

ADDENDUM



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, OCTOBER 23, 2017; 7:00 P.M.

8. “Regular Agenda”

Revised Ordinance

- E. Discussion and action on an Ordinance Amending the City Code to Clarify Provisions on Public Comment. *(Recommend an Ordinance Amending the City Code to Clarify Provisions on Public Comment be approved and the Mayor and City Clerk be authorized to sign the ordinance. (Presentation by Jeffrey Jurgens, Corporation Counsel 5 minutes, Council discussion 10 minutes.)*

NOTE: Action may be taken by the City Council on the agenda’s action items (those items listed on the Consent Agenda and Regular Agenda) beyond the motions listed and/or staff recommendations. Ordinances and resolutions listed on the agenda may further be amended and/or revised prior to adoption by the City Council. No action will be taken if the agenda item is listed as only informational.



REGULAR AGENDA ITEM NO. 8E

FOR COUNCIL: October 23, 2017

SUBJECT: Discussion and Possible Action on an Ordinance Amending the City Code to Clarify Provisions on Public Comment

RECOMMENDATION/MOTION: That an Ordinance Amending the City Code to Clarify Provisions on Public Comment be approved and the Mayor and City Clerk be authorized to sign the ordinance.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: The City Council undertook an overhaul of its public comment procedures in 2015. Since that time, the Council has ceased using a single email address to reach all of the elected officials of the City. In addition, questions have arisen whether individuals may use City equipment (e.g., City computers and the City's projection system to show PowerPoint presentations) during their public comment.

To update and clarify the rules for public comment, City staff is recommending a few minor changes to the City Code. In addition to removing the reference to the joint City Council email address, a provision has also been recommended that prohibits someone giving public comment from utilizing City owned equipment. This ensures that no City owned equipment inadvertently gets infected with a virus or is otherwise damaged.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Financial & budgetary review by: Chris Tomerlin, Budget Analyst

Scott Rathbun, Sr. Budget Manager

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a prominent initial "D".

David A. Hales
City Manager

Attachments:

- An Ordinance Amending the City Code to Clarify Provisions on Public Comment

REVISED
ORDINANCE NO. 2017-____

**AN ORDINANCE AMENDING THE CITY CODE TO CLARIFY PROVISIONS ON
PUBLIC COMMENT**

WHEREAS, the City of Bloomington, McLean County, Illinois (hereinafter “City”) is an Illinois home-rule municipality; and

WHEREAS, the City Council has adopted procedures on public comment and minor amendments are necessary to provide clarity and make necessary updates; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS:

Section 1. The above recitals are incorporated into this Section 1 as if fully stated herein.

Section 2. That Chapter 2, Section 85(d) and (i) shall be amended as follows:

(d) Comments are limited to three (3) minutes per speaker. A speaker cannot give his or her allotted minutes to another speaker to increase that person’s allotted time. Individuals providing public comment shall do so from the designated podium and the use of City equipment, beyond the podium and microphone, during public comment is prohibited.

(i) In addition to speaking at a meeting of the City Council, written comments may also be submitted to the City Council by filing same with the City Clerk at least 24 hours prior to the start time of the meeting. Said written comments shall be copied and distributed to each member of the City Council by the City Clerk prior to the start of the meeting and made part of the official record of the meeting. Outside of written comments directed for a specific meeting, written comments may otherwise be shared with the City Council at any time by sending an e-mail correspondence to the ~~entire City Council at~~ citycouncil@cityblm.org ~~or to~~ individual council members at the email addresses listed on the City’s website. Those without e-mail capability may submit written comments to the City Clerk’s office which comments will be provided to the City Council as a whole or individual council member, as directed. Any written comments provided to the City Council as a whole will be made part of the public record. The City Clerk may establish written rules to govern the written comment process and recording of same, which may include the creation of a special email address for the submission of said comments and a public disclaimer that said comments shall be part of the official record. Nothing herein shall require the City Clerk to copy documents or records and provide them to City Council, only the written comments of an individual.

Section 3. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the City prior to the effective date of this ordinance.

Section 5. This Ordinance shall be in full force and effect immediately after its passage and approval.

ADOPTED this _____ day of October, 2017

APPROVED this _____ day of October, 2017

APPROVED

Mayor

ATTEST:

City Clerk