electronically calendaring a meeting per Section V below, you should verify that the notice will appear correctly on the kiosk by visiting [the City’s public meetings webpage](https://bloomington.in.gov/public-meetings/).¹ Because the

¹ <https://bloomington.in.gov/public-meetings/>

kiosk display serves as the legally required meeting notice, it is vital that staff properly calendar each meeting on the board’s electronic meeting calendar and verify that the kiosk display is correct.

In the rare event the Atrium kiosk cannot or will not display the notice for technical or other reasons, you must draft a paper notice, print that paper notice out, and post that paper notice either (1) in the City Hall atrium or (2) in the principal office of the Department responsible for the meeting (e.g. at the Utilities Department’s headquarters for a Utilities Service Board meeting).

Give the Zoom link and passcode if the meeting is a hybrid meeting. For the kiosk to identify the Zoom link associated with a hybrid meeting, the link and Zoom passcode must be placed in the “description” field included on the board’s electronic meeting calendar.

Properly entered meetings will result in a kiosk display like the one below:

Wednesday, September 27		
10:00 a.m.	Metropolitan Planning Organization Technical Advisory Committee	City Hall Showers 401 N Morton ST Council Chambers Room 115 Join Zoom
4:30 p.m.	Redevelopment Commission Special Meeting	City Hall Showers 401 N Morton ST Hooker Conference Room 245 Join Zoom
4:30 p.m.	Traffic Commission	City Hall Showers 401 N Morton ST Council Chambers Room 115 Join Zoom
5:00 p.m.	Dr. Martin Luther King Jr. Birthday Celebration Commission	City Hall Showers 401 N Morton ST McCloskey Conference Room 135 Join Zoom
5:30 p.m.	Commission on Hispanic and Latino Affairs	City Hall Showers 401 N Morton ST Hooker Conference Room 245 Join Zoom
6:30 p.m.	Common Council Special Session followed by Committee of the Whole	City Hall Showers 401 N Morton ST Council Chambers Room 115 Join Zoom
6:30 p.m.	Metropolitan Planning Organization Citizens Advisory Committee	City Hall Showers 401 N Morton ST McCloskey Conference Room 135 Join Zoom

Please note:

- The time, date, and location (including Zoom links and passcodes, if used) of a meeting may not be changed unless the meeting is still at least 48 business hours from taking place.
- In some cases state law imposes heightened notice requirements based on what is happening at the meeting – for example, requiring publication in a local newspaper at least 10 days before a meeting that state law treats as a “public hearing.” Please consult with the Legal Department if you have questions about whether your meeting qualifies as a public hearing or otherwise carries heightened notice requirements.

Agendas and board signs/placards

An agenda is a list of items a board plans to address during the course of a public meeting. While the ODL does not require a board to use an agenda, doing so is common and recommended since an agenda tells the public and the board members what the board expects to do at the meeting.

The agenda should include any items on which a vote or significant board discussion is anticipated. Some boards have adopted rules establishing a set of standard agenda items. Such items may include things like a call to order, roll call of members, reports, approval of prior meeting minutes and consent agenda items (i.e. routine items that do not require substantial discussion and may be approved as a group), old business, new business, public comment, and adjournment.

The board may at any time alter, reorder, delete, or add to the business items listed on an agenda, even during the meeting itself.

The agenda must be posted directly outside the room where the board is meeting (per the ODL, “at the entrance to the location of the meeting”), before the meeting begins. The agenda may be taped to the wall next to the door leading into the meeting room, or on the door itself, just before the meeting is called to order. If a document holder is mounted on the wall or door, the agenda may be placed inside it. Please print out the agenda with the name of the board in large font and all content in easily readable font.

If your board uses a physical placard to identify that it is meeting, please slide it into the placard holder before the meeting begins.

Board Member Attendance and Participation

Now that the COVID-19 pandemic is over, boards may no longer hold fully remote or virtual meetings, i.e. meetings in which everyone participates virtually by Zoom, phone, or some similar remote method (we use the terms “remote” and “virtual” participation interchangeably in this memo).

To emphasize: fully remote meetings are no longer lawful under the ODL.

Instead, all board meetings must be held either:

1. exclusively in-person, meaning all board members attend in person, or
2. as a “hybrid meeting” with at least a majority of the total number of members of the board attending in person.

Note that it is a majority of the total members of the board – not a majority of the members participating in that particular meeting – who must be there in person. If a majority of the total

board members cannot participate in person, the meeting lacks a “quorum” and must be rescheduled. “Quorum” means the minimum number of members needed for the board proceedings at the meeting to be valid.

The ODL further limits virtual participation by board members in the following ways:

1. Board members may not participate remotely in more than two consecutive meetings, or participate remotely in more than 50% of the board’s meetings during a calendar year, except in very limited circumstances involving military service, illness, a relative’s death, or an emergency. If you believe such an exception may apply to a given board member who wants to participate remotely in more than two consecutive meetings or more than half the board’s meetings for the year, please consult with the Legal Department.
2. If any of the following items appear on the board’s agenda and will be voted upon during the meeting, all board members must be physically present for the entire meeting and no member may participate in *any part* of the meeting remotely, even parts having nothing to do with the following items:
 - a. A vote to adopt a budget
 - b. A vote to make a reduction in personnel
 - c. A vote to initiate a referendum
 - d. A vote to establish or increase a fee
 - e. A vote to establish or increase a penalty
 - f. A vote to use the governing body’s eminent domain authority

If the board wishes to accommodate having one or more members participate remotely in the board’s business that does not involve any of the items in 2(a)-(f), it may schedule two back-to-back meetings and split off the item(s) in 2(a)-(f) from the rest of the board’s business. The vote on those items would occur in a meeting with only physically present board members (remember that you will need a quorum of physically present members). The rest of the board’s business would be handled in a meeting immediately before or after, with a majority of the board’s members physically present and one or more members participating virtually. Proper notice must be given and calendared for both meetings.

3. Any member participating electronically must be seen and heard by the other participants in the meeting. Practically, this means members must keep their cameras on and must have a functional microphone at all times. Participating solely via phone or audio is not allowed.
4. All votes taken at hybrid meetings must be taken by roll call, where each member’s name is called individually before the member orally states their vote.

Meeting memoranda

Staff liaisons must record the following information (what the ODL refers to as “meeting memoranda”) during each meeting, either by hand or in an electronic document:

1. The date, time, and location of the meeting.
2. The board members who are present or absent, and whether the members are participating in-person or remotely.
3. If any members are participating remotely, the platform used for remote participation (e.g. “Zoom”).
4. The general substance of matters proposed, discussed, or decided, and a record of all votes taken. The staff liaison should record each motion proposed, the identity of the member who proposed it, the identity of the member who seconded the motion, the outcome of each vote, and for roll call votes, how each member voted.

The following template may be used for recording these items and modified for each board as needed or desired:

<https://docs.google.com/document/d/1VzC8Z49zi4pYE7PiN67FljQ5KFiDipLs78X9gGM3VEE/edit>

The ODL requires these items to be made available to the public “within a reasonable period of time after meeting,” to let the public know what happened at the meeting. As noted below, we recommend that within 1-2 days after the meeting, you review the document that you used to record the meeting memoranda, edit as appropriate to fix typos, correct errors, remove repetition and needless detail, etc., and upload the document to OnBoard.

This same document may be submitted to the board as meeting minutes for approval at the next meeting. Once approved, it may be uploaded to OnBoard as the approved meeting minutes.

Calendaring meetings and posting packets to City of Bloomington Website

For each board meeting, the staff liaison must (1) calendar the meeting using the board’s account on Google Calendar, and (2) upload certain materials to OnBoard. The specific steps for each of these are described below.

Calendaring the meeting on Google Calendar

1. Make sure you are calendaring the meeting on the **board’s** Google calendar and not your personal calendar.
2. Use the name of the board in the title of each meeting. Do not use acronyms, abbreviations, or unnecessary additional words in the title – i.e., “Board of Public Works” instead of “BPW” or “The City of Bloomington Board of Public Works.”
3. Indicate in the title whether the meeting is a Work Session, Regular Meeting, or some other kind of meeting (e.g., Special Session, Public Hearing).
4. Include the location of the meeting. When selecting a room, do not type text into the location field, but instead select the link to the room. Properly selecting the link to the room is necessary for the atrium kiosk to display the meeting’s location.

5. Within the “Description” field in Google Calendar include:
 - a. for hybrid meetings, the link through which the public may connect electronically to the meeting as well as the passcode, if the meeting is passcode protected. The link should be “live” so that the public may connect directly to the meeting by clicking on the link.
 - b. for all meetings, a link to OnBoard, where the agenda and packet for the meeting are located.
6. If a previously planned board meeting is canceled:
 - a. remove the room reservation in Google Calendar, and
 - b. add the word “CANCELED -” in all capitals in front of the meeting title in Google Calendar (e.g. “CANCELED - Plan Commission Work Session”).

The following is an example of what proper calendaring of a board meeting should look like.

Example:

Board of Public Works Work Session

When Mon, February 13, 12 pm – 1 pm
Where City Hall Council Chambers (RM #115) (236) ([map](#))
 401 N Morton St, Bloomington

Description

Meeting will be conducted in-person and virtually via Zoom

Meeting Agenda and Packet can be found here:

https://bloomington.in.gov/onboard/committees/info?committee_id=27

Topic: BPW Work Session & Opening of Sealed Bids/Quotes

Time: Feb 13, 2023 12:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://bloomington.zoom.us/j/85193273466?pwd=TFZCQmRrd2NIMlhSTDh1OUg5MEdaZz09>

Passcode: 123456789

If you have questions or need assistance with any of these steps, please contact the ITS Helpdesk (helpdesk@bloomington.in.gov, 812.349.3454) for assistance.

Posting Meeting Materials to OnBoard

1. Upload the packet and agenda for the meeting to OnBoard at the same time you distribute them to board members.
 - a. If additional material is submitted to the board liaison for the board’s consideration and you get it in time to amend or supplement the packet or agenda, upload the supplemented or amended versions of those documents when you circulate them to the board members.
 - b. If additional material is submitted to the board liaison too close in time to the start of the meeting, provide to the board members (or advise the submitter to do so) at

the meeting and upload the material to OnBoard when you upload the Meeting Memorandum.

2. As noted above under Meeting Memoranda, within 72 hours after the meeting, upload to OnBoard the memorandum containing the items the ODL requires be recorded as the meeting progresses.
3. After the minutes for a meeting have been adopted, upload the minutes to OnBoard. As noted above, the meeting memorandum (with any further desired edits) can and should serve as the meeting minutes and be provided to the board for approval. Best practice is to have the board approve the minutes at its next meeting, if possible.
4. Evaluate and test all documents uploaded to the website, added to OnBoard, linked to Calendar events, or otherwise shared electronically, for accessibility per the City's [guidance on digital accessibility](#).²

If you have questions or need assistance with any of these steps, please contact the ITS Helpdesk (helpdesk@bloomington.in.gov, 812.349.3454) for assistance.

Additional Questions

If you have questions about the Open Door Law and how it relates to a given board meeting or to your work as staff liaison to the board, or if a situation arises that you think might raise a question under the Open Door Law, please:

1. If the question is time sensitive, call or email the Legal Department for guidance. Start with Ashley Sparks, Administrative Assistant, at 812-349-3426 or legal@bloomington.in.gov, or the attorney who staffs your Department or board. Legal has access to all board calendars to help deal with emergencies.
2. Otherwise, start by reviewing the ODL training materials prepared by the Legal Department, available at **[need to insert link to training videos and powerpoint slides]**
3. Also review the [Handbook on Indiana's Public Access Laws](#), which discusses the ODL in detail.³

² <https://apps.bloomington.in.gov/kb/display/ITSKB/Accessibility>

³ <https://www.in.gov/pac/files/pac-handbook-update-draft-3-1-2022.pdf>

Appendix A - Meeting Checklist

For All Meetings

- The City Hall Atrium kiosk, also viewable [here](#)⁴, accurately displays (a) the name of the board, (b) the meeting date, time, and location, and (c) the Zoom link (if any)
- The notice appeared correctly on the Atrium kiosk at least 48 business hours prior to the meeting
- The packet and agenda were uploaded to OnBoard
- The meeting was accurately calendared on Google Calendar using the board's account
- Live links (1) to the packet and agenda on OnBoard and (2) to electronically connect to the meeting (if applicable), were included in the "Description" field in the meeting scheduled on the board's account in Google Calendar
- All documents uploaded to the website, added to OnBoard, linked to Calendar events, or otherwise shared electronically have been evaluated and tested for accessibility
- The agenda was physically posted outside the entrance of the meeting room before the meeting
- If the board uses a physical placard and is meeting in a room equipped with a placard holder, the placard is in place outside the room while the meeting is in session
- If the board does not use a physical placard or the meeting is taking place in a room that is not equipped with a placard holder, a paper copy of the name of the board has been posted outside the meeting room alongside the agenda
- A memorandum was kept during the meeting and recorded the following information:
 - The date, time, and location of the meeting
 - The names of the members present and the names of the members absent
 - Which members are attending in person and which are attending remotely, if any
 - The platform through which remote members are participating (e.g. "Zoom")
 - Each motion proposed and the name of the member proposing the motion
 - The name of the member seconding any motion
 - For roll call votes, how each member voted
 - For all votes, the outcome of any vote
 - The meeting memorandum was reviewed, edited as appropriate, and uploaded to OnBoard within 72 hours after the meeting
 - The meeting minutes were uploaded to OnBoard following approval by the board

⁴ bloomington.in.gov/public-meetings

For Hybrid Meetings

- The agenda does not include a planned vote on any of the following items:
 - (1) adopting a budget, (2) making a reduction in personnel, (3) initiating a referendum, (4) establishing or increasing a fee, (5) establishing or increasing a penalty, or (6) using eminent domain authority
- The Atrium kiosk shows the green **Join Zoom** button which provides a direct Zoom link to the meeting
- A majority of the total number of members of the board are participating in person
- No board member is participating remotely in their third consecutive meeting, unless they have been confirmed to meet the limited exceptions in the ODL allowing this
- No board member's remote participation makes it likely that the board member will have participated remotely in more than 50% of the board's total meetings for the year, unless they have been confirmed to meet the limited exceptions in the ODL allowing this
- All votes during the meeting were taken by roll call

Introduction:

In striving for greater effectiveness and consensus-building within our City Council, it's imperative to assess our current meeting structure and explore alternative methods that foster collaboration and forward thinking.

(Some) Pain Points of Business Meetings under Robert's Rules:

1. Lengthy and rigid procedures often stifle open dialogue and creativity.
2. Emphasis on formalities can alienate certain members and deter meaningful participation.
3. Strict adherence to parliamentary rules may prioritize process over substance, hindering the exploration of innovative solutions. This also favors those who master the process rather than e.g. those with the best ideas.
4. Tendency towards adversarial dynamics, undermining the spirit of cooperation and compromise.
5. TIME – much of it is wasted on procedures and motions, often unnecessary but the core issue is that we as a body do not often have enough time on a week to week basis to collectively engage with the set of issues we are looking at.

Consensus-Building Activities (CBAs) as an alternative:

Drawing from contemporary organizational literature, such as "The Consensus Building Handbook" by Lawrence Susskind and "Getting to Yes" by Roger Fisher and William Ury, consensus-building activities emphasize collaborative problem-solving and mutual understanding.

CBA encourages active listening, brainstorming, and the exploration of shared interests to reach mutually beneficial outcomes.

By fostering a culture of trust and cooperation, CBA cultivates a more inclusive decision-making process and promotes buy-in from all stakeholders.

The goal is not necessarily to arrive at a unanimous decision but to find a solution that everyone can support or at least live with. I.e. a solution ~~problem~~ that no one feels the need to vote "no" to.

Some key aspects of consensus building include:

- Active Listening: Ensuring that all participants feel heard and understood, which can help in identifying common ground.
- Open Dialogue: Encouraging open and honest discussion about different viewpoints to understand the interests behind positions.
- Inclusive Participation: Making sure all stakeholders or affected parties have a chance to contribute to the discussion.
- Problem Solving: Focusing on finding solutions that address the concerns of all parties rather than winning an argument.

- Flexibility: Being open to changing one's position in light of new information or understanding others' perspectives better but similarly, being flexible with approaches and rules so as to allow all of the above.

There are lots of other alternatives. I just think that CBAs may be the best fit. Or at least a good base for us to riff on.

How Might This Work for the Bloomington City Council?

First, Consensus Building Activities (CBAs) should not or perhaps cannot (?) replace current business meetings governed by Robert's Rules of Order for formal decision-making and legal compliance. Instead, CBAs should be used as a complementary process, particularly in the following scenarios:

- Complex or contentious issues: When the council faces complex policy decisions or particularly contentious issues where a broad consensus is beneficial. For example our recent resolution calling for humanitarian aid in Gaza.
- Strategic planning: For long-term strategic planning where input from various stakeholders can provide valuable insights and foster community buy-in. For example our discussions on the convention center.
- Community-sensitive decisions: In cases where decisions have a significant impact on the community, and there is a need for deep community engagement and input. For example ideas around closure of Kirkwood.
- Innovative solutions seeking: When seeking innovative or creative solutions for city problems, and a diverse range of ideas and perspectives is desired. For example legislation aimed at helping those experiencing homelessness.
- Enhancing Public Trust and Transparency: To enhance public trust and transparency in the decision-making process by involving community members and stakeholders more directly.

CBAs would typically be scheduled separately from regular business meetings. They could be planned as special sessions focused on specific topics, allowing for more in-depth discussion and a collaborative approach. Thinking of them in this way, we would not necessarily need to change Title 2 of municipal code to adopt an approach like this. We can simply use special sessions and structure them with CBA best practices in mind. Notably, we have already used CBA type activities with the Office of the Mayor on a handful of occasions and these have been relatively productive and efficient discussions.

The outcomes from these CBAs could then be brought to the formal council meetings for consideration and official action via formal resolutions, ordinances etc.

It's important to integrate CBAs into the city council's schedule in a way that complements and enhances the existing decision-making processes, without overburdening the council's agenda or disregarding the necessary formal procedures required for official actions.

Regular Working Sessions as Platforms for CBAs?

Implementation: The council could schedule regular working sessions or town hall meetings specifically dedicated to exploring topics through CBAs. These sessions would not be for making formal decisions but for open dialogue, brainstorming, and building consensus on various issues before they become formal agenda items or legislative proposals.

Format: Each session could focus on a specific theme or challenge facing the city, inviting input from council members, the mayor, residents, and relevant experts or stakeholders. The format could be flexible, adapting consensus-building techniques to ensure productive and inclusive discussions. These could range from small breakout groups to larger facilitated discussions, all aimed at gathering diverse perspectives and finding common ground.

Alternatively, we could set the agenda by saying that any topic that three people want to discuss be placed on the agenda. Then the president uses discretion and codified power to determine what is on agenda if too many things are wanting to be discussed. This could be done before the meetings.

Outcome: The ideas and consensus formed during these sessions could be documented and used as a foundation for drafting future legislation or council actions. This proactive approach to legislation development ensures that proposals are well-considered, broadly supported, and reflective of community needs and values.

These meetings can include updates by invitation, public participation, workshopping, small group discussions etc. Or they could be done in a town hall format. Lots of options.

Focused Regular Meetings for Efficient Legislative Action

We could then streamline our business meetings to only include: first readings, public comment relevant to those things being read for first readings, second readings, and introductions of any resolution. By concentrating regular council meetings on legislation that is ready for a vote – or that statutorily is required to be read twice, the council can ensure that these meetings are efficient and focused. This leaves more room in the council's schedule for the aforementioned working sessions, where the groundwork for these legislative items can be laid through CBAs.

Integration with CBAs: Before an item reaches the regular meeting agenda for a vote, it would have been thoroughly discussed and shaped through CBAs by the entire council. This means that by the time legislation is considered in a regular meeting, it has already undergone a comprehensive consensus-building process, increasing the likelihood of broad support and reducing the time spent on debate during the formal meeting.

Enhanced Visibility and Collaboration Through Mayor-Council Interactions

We could invite the mayor to all of these working sessions. Transforming the interactions between the mayor and the council into public, collaborative sessions ensures that governance is more transparent and inclusive. These sessions, possibly part of the regular working sessions or town halls, would allow the mayor and council to discuss initiatives, challenges, and opportunities in a format that encourages public participation and oversight.

Commented [1]: To allow discussion or public comment at first reading, we would have to amend BMC 2.04.300

Commented [2]: Perhaps not all legislation needs to go through the CBA process, for example routine interlocal agreements (e.g. Animal Shelter operations) or largely technical code updates (e.g. the 4 UDO ordinances we passed 4/10/24)

CBAs could be a central feature of these interactions, serving as a structured approach to discussing and resolving issues collaboratively. This would not only enhance the quality of the discussions but also ensure that a wider range of perspectives is considered in the decision-making process.

Making these interactions public and regular would increase accountability and ensure that decisions are made in the best interest of the community. The outcomes of these CBAs and collaborative sessions could be tracked and reported back to the public, further enhancing transparency and trust in the council's work.

Integrating CBAs into these aspects of the council's operations could transform how governance is conducted in Bloomington. It would encourage a more open, participatory, and effective approach to addressing the city's challenges, ensuring that decisions are made through a process that values consensus, inclusivity, and the collective wisdom of the community.

Proposed Hybrid Meeting Structure:

First week of every month Traditional business meetings utilizing Robert's Rules of Order for formal decision-making and procedural matters. We would only hold a second meeting by vote at the first business meeting. We should default to "not" having a meeting rather than defaulting to having one and having to dispense with it. This could be changed in code.

Intervening Weeks: Open-door consensus-building meetings focused on dialogue, idea-sharing, and collaborative problem-solving. These could happen on different days of the week and in different locations.

Consensus-building sessions may include structured activities such as facilitated discussions, workshops, and group exercises aimed at exploring innovative solutions and building consensus. By alternating between structured business meetings and consensus-building sessions, the council can strike a balance between efficiency and inclusivity, fostering a more dynamic and participatory decision-making process.

This hybrid approach leverages the strengths of both traditional parliamentary procedures and modern consensus-building techniques, promoting a culture of constructive engagement and collective problem-solving within the council.

Some things to read:

Susskind, L., & Cruikshank, J. L. (2006). *Breaking Robert's Rules: The New Way to Run Your Meeting, Build Consensus, and Get Results*. New York, NY: Oxford University Press.

Susskind, L., McKernan, S., & Thomas-Larmer, J. (Eds.). (1999). *The Consensus Building Handbook: A Comprehensive Guide to Reaching Agreement*. Thousand Oaks, CA: Sage Publications.

Commented [3]: How would the record-keeping be handled? Would we ask the Clerk's Office to take minutes or less detailed memos to summarize the discussions?

Commented [4]: And if we only have time to read one of these, which one would you recommend? :-)

Fisher, R., Ury, W., & Patton, B. (2011). *Getting to Yes: Negotiating Agreement Without Giving In*. New York, NY: Penguin Books.

Innes, J. E., & Booher, D. E. (2010). *Planning with Complexity: An Introduction to Collaborative Rationality for Public Policy*. London: Routledge.

ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2024

Regular Meetings. The Council will hold three regular sessions each month, usually on the first, second, and third Wednesdays, unless otherwise listed below. Upon the introduction of an ordinance (typically through a "first reading" at a regular session), the Council may refer it to a committee, may schedule it for deliberation (typically through a "second reading" at the next regular session), or may consider it for adoption (a two-thirds (2/3) vote of all the elected members, after unanimous consent of the members present to consider the ordinance, is required to pass an ordinance on the same day or at the same meeting at which it is introduced). Resolutions may be considered for action by the Council at one meeting.

Referral to Committee. Legislation may be referred to one of the Council's committees. Under local code, when a committee is to consider legislation referred by the Council, it does so on the second and/or fourth Wednesdays unless a majority of the Council decides to meet at an alternative date and time.

A standing committee must return a referred item of legislation to the full Council by the second Regular Session following its referral, but may choose to return the item after a single regular session.

Location and Time of Meetings: Unless otherwise indicated, the Council meets in the Council Chambers, Suite 115 of City Hall, at 6:30 p.m. When considering referred legislation, standing committee meetings start between 5:30 and 9:45 pm (BMC 2.04.255). Council and committee meetings are also accessible electronically via links shared on the Council's web calendar, at: <https://bloomington.in.gov/council>.

Deadlines for Legislation: Ordinances and resolutions should be submitted to the Council Office at least ten days before the meeting at which the legislation is to be introduced. All accompanying materials, including a summary memo and fiscal impact statement, must be submitted to the Council Office via email by noon on the date listed below. For the manner for submitting these materials, please inquire with the Council Office.

Deadline for Submission of Legislation and Supporting Materials	Council Meeting Dates	Deadline for Submission of Legislation and Supporting Materials	Council Meeting Dates
N/A	01/10/2024 Organizational Meeting ¹	07/22/2024	07/31/2024 Regular Session ⁷
01/08/2024	01/17/2024 Regular Session	07/24/2024	08/07/2024 Regular Session
01/15/2024	01/24/2024 Regular Session	08/05/2024	08/14/2024 Regular Session
01/29/2024	02/07/2024 Regular Session	08/12/2024	08/21/2024 Regular Session
02/05/2024	02/14/2024 Regular Session	08/19/2024	08/26/2024-08/29/2024 – Departmental Budget Hearings on 2025 Budget ⁸
02/12/2024	02/21/2024 Regular Session	08/26/2024	09/04/2024 Regular Session
02/19/2024	02/28/2024 Regular Session ²	09/02/2024	09/11/2024 Regular Session
02/26/2024	03/06/2024 Regular Session	09/09/2024	09/18/2024 Regular Session
03/11/2024	03/27/2024 Regular Session ³	09/16/2024	09/25/2024 Special Session – Introduction of 2024 Budget Legislation followed by a Committee of the Whole (including the public hearing on the 2024 Budget) ⁹
03/25/2024	04/03/2024 Regular Session		
04/01/2024	04/10/2024 Regular Session		
04/08/2024	04/17/2024 Regular Session		
N/A	04/25/2024 Budget Advance ⁴	09/23/2024	10/01/2024 Regular Session ¹⁰
04/22/2024	05/01/2024 Regular Session	09/30/2024	10/09/2024 Special Session – Adoption Meeting for 2024 Budget Legislation ⁹
04/29/2024	05/08/2024 Regular Session	10/07/2024	10/16/2024 Regular Session
05/06/2024	05/15/2024 Regular Session	10/28/2024	11/06/2024 Regular Session
05/27/2024	06/05/2024 Regular Session	11/04/2024	11/13/2024 Regular Session
N/A	06/11/2024 Budget Advance ⁴	11/11/2024	11/20/2024 Regular Session
06/03/2024	06/12/2024 Regular Session	11/25/2024	12/04/2024 Regular Session
06/10/2024	06/18/2024 Regular Session ^{5 & 6}	12/02/2024	12/11/2024 Regular Session ⁹
<i>Summer Recess - Ending With Regular Session on July 31, 2024⁷</i>		<i>Year-End Recess – followed by Organization Day on January 8, 2025¹¹</i>	

1. **Organizational Meeting.** The Council will hold its 2024 Organizational Meeting on January 10 when it elects officers and appoints members to serve on various boards and commissions. Under local code, the meeting must be held no later than the second Wednesday in January unless rescheduled by a majority of the Council. (BMC 2.04.010 and BMC 2.04.050[a, c & d]).
2. **Fourth Wednesday in February.** The Council will hold a fourth Regular Session in February rather than meet during the second week of March in order to avoid meeting during Spring Break (when many residents are out of town).
3. **Fourth Wednesday in March.** The Council will meet for a Regular Session on March 27 to avoid meeting during the third week of March, when the City Clerk and staff will be out of town attending training courses.
4. **Budget Advance Meetings.** The Council will hold a Budget Advance meeting in the Council Chambers at 6:00 p.m. on Thursday, April 25. The Council will hold a second Budget Advance meeting in the Council Chambers at 6:00 p.m. on Tuesday, June 11.
5. **Juneteenth.** The Council will hold its third Regular Session in June on Tuesday, June 18 to avoid meeting on Juneteenth.
6. **Tax Abatement Report.** The Council will hear Annual Tax Abatement Reports no later than the Regular Session on June 18, during Reports from the Mayor and City Offices.
7. **Summer Recess.** BMC 2.04.050[e] states that the Council may schedule a summer recess, but if it does so, no legislation may be introduced for first reading at the final regular session prior to the recess. By approving this Annual Schedule, the Council will be scheduling a Summer Recess to begin after the Regular Session of June 18 and to end with a Regular Session on July 31 (the fifth Wednesday of that month).
8. **Departmental Budget Hearings.** The Council will hold Departmental Budget Hearings on the 2025 budget in the Council Chambers on Monday, August 26, Tuesday, August 27, Wednesday, August 28, and Thursday, August 29 beginning at 5:30 p.m. each night. Budget Books are scheduled to be delivered to members no later than Friday, August 23.
9. **Budget Cycle.** After holding Departmental Budget Hearings in late-August (see Note #8), the Council will formally consider the several items making up the City Budget for 2025 during a separate legislative cycle known as the "Budget Cycle," starting in late September and ending in mid-October. Please note that the statutorily required initial public hearings associated with the City Budget package will be held during the aforementioned committee hearing, and the official adoption meeting will be held at second reading during the Special Budget Session in October.
10. **Rosh Hashanah.** Because Rosh Hashanah (Jewish New Year) begins on Wednesday, October 2, the first Regular Session in October has been rescheduled for Tuesday, October 1.
11. **Year-End Recess.** BMC 2.04.050[g] calls for the Council to recess after the second Regular Session in December. At this session, legislation may not be introduced for first reading.

Note: If additional meetings are scheduled, or if the date, time or place of a scheduled meeting changes, additional public notice will be posted. By adoption of this schedule, the Council gives staff the authority to correct typographical errors and align the footnotes and narrative to mesh with changes made in the course of Council approval of this schedule. These changes will not alter the date, time, or place of any meeting voted upon by the Council.

CITY OF BLOOMINGTON, INDIANA
ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2019
(Subject to Revision by Common Council)

The Legislative Cycle. While it is typical for the Council to introduce and take final action on legislation during the same legislative cycle, which typically spans three consecutive Wednesdays (or 14 days), the Council may schedule legislation for further consideration at subsequent Committees of the Whole, Regular Sessions, or Special Sessions. Matters certified by the Plan Commission may be referred to the Land Use Committee which, unless given more time by that motion, may return the matter to the full Council at the second Regular Session following its referral to the Land Use Committee.

Work Sessions. Work Sessions provide an opportunity for the Council members to learn about City initiatives, most of which are close to formal consideration by the Council. These meetings will be held in the Council Office Library (Room 110 of City Hall) at noon. If the room is too small for the meeting, the Council may move it to another room in City Hall and post notice on the door of the Council Office the day of the change in location. Except for the meetings on Monday, December 18, 2018, Thursday, April 18, 2018, and Monday, December 16, 2019, these meetings will be held on a Friday.

Deadlines for Legislation: There are typically two deadlines for submitting legislation for each legislative cycle: one for ordinances and another for resolutions. These deadlines include the submittal of all accompanying materials, including a summary memo, and are set at noon on the date listed above. For information on the manner for submitting these materials, please inquire with the Council Office.

Usual Day, Location, and Time of Meetings: Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 6:30 p.m. It also meets for a Work Session on Fridays about 10 days before the beginning of the next legislative cycle. See the first column of the chart (below) and Work Session (above) for the day, time, location of those meetings and the typical topics discussed at them. Matters certified by the Plan Commission to the Common Council may be referred to the Land Use (Standing) Committee. When considering those matters, the Land Use Committee, as a standing committee of the Council, shall meet on the second and fourth Wednesday of the month and start its meeting between 5:30 pm and 9:45 pm. (BMC 2.04.255)

LEGIS CYCLE	WORK SESSIONS	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE OF THE WHOLE/ LAND USE COMMITTEE DISCUSSION	REGULAR SESSION 2nd AND READINGS AND RESOLUTIONS
1	Mon. Dec. 17 (2018)	Wed. Dec. 19 (2018)	Wed. Dec. 19 (2018)	¹ Jan. 9	¹ Jan. 9	Jan. 16
2	Fri. Jan. 4	Mon. Jan. 7	Mon. Jan. 14	Jan. 16	Jan. 23	Feb. 6
3	Fri. Jan 25	Mon. Jan. 28	Mon. Feb. 4	Feb. 6	Feb. 13	Feb. 20
4	Fri. Feb. 8	Mon. Feb. 11	Mon. Feb. 18	Feb. 20	Feb. 27	Mar. 6
5	Fri. Feb. 22	Mon. Feb. 25	Mon. Feb. 25	² Mar. 6	² Mar. 6	Mar. 20
6	Fri. Mar. 8	Fri. Mar. 8	Mon. Mar. 18	Mar. 20	Mar. 27	Apr. 3
7	Fri. Mar. 22	Mon. Mar. 25	Mon. Apr. 1	Apr. 3	Apr. 10	Apr. 17
8	Fri. Apr. 5	Mon. Apr. 8	Fri. Apr. 12	Apr. 17	Apr. 24	May 1
9	Thu. Apr. 18	Mon. Apr. 22	Mon. Apr. 29	³ May 1	May 8	May 15
10	Fri. May 3	Fri. May 3	Mon. May 13	May 15	May 22	⁴ May 29
11	Fri. May 17	Mon. May 20	Fri. May 24	⁴ May 29	⁴ June 5	^{4 & 5} June 12
SUMMER RECESS (ENDING WITH REGULAR SESSION ON JULY 31 AND DEPARTMENTAL BUDGET HEARINGS (STARTING ON MONDAY, AUGUST 19) ³)						
12	Fri. July 19	Mon. July 22	Mon. July 22	⁶ July 31	⁶ July 31	⁶ Aug 7
13	Fri. July 26	Mon. July 29	Mon. July 29	⁶ Aug 7	⁶ Aug. 7	⁶ Aug. 14
14	Fri. Aug. 2	Mon. Aug. 5	Mon. Aug. 12	⁶ Aug. 14	Aug. 28	Sep. 4
15	Fri. Aug. 16	Mon. Aug. 26	Fri. Aug. 30	Sep. 4	Sep. 11	⁷ Sep. 18
Budget	N/A	Mon. Sep. 9	Mon. Sep. 9	⁸ Sep. 25	⁸ Sep. 25	⁸ Oct. 10
16	Fri. Sept. 6	Mon. Sept. 9	Mon. Sept. 16	⁷ Sep. 18	⁷ Oct. 2	⁷ Oct. 16
17	Fri. Oct. 4	Mon. Oct. 7	Mon. Oct. 14	Oct. 16	Oct. 23	⁹ Oct. 30
18	Fri. Oct. 18	Mon. Oct. 21	Mon. Oct. 28	⁹ Oct. 30	⁹ Nov. 6	⁹ Nov. 13
19	Fri. Nov. 1	Fri. Nov. 1	⁹ Wed. Nov. 6	⁹ Nov. 13	⁹ Nov. 20	Dec. 4
20	Fri. Nov. 15	Mon. Nov. 18	Mon. Dec. 2	Dec. 4	Dec. 11	⁴ Dec. 18

YEAR END RECESS

First Legislative Cycle for 2019:

1	Mon. Dec. 16 (2019)	Wed. Dec. 18	Wed. Dec. 18	¹ Wed. Jan. 8 (2020)	¹ Wed. Jan. 8 (2020)	Wed. Jan. 15 (2020)
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(Over)

The following footnotes list and explain the exceptions to this general rule:

1. **Organizational Meeting.** The Council will hold an annual Organizational Meeting on this date when, along with other matters, it elects officers, appoints its members to serve on boards and commissions, and gives legislation first reading. Under local code, the meeting must be held by the second Wednesday in January unless rescheduled by a majority of the Council. (BMC 2.04.010 and BMC 2.04.050[a, c & d]). This meeting will be immediately followed by a Committee of the Whole.
2. **Spring Break.** The Council will hold its first Regular Session and first Committee of the Whole in March on the first Wednesday (March 6, 2019). This schedule calls for two meetings on one night in order to avoid meeting over Spring Break (when many residents are out-of-town).
3. **Budget Hearings.** The Council will hold a Council Budget Advance in the McCloskey Room (Room 135) of City Hall at 5:30 p.m. on Tuesday, April 30 and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, August 19, Tuesday, August 20, Wednesday, August 21, and Thursday, August 22, 2019. Budget Books are scheduled to be delivered on Monday, August 13, which is one week before the start of the Departmental Budget Hearings.
4. **Summer Recess.** BMC 2.04.050[e] & [g] call for the Council to take a brief recess after the first Regular Session in August and the second Regular Session in December, and not introduce legislation for first reading at these meetings. By approving this Annual Schedule, the Council will be starting and ending the Summer Recess earlier than set forth in the BMC and earlier than has been done before. The Summer Recess will begin after the first legislative cycle in June and end with a Work Session on Friday, July 19. Please note that this will move two legislative cycles from before to after the Summer Recess. In order to begin the Summer Recess in mid-June, this schedule will also use the fifth Wednesday in May to move the last legislative cycle before the Summer Recess up one week. This results in a Regular Session on May 29, Committee of the Whole on June 5, and a Regular Session on June 12.
5. **Tax Abatement Report.** The Council will hear the Annual Tax Abatement Report as a Report from the Mayor and City Offices at this Regular Session.
6. **Summer Schedule Adjustment.** As mentioned in Footnote #4, this Annual Schedule moves two legislative cycles from before to after the Summer Recess and ends that recess earlier than usual. In order to avoid losing a legislative cycle (because of Departmental Budget Hearings), those two legislative cycles will entail doubling-up Regular Sessions and Committees of the Whole on both July 31 and August 7. Those legislative cycles include a Work Session on Friday, July 19, a Regular Session and Committee of the Whole on July 31, Regular Session and Committee of the Whole on August 7, and a Regular Session on August 14.
7. **Second Legislative Cycle in September – Overlaps with Budget Cycle.** The second legislative cycle in September overlaps with the Budget Cycle and is intended to allow for consideration of routine, non-budget legislation during that time. That schedule results in the second legislative cycle spanning from the third Wednesday in September to the third Wednesday in October. Those meetings will include a Regular Session on Wednesday, September 18, a Committee of the Whole on October 2 (a first Wednesday), and a Regular Session on October 16. In essence, this arrangement replaces one legislative cycle in early October with the Budget Cycle.
8. **Budget Cycle Schedule.** After holding Departmental Budget Hearings in the mid-August (See Footnote #3), the Council will formally consider the City Budget for 2019 during a separate legislative cycle (known as the “Budget Cycle”) starting in late September and ending in early October. In keeping with the Wednesday meeting schedule, this Budget Cycle typically starts with a Special Session and Committee of the Whole on the fourth Wednesday in September and ends with a Special Session on the second Wednesday in October. However, because Yom Kippur (Jewish High Holy Day) falls on Wednesday, October 9, the Budget Cycle in 2019 will entail a Special Session and Committee of the Whole on Wednesday, September 25 and a Special Session on Thursday, October 10. Please note that the statutorily required initial public hearings associated with the City Budget package will be held during the aforementioned Committee of the Whole in September and the adoption hearings will be held at the Special Budget Session in October.
9. **Scheduling around Thanksgiving.** The Council will not meet for a Committee of the Whole on the Wednesday before Thanksgiving per BMC 2.04.050 (f). In order to hold a full complement of Wednesday meetings during the two legislative cycles in November, this schedule starts the first legislative cycle in November on the fifth Wednesday of October. The meetings in those legislative cycles include: a Regular Session on Wednesday, October 30, a Committee of the Whole on Wednesday, November 6, a Regular Session on Wednesday, November 13, a Committee of the Whole on Wednesday, November 20 and a Regular Session on Wednesday, December 4.

Note: By adoption of this schedule, the Council gives staff the authority to correct typographical errors and align the footnotes and narrative to mesh with changes made in the course of Council approval of this schedule. These changes will not alter the date, time, or place of any meeting voted upon by the Council.

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. 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.

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

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).

(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;

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- (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).

Article II. Meetings and Rules of Procedure

2.04.050 Regular meetings.

- (a) 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 Wednesday in January to elect officers. 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 majority party shall designate a councilmember to 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 first meeting of the year.
- (d) In accordance with Indiana Code § 36-4-6-8, in years subsequent to the year immediately following its election, the council shall meet at 6:30 p.m. one evening no later than the second 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.
- (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, 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.

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

(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.

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 13-05, § 3, 3-6-2013)

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 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, 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 once upon a question until every other member has had the opportunity to speak. 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).

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.

(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 he be excused from voting, deliberating, or taking action on the matter, or shall explain the potential conflict and state why he is 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.

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. All council members may attend the meetings of any standing

committee, but only those members who have been appointed to the committee shall be permitted to vote on questions before the committee. 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 chairperson may act as secretary of the committee or the committee may appoint a secretary, who shall keep a memorandum of the proceedings and 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).

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 presiding officer may form a special committee for any specific purpose proper for council consideration. 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 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 residing 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.

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- (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)

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, special sessions called by the president or voted upon by the council, and committees convened to consider legislation referred to them, and the council staff shall prepare and distribute copies of the agendas and legislation to the council members, the mayor, and corporation counsel. 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 two readings before a vote may be taken on its passage and no ordinance shall be passed on the same day or at the same meeting as it is introduced except by unanimous consent of the members present, at least two-thirds of the members being present and voting. An ordinance may not be debated or amended at its first reading or introduction unless state or federal requirements provide otherwise.
- (b) At each reading of an ordinance the synopsis shall be read and the clerk shall read the ordinance by title only, provided there is unanimous consent.
- (c) Each resolution submitted to the council shall be read by title only provided there is unanimous consent.

(Ord. 79-97 § 2 (part), 1979).

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.

(Ord. 83-15 § 1 (part), 1983).

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.

(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:

- (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.

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- (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.

(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):

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- (A) Council members,
 - (B) The mayor and city offices,
 - (C) Council committees, and
 - (D) Public*;
- (5) Appointments to boards and commissions;
 - (6) Legislation for second readings and resolutions;
 - (7) First readings;
 - (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 five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

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

(Ord. No. 10-14, § 1, 9-23-2010)

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 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.

2.08.020 General provisions.

For the executive branch and the city's boards, commissions and councils, the following general provisions apply unless otherwise specified by statute or ordinance.

- (1) **Appointments.** All department heads shall be appointed by the mayor, subject to commission or board approval when required by this title, and serve at the pleasure of the mayor. Department heads shall appoint deputies and other employees within their departments with the approval of the mayor.
- (2) **Terms.** The terms for all boards, commissions, and councils established under this title shall, after having been established in a staggered manner, be for a period of two years and expire on January 31st. For all such boards, commissions, and councils in effect on December 1, 2014, the terms shall be as set forth in the Proposed Board and Commission Term Expiration Dates, which is hereby adopted and incorporated by reference into the code. In compliance with Indiana Code § 36-1-5-4, two copies of the proposal shall be on file in the office of city clerk for public inspection. For all boards, commissions, and councils established after December 1, 2014, the manner for achieving staggered terms shall be set forth in the enabling legislation and shall spread the expiration dates as evenly as is practicable between the appointing authorities and over all of the appointments.
- (3) **Residential Requirement.** All appointments to city boards, commissions and councils shall be made from residents of the city except those positions that are directed otherwise by state law or city ordinance. If a city employee is appointed to a city board, commission or council by virtue of the employment position, the residency requirement may be waived.

In the event a member of a board, commission, or council no longer resides in the city, the member shall resign immediately and notify the appropriate appointing official or body.

- (4) **Removal for Cause.** Except for appointees who serve at the pleasure of the mayor, a member of a board, commission or council may be removed for cause. Cause shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the board, commission, or council or four regularly scheduled meetings in any twelve-month period; provided, that any member may submit in writing to the appointing authority any extenuating circumstances. Such written submission shall be made within five business days before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing official or body puts the member on notice that further excessive absenteeism shall result in removal.
- (5) **Vacancies by Death, Resignation—Failure to Appoint.** In the event that a vacancy occurs in the membership of a board, commission, or council through resignation or death, the appointing authority shall appoint a person to fill the unexpired term of the resigned or deceased member. If a member's term has expired, but the appointing authority has failed to act, the appointment of the member whose term has expired carries over until the appointing authority reappoints or appoints a successor.
- (6) **Majority Vote.** Majority vote means a majority of the members of a board, commission or council who are present and voting.
- (7) **Quorum.** Unless otherwise specified, a majority of the members serving on a board, commission or council, excepting the nonvoting ex officio members, constitute a quorum for purpose of conducting the official business of the board, commission or council.
- (8) **Parliamentary Procedure.** Meetings of all boards, commissions and councils shall be conducted according to procedures set forth in Roberts Rules of Order.
- (9) **Officers.** Each board, commission and council shall elect a chairperson, secretary, treasurer, and such other officers as may be necessary. Such entity may appoint a non-member to serve as secretary.

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- (10) Duties of the Secretary. The secretary of each board, commission or council shall keep for every meeting written minutes in which the results of any vote are recorded and, when appropriate, specific findings of facts and conclusions are set forth.
 - (11) Special Meetings. A special meeting of a board, commission or council may be called by the chairperson, the mayor, or by a majority of the members then serving on the board, commission or council requesting such meeting in writing. Upon receiving such request, the chairperson shall thereafter call a special meeting to be held within twenty days.
 - (12) Office Space and Staff. Provision of office space and staff to boards, commissions and councils shall be at the discretion of the mayor, subject to common council appropriation approval.
 - (13) Budget. All departments, divisions of departments, boards, commissions and councils shall prepare and submit annual budgets in accordance with the forms, timetables, and procedures promulgated by the mayor.
 - (14) The intentional display of firearms is prohibited at any public meeting of the city's boards, commissions and councils.

(Ord. 97-03 §§ 1, 2, 1997; Ord. 83-6 § 2 (part), 1983).

(Ord. No. 11-15, § 3, 9-14-2011; Ord. No. 14-26, §§ 1—5, 12-10-2014)