

DEFEATED 1/17/79  
LACK of MAJORITY  
AYES: 4, NAYS: 3

RESOLUTION 79-1

To Urge Bloomington's Representatives to the Indiana General  
Assembly to Support Legislation to Grant Second-Class  
Cities the Option of Abolishing the Office of City Clerk

WHEREAS, the office of city clerk in second-class cities has lost many of its statutory duties because of the termination of city courts in several Indiana cities; and

WHEREAS, those cities which no longer have city courts should have the option of deciding whether to continue funding of the office of city clerk or to transfer the clerk's remaining duties to the staff of the common council;

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

The Bloomington Common Council requests its local representatives to the General Assembly to support legislation authorizing second-class cities to exercise a local option on transferring the statutory duties of the city clerk to the staff of the common council if the cities find that the post of city clerk is no longer necessary to the efficient functioning of the city.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this            day of January, 1979.

\_\_\_\_\_  
Tomilea Allison, President  
Bloomington Common Council

SIGNED and APPROVED by me upon this            day of January, 1979.

\_\_\_\_\_  
Francis X. McCloskey, Mayor  
City of Bloomington

SYNOPSIS

This resolution would urge Bloomington's representatives to the General Assembly to support legislation that would allow second-class cities the option of abolishing the office of city clerk. Statutory duties of the city clerk have been greatly reduced in those cities that have discontinued their city courts, and most other duties of the clerk have been assigned to the staff of the Common Council. This resolution is being sponsored by Councilmember Middleton.

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CITY OF BLOOMINGTON

Interdepartmental Memo

TO: TOM MIDDLETON                                  SUBJ: DUTIES OF CITY CLERK  
 FROM: FRANCE KOMOROSKE                         DATE: 8/7/78

This memo is in response to your question on the duties of the city clerk and whether the office can be abolished. The duties of city clerks in second class cities are as follows:

- \* 18-1-6-3    Serves as clerk of the common council and keeps records of proceedings, has charge of all papers relating to the business of the council, prepares and keeps ordinance books, and keeps city seal.
- \* 18-1-14-8   Serves as clerk of city court and has various duties in this office.
- \* 18-1-3-4    Serves as clerk of the common council and keeps its files, papers, minutes, and journal of proceedings.
- \* 18-1-3-6    Must sign all ordinances, orders, and resolutions of the Council, attest them, present them to mayor, and maintain ordinance books.
- \* 18-1-2-2    Notifies people of their election to office and administers oaths to elected officials.
- \* 18-1-20-1   Serves as recipient of claims against the city, puts claims on the docket, and notes action taken on them.
- \* 18-1-2-3    Presides at election for certain vacancies in office and votes to break tie among council when mayor elected.

The city clerk also must sign bonds issued by the city, such as those issued through the economic development commission and utilities departments, and must certify a number of official documents, such as the resolution creating a county building authority.

Regarding your suggestion that the office of city clerk be abolished in a manner similar to the city treasurer, I'm afraid it is not as easy as you suggested. IC 18-2-1-4.2 states that elective officers in second class cities shall be, among others, the city clerk, and as you can see, there are quite a few responsibilities the clerk has (even though some are quite minor) outside of the functions as clerk of the city court. The reason the position of city treasurer could be abolished was that the duties were first transferred to the county treasurer, but that presented so many problems that a number of second class cities lobbied to have it changed to transfer the duties to the city controller. While theoretically the same route could be pursued, I doubt that it would succeed since the city clerk has more duties and is a more important position than city treasurer was.