

**City of Bloomington  
Common Council  
Legislative Packet**

**Wednesday, 14 February 2018**

**Committee of the Whole**

*For the legislation and related material regarding Ord 18-02 and Ord 18-03, please consult the [packet](#) issued for the 07 February 2018 Regular Session.*

*Res 18-02 and related material is contained herein.*

*For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*

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To: Council Members  
From: Council Office  
Re: Weekly Packet Memo  
Date: February 9, 2018

### **Packet-Related Material**

Memo  
Agenda  
Notice:

- *Notice of Jack Hopkins Social Services Funding Committee – Organizing Meeting, Monday, 26 February 2018, 5:30 p.m., Council Library (#110)*

### **Legislation for Discussion at the Committee of the Whole** **Wednesday, 14 February 2018**

- **Ord 18-02** An Ordinance Re-Establishing Cumulative Capital Development Fund Under IC 36-9-15.5
  - Memo from Jeff Underwood, Controller

*Contact:*

*Jeff Underwood at 812-349-3412; [underwoj@bloomington.in.gov](mailto:underwoj@bloomington.in.gov)*

*Philippa Guthrie at 812-349-3426; [guthrip@bloomington.in.gov](mailto:guthrip@bloomington.in.gov)*

→ Introduced on 07 February 2018. Please consult that [Legislative Packet](#) issued for that meeting for legislation and background material.

- **Ord 18-03** To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Batman-Waldron House at 403 West Kirkwood Avenue (Nancy Garrett, Petitioner)
  - Aerial Map;
  - Memo to Council from Rachel Ellenson, Program Manager, Housing and Neighborhood Development Department;
  - Application
  - Staff Report to Council tying Designation to Criteria
  - Map

- Photos of House Exterior and Grounds

Contact:

*Rachel Ellenson at 349-3401; [ellonsor@bloomington.in.gov](mailto:ellonsor@bloomington.in.gov)*

*Philippa Guthrie, at 349-3426; [guthriep@bloomington.in.gov](mailto:guthriep@bloomington.in.gov)*

→ Introduced on 07 February 2018. Please consult that [Legislative Packet](#) issued for that meeting for legislation and background material.

- **Res 18-02** To Establish a Land Use Committee of the Common Council
  - Memo to Council from Sponsor Councilmember Steve Volan
  - Copy of BMC text re: Standing Committees
  - Mock up possible Standing Committee Report Form.

Contact: Steve Volan at 812.333.0900; [volans@bloomington.in.gov](mailto:volans@bloomington.in.gov)

## Memo

### Three Items for Discussion at Committee of the Whole

There are three items scheduled for discussion at next week's Committee of the Whole. Ords 18-02 and 18-03 were introduced last week and the legislation and background material can be found at the links cited above. The third item is Res 18-02, sponsored by Councilmember Volan, the legislation for which is included in this packet. A summary of this proposal follows below.

#### Res 18-02 Establishing a Land Use Committee as a Standing Committee of the Common Council

Res 18-02 is sponsored by Councilmember Volan and establishes a Land Use Standing Committee of the Council. This Committee would have two primary charges: to consider land use legislation referred to it by the full Council and to research and take public input on other land use matters. While the plain language of this proposal is very simple, the establishment of a Land Use Committee under this proposal will re-shape Council processes when it comes to land use matters. As spelled out in both the resolution and supporting memorandum from Councilmember Volan, Councilmember Volan maintains that the procedural

changes associated with the establishment of a Land Use Committee will improve the Council's deliberations on land use legislation and will allow the Council to play a greater role in land use matters of community concern.

### ***Standing Committees: A Brief History***

Standing committees are not new. A general provision allowing for standing committees has been in local code since 1979. The Sidewalk Committee, the Jack Hopkins Committee, and the interviewing committees are all examples of standing committees. Pursuant to local code, the Council may establish a standing committee by resolution "to facilitate the transaction of business." BMC 2.04.210. Unlike special committees or task forces which sunset after they have completed their duties, standing committees endure and may be abolished only by way of subsequent resolution. *Id.*

### ***Standing Committees: Two Functions Provided by BMC***

The Bloomington Municipal Code provides language that allows a standing committee to operate in two distinct ways. First, the Code provides that the full Council can refer a matter before the Council (most usually, legislation) to the standing committee to investigate and report back to the Council. In this sense, a standing committee may essentially replace the function of a Committee of the Whole. The second way in which the BMC contemplates a standing committee functioning is under the more general provision that such committees may "investigate other matters within their jurisdiction." BMC 2.04. 210. While local code provides for these two functions of a standing committee, it does not require it. Instead, any resolution creating a standing committee must "define the duties and responsibilities of each committee;" such scope may be broad or it may be narrow.

### ***Standing Committees: Other Requirements of the BMC***

The BMC also provides for other aspects of a standing committee, such as membership, chairing, attendance, voting, notice and conduct of meetings, reporting requirements, and the scheduling of such meetings. The full text of the relevant BMC provisions follow Councilmember Volan's proposal. The ways in which these general rules articulate with Councilmember Volan's proposal are discussed below.

## ***Resolution 18-02: The Specifics***

**Membership:** Councilmember Volan’s Land Use Committee would be a four-person committee that includes the Council’s representative to the Plan Commission.

→ Note that the BMC requires that when standing committees are established, the president appoints at least three people to such a committee “observing the preference of each member as closely as possible” and also appoints a chairperson for each committee. BMC 2.04.210. And while all Council members may attend a meeting of a standing committee, only those appointed are authorized to vote on matters before the committee.

**Purpose:** The purpose of Councilmember Volans’ Land Use Committee “is to make recommendations to the Council on matters certified to the Council by the Plan Commission, and to research and take input on other land use matters of community concern.” (Section 3)

**Referral of Legislation:** Under Res 18-02, “[f]ollowing first reading of a land use matter that has been certified to the Council by the Plan Commission, the Council shall entertain a motion to refer the matter to the Land Use Committee pursuant to BMC 2.04.255.” (Section 4)

→ Res 18-02 includes a partial, but not complete, recitation of the referral process when it comes to referral to a standing committee. Currently, a piece of land use legislation certified to Council is referred to the Committee of the Whole the week after the legislation is read into the record. The whole Council sits in the Committee of the Whole. Under Res 18-02, after a land-use piece of legislation is read into the record, the Council would have a choice: either the Council could refer the legislation to the Committee of the Whole or the Council could refer the matter to a four-person Land Use Committee. More specifically, and pursuant to a change sponsored by Councilmember Volan and passed by the Council in 2012 via Ord 12-10, “[*m*]otions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene” (BMC 2.04.255). While local code clearly provides that motions to a standing committee shall be made first, there is no requirement under local code, nor under Councilmember Volan’s proposal, that land use legislation would be referred to such a committee. Instead, the requirement is that motions to refer the matter to the Land Use Committee be entertained first. If no motion is made or if such motion is unsuccessful, then the

matter would be referred to the Committee of the Whole.

Recall, that statute outlines the land use matters on which the Plan Commission certifies their recommendations to the Council. By statute, the Plan Commission makes advisory recommendations to the Council on matters regarding: 1) adoption of a comprehensive plan; 2) adoption of a text amendment to a zoning ordinance (Title 20 – the UDO); 3) the adoption of a PUD or an amendment to a PUD; and 4) zoning map changes (re-zones). Other matters including, but not limited to, approval of plats and site plans are the responsibility of the Plan Commission and do not come to the Council for approval. I.C. §36-7-4-405. By statute, the Plan Commission must certify its recommendation to the Council. Subsequent to certification, the Council has 90 days to act on the proposal. Where legislation comes forward from the Plan Commission with a positive recommendation and the Council does not act within that 90-day window, then the measure goes into effect IC § 36-7-4-607(b)-(f)

### **Scheduling a Land Use Committee**

When it comes the broader charge to research and gather input on land use issues that have not been certified to the Land Use Committee, aside from complying with Indiana Open Door law, there is no requirement about when the Land Use Committee might meet. However, when legislation referred to the Land Use Committee by the Council, changes made by the Council in 2012 require, in relevant part, the following:

- **2nd and 4th Wednesday Requirement**: BMC 2.04.255 requires that any standing committee and any meeting of the Committee of the Whole be held on the second and fourth Wednesday of the month.
- **Meeting Start Time Window – 5:30-9:45p**: BMC 2.04.255 also requires that such a standing committee cannot begin any meeting any earlier than 5:30pm and no later than 9:45 pm. Notably, this change was made before the Council voted to change the times for both its Regular Sessions and Committee of the Whole meetings to start times of 6:30pm. It's likely that if the Council refers a matter to the Land Use Committee, the Council may have other, non-land use matters to consider that same night at a Committee of the Whole. Councilmember Volan advises that Land Use Committee meetings will run no longer than two hours. Where both a Land Use Committee meeting and a Committee of the Whole meeting are scheduled for the same night, Councilmember Volan envisions that the Council will make two scheduling decisions: 1) set a time for the Land Use Committee to meet (mostly likely 5:30p); and then, by majority vote, move

to re-schedule the Committee of the Whole from 6:30p to a later time, likely 7:30pm

- **Extended Period of Deliberation**: Similar to a Committee of the Whole, when a piece of legislation is referred to the Land Use Committee, the Committee would make a non-binding recommendation to the full Council. However, unlike the a Committee of the Whole that, by local code, has to report back to the full Council at the next Regular Session, a Land Use – again, by local code – does not. Under Res 18-02, when a land use proposal is referred to the Land Use Committee, unlike a Committee of the Whole, the Land Use Committee could consider the matter over the course of two committee meetings, rather than one as with the Committee of the Whole. This extends the legislative cycle from two to four weeks.

Again, the extended cycle afforded by a standing committee and not extended to that of the Committee of the Whole is a function of local code. Should the Council wish to extend a discussion of an item being considered to the next Committee of the Whole, rather than returning it to the next Regular Session, then it could amend local code to do so. As a reminder, even with the extended cycle afforded under current rules by a standing Land Use Committee, the Council is still on the 90-day clock to act on a land use proposal, once certified to them by the Council. Furthermore, should Council want to extend deliberations on a matter after it is heard at the Committee of the Whole, the Council can obviously do so by putting the matter to a Second, Third, Fourth, etc. Reading.

### **Reporting Requirement**

Local code requires that reports of standing committees be in writing and signed by a majority of the committee members. Documents referred to the committee are to be returned to the Council with the committee's report. As relayed above, when matters are referred to a standing committee, it is to report back to the full Council no later than the second regular session after being referred by the Council, unless otherwise extended by Council.

The point at which a standing committee is ready to report if legislation has been referred to it is fairly predictable. However, when the Committee is meeting to discuss a land use issue that has *not* been referred to them, the BMC is not entirely clear on when the standing committee has a duty to report back. With the Sidewalk and Jack Hopkins committee, the points of reportage are clear: when the committees have completed their work for the year; and, the interview committees essentially report back when they recommend an appointment to the full Council. Because a Land Use Committee, functioning in its capacity to "research" and "take public input" on other land use matters, will work in a way that is different than other existing standing committees, the point at which a written report will be issued is a matter to still be worked out. However it is anticipated that the "Reports from Council Committees" section on the Council's agenda provides the appropriate place for such a committee to apprise the Council and the public of its on-going work.

### **On PUDs**

While Councilmember Volan's proposal does not codify, nor otherwise formalize, the proposed Land Use Committee's role in PUD neighborhood meetings, he anticipates that two members of the Land Use Committee will participate in this key meeting.

### **Open Door**

As you are aware, any standing committee of the Council is subject to Indiana Open Door law where the public is invited to attend, observe and record what transpires. These meetings must be noticed and a memorandum kept pursuant to statute.

### **Memorializing the Meetings**

Where the Land Use Committee has a piece of legislation referred to it and is essentially taking the place of the Committee of the Whole, then Councilmember Volan envisions that the memorandum kept for this meeting will be the same sort



of very basic memorandum kept for Committees of the Whole. Toward this end, Councilmember Volan advises that a simple “Report” form could serve the function of the both the report required by local code and the statutorily-required memorandum.

When it comes to documenting meetings held to “research” and “gather input” on a land use proposal, Councilmember Volan anticipates that more meaningful and robust minutes may be of greater utility to the Committee and the community.

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL COMMITTEE OF THE WHOLE  
6:30 P.M., WEDNESDAY, FEBRUARY 14, 2018  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**Chair: Cm. Sturbaum**

1. Ordinance 18-02 - An Ordinance Re-Establishing the Cumulative Capital Development Fund under IC 36-9-15.5

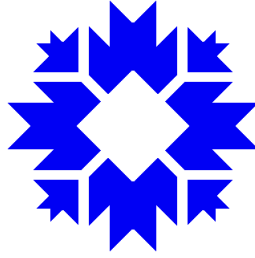
Asked to Attend: Jeffrey Underwood, Controller

2. Ordinance 18-03 - To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Batman-Waldron House at 403 West Kirkwood Avenue (Nancy Garrett, Petitioner)

Asked to Attend: Rachel Ellenson, Program Manager – Historic Preservation, HAND Representative of the Petitioner

3. Resolution 18-02 – To Establish a Land Use Standing Committee of the Common Council

Asked to Attend: Steve Volan, Council Member, District VI



**City of Bloomington  
Office of the Common Council**

# **NOTICE**

**Jack Hopkins Social Services  
Funding Committee  
Organizing Meeting**

**Monday, 26 February 2018  
5:30pm  
Council Library (Suite #110)  
City Hall, 401 North Morton**

Posted: Friday, 09 February 2018

**RESOLUTION 18-02**

**TO ESTABLISH A LAND USE STANDING COMMITTEE  
OF THE COMMON COUNCIL**

- WHEREAS, the City of Bloomington Common Council (“Council”) has an interest in the responsible evolution of the city’s built environment; and
- WHEREAS, predictability in the development process is desired by petitioners for land use proposals such as Planned Unit Developments (“PUDs”), zone map changes, and text changes to Title 20, while a greater say in their built environment is desired by residents and neighborhoods affected by such proposals; and
- WHEREAS, one way that greater predictability can be fostered, and more opportunities created for concerned residents to be heard, is by creating a standing committee of Councilmembers devoted to matters of land use; and
- WHEREAS, a standing committee is a forum superior to that of the committee of the whole as it will provide for an extended cycle of committee deliberation (per Bloomington Municipal Code (“BMC”) 2.04.230(b) where warranted, an extended cycle not afforded to a committee of the whole per BMC 2.04.250), will allow a smaller number of legislators to specialize in, and triage issues that could consume a lot of meeting time in front of the full Council, and should lighten the workload for Councilmembers not serving on the Committee; and
- WHEREAS, BMC 2.04.210 provides for the establishment of and governs standing committees “to facilitate the transaction of business,” 2.04.220 governs meetings; 2.04.230 governs reporting requirements; and, 2.04.255 governs the scheduling of such committees;

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

SECTION 1. Establishment. The Common Council ("Council") hereby establishes the Land Use Committee (“Committee”) as a standing committee of the Council.

SECTION 2. Composition. The Committee shall be composed of four members of the Council, one of whom shall be the Council’s representative to the Plan Commission.

SECTION 3. Purpose. The purpose of the Committee is to make recommendations to the Council on matters certified to the Council by the Plan Commission, and to research and take input on other land use matters of community concern.

SECTION 4. Motion to Refer to Land Use Committee. Following the first reading of a land use matter that has been certified by the Plan Commission to the Council, the Council shall entertain a motion to refer the matter to the Land Use Committee pursuant to BMC 2.04.255.

SECTION 5. Severability. If any section, sentence or provision of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
DOROTHY GRANGER, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This resolution is authored by Councilmember Volan and proposes a Council standing committee on land use.

# MEMO

**Date:** Sunday, February 4, 2018

**From:** Councilmember Volan, District 6

**Re:** **Resolution 18-02, establishing a Land Use Committee**

## INTRODUCTION

Resolution 18-02 creates a permanent four-member Council committee which would make recommendations on land-use issues that come before Council, including Planned Unit Developments (PUDs), zoning map revisions, and proposals to change Title 20.

Inspiration for a Land Use Committee (LUC) was borne out of the Park South PUD at Hillside and Henderson (aka Ordinance 16-24), which came before Council in the fall of 2016. After the contentious and belabored debate over railings and planters at 1:00 in the morning, at the end of debate I called for a standing committee on land use as a better way to manage such matters. The resulting resolution before you has undergone more than a year of development.

## POWERS AND DUTIES OF THE LUC AND OTHER STANDING COMMITTEES

The resolution simply creates a standing committee pursuant to Bloomington Municipal Code (BMC) §2.04.210, specializing in land use. The only departure from BMC is in Section 4 of the resolution, which requires that a motion be made to refer a land-use-related piece of legislation to the LUC before referring it to committee of the whole (COW). (The resolution does not require that legislation be referred, only that a motion be made, leaving Council with the choice at first reading.) All other powers of the committee are as provided in §210-255.

Per code, standing committees only have the power to recommend, research, and take input. When legislation is referred to standing committee, however, it has two regular sessions (four weeks) from referral at first reading to report a recommendation to the full Council.

## THE COMMITTEE LEGISLATIVE CYCLE

Upon referral of legislation to it, the LUC would hold a meeting the following Wednesday, as called for in BMC §2.04.255. If it finds little or no concern, the petition could be returned with a positive recommendation to the Council after one committee meeting. It could then be taken up at the next week's regular session.

If for any reason the petition needs more time, per BMC §2.04.203(b), the LUC may choose to hold another meeting two weeks after its first. The committee does not need to return a recommendation until the second regular session after referral.

## SCHEDULING A STANDING COMMITTEE AROUND COMMITTEE OF THE WHOLE

Committee hearings are to be scheduled on the same nights as committee of the whole (i.e., second and fourth Wednesdays, per BMC § 2.04.255). If a land-use issue has been referred to the LUC, but the Council has no other business, the LUC can be scheduled for the following Wednesday at 6:30, in place of the COW.

If a land-use issue has been referred to the LUC, **and** the Council has one or more other issues that have had a first reading, meetings of the LUC and COW must be scheduled consecutively, to start no earlier than 5:30 and no later than 9:45 pm. How the Council will prefer to schedule these meetings must be a topic of discussion.

However, it is strongly recommended that at least one of those meetings be time-limited. Since all members are present for COW, it is the meetings of a standing committee that should

be limited, and to no more than two hours. (Remember, standing committees have the fourth Wednesday to meet again.) If the issue before the LUC is not complex, the president and Council staff may well choose to give it only one hour before a COW, or only half an hour.

A time-limited meeting reminds the committee (and all who attend) to not try to address all the petition's issues immediately, but to triage them. The object is to separate the significant issues from the insignificant, dispose of the insignificant ones so the full Council need not waste time on them, and prepare only the significant questions for the full Council.

A limit also makes the meetings start and end times more specific and predictable. Because a quorum of the Council is not present in the 4-member LUC, and because the committee need not keep detailed minutes, LUC members are less likely to feel the need to speak at length on the issue, reducing the need for longer meetings.

## **PUDs AND NEIGHBORHOOD MEETINGS**

As part of the PUD process, Title 20 calls for a petitioner to hold a meeting with any affected neighborhood before the petition goes to PC. These neighborhood meetings are seen by petitioners as necessary evils, and often seen by neighborhoods as dog-and-pony shows that don't offer a real opportunity to alter the petition. Both sides make statements at these meetings that the other side later claims they've reneged on. Quarreling between the developer, Dwellings LLC, and the Bryan Park neighborhood caused Council to meet over Ord 16-24 for 3h 54m in committee of the whole alone. Each side at Council disputed the other's good faith.

Seeing an opportunity to iron out differences and smooth ruffled feathers, I called an impromptu pair of meetings in the Council library between the developer and the neighborhood, with another CM attending each time (Rollo, Piedmont-Smith). Each meeting lasted 2 1/2 hours. Nevertheless, it took another 4h 31m during Second Reading to iron out all the Reasonable Conditions, as CMs oversaw a debate on planters, railings, and other fine points of the PUD. Discussion began at 8:42 pm and ended with a final vote at 1:13 am. All together, more than 13 hours between first and second reading were necessary to negotiate design and other issues that could and should have been dealt with long before they came to Council.

A two-member subcommittee of the LUC could attend the Neighborhood Meetings informally, to listen and take notes. Their only goal would be to bear witness to claims and statements made by both sides. When the full LUC receives the issue, the two CMs would report. If any "that's not what they said six months ago" statements are made when the PUD is before the Council, there would be reliable, independent witnesses to verify such assertions.

## **CONCLUSION**

The ability to hold a meeting to proactively take input on issues without having to wait for legislation is a benefit of a standing committee. And any member who has served as the Council's representative to Plan Commission knows how much work it is. Their meetings have also been known to last seven hours, and there's often more work than one person can handle.

This calls for three other members and the PC appointee to specialize in land use, under the generic provisions for a standing committee laid down in code. Together the four can ensure that Council is much more familiar with planning issues coming down the pike, and can help make the Council portion of the process less onerous and more predictable for all comers.

# # #

## **For Context: BMC provisions on Council Standing Committees**

### **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).

### **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.

### **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.

### **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).

**2.04.255 - Committees—Scheduling.**

(a) Meetings of standing committees or the committee of the whole convened to consider legislation referred by the council shall meet on the second or fourth Wednesday of the month. Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.

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

(3) Such meetings of the committee of the whole shall convene at 6:30 p.m. local time.

(b) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1 during the month of August, 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)

**MEMORANDUM OF THE \_\_\_\_\_ COMMITTEE**

Date, Time Called to Order \_\_\_\_\_

Members Present; Absent \_\_\_\_\_

Items for Discussion \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Motions Made and Actions Taken** (Specify ayes/nays/abstentions. Use back if necessary.)

Meeting adjourned at \_\_\_\_\_ pm. Reports or other materials attached to this memo? **yes no**

Signature of Committee Members X \_\_\_\_\_ Date \_\_\_\_\_

X \_\_\_\_\_ Date \_\_\_\_\_

X \_\_\_\_\_ Date \_\_\_\_\_

X \_\_\_\_\_ Date \_\_\_\_\_