



City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Tuesday, 18 June 2024

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
TUESDAY | 6:30 PM
18 June 2024

*Council Chambers (#115), Showers Building, 401 N. Morton Street
The meeting may also be accessed at the following link:*

<https://bloomington.zoom.us/j/86880869601?pwd=aWQiyYfBrqo4fkfmwJwy1VEAzMEoFy.1>

1. **ROLL CALL**
2. **AGENDA SUMMATION**
3. **APPROVAL OF MINUTES:** None
4. **REPORTS** (*A maximum of twenty minutes is set aside for each part of this section.*)
 - A. Councilmembers
 - a. Authorizing letter to Mayor regarding councilmember priorities for 2025 budget
 - b. Authorizing letter to Duke Energy regarding proposed rate increases
 - B. The Mayor and City Offices
 - C. Council Committees
 - D. Public*
5. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
6. **LEGISLATION FOR FIRST READINGS**

None
7. **LEGISLATION FOR SECOND READINGS AND RESOLUTIONS**
 - A. Resolution 2024-15 – Requesting the Food and Beverage Tax Advisory Commission to Make a Recommendation for Expenditure of Food and Beverage Tax Revenues
 - B. Ordinance 2024-15 – Amending Ordinance 23-25, Which Fixed the Salaries of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2024 – Re: To Add a Position Requested by City Council to the Clerk’s Office and to Replace the Existing 12-Grade Pay Grade Structure for Non-Union Employees with an Expanded 14-Grade Pay Grade Structure.

(over)

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed up to three minutes.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail council@bloomington.in.gov.

Posted: 14 June 2024

C. Ordinance 2024-16 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” Re: Amending BMC 2.04.120 (Limits On Debate)

8. ADDITIONAL PUBLIC COMMENT *

(A maximum of twenty-five minutes is set aside for this section.)

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 public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed up to three minutes.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail council@bloomington.in.gov.

Posted: 14 June 2024



CLERK NICOLE BOLDEN

CITY OF BLOOMINGTON

401 N Morton St, Ste. 110
Bloomington, IN 47404

OFFICE OF THE CITY CLERK

812.349.3408
clerk@bloomington.in.gov

To: Members of the Common Council

From: Clerk Nicole Bolden

Date: 14 June 24

Re: Interview Committee Recommendations for Board and Commissions

The council interview committees have made the following recommendations for appointment to the following boards and commissions:

Interview Committee Team C Recommendations:

- For the Commission on Sustainability - to appoint Tara Dunderdale to seat C-1, Matt Austin to seat C-3, Monte (Zero) Rose to seat C-4, and Jon Eldon to seat C-5.

Contact

Clerk Nicole Bolden, 812-349-3408, clerk@bloomington.in.gov

Jennifer Crossley, Deputy City Clerk, 812-349-3838, jennifer.crossley@bloomington.in.gov





MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Stephen Lucas, Council Administrator/Attorney

Date: June 14, 2024

Re: [Resolution 2024-15](#) - Requesting the Food and Beverage Tax Advisory Commission to Make a Recommendation for Expenditure of Food and Beverage Tax Revenues

Synopsis

This resolution is a request from the Common Council for the Food and Beverage Tax Advisory Commission to recommend expenditures of food and beverage tax revenues toward a revised 2024 budget for the Capital Improvement Board.

Relevant Materials

- [Resolution 2024-15](#)
- Exhibit A – Proposed 2024 Capital Improvement Board Revised Budget and Memo
- City of Bloomington Food and Beverage Funds Plan for 2024

Summary

This resolution would make a request of the [Food and Beverage Tax Advisory Commission](#) (FABTAC) to provide a recommendation on the use of city food and beverage tax revenues on a revised 2024 budget for the [Monroe County Capital Improvement Board](#) (CIB). This would be the second such request in 2024, after a similar request was made via [Resolution 2024-06](#). After receiving a positive recommendation from the FABTAC, an initial 2024 CIB budget was approved by the Common Council via [Resolution 2024-10](#).

The CIB's proposed revisions to its 2024 budget are described in the memorandum (Exhibit A) included herein, and amount to an additional expenditure of \$350,702, which would bring the total 2024 budget for the CIB to \$600,702.

Background

In 2017, through [Resolution 17-38](#), the Common Council supported the passage of a county-wide food and beverage tax to fund expansion of the Monroe County Convention Center. Shortly thereafter, the Monroe County Council adopted an ordinance imposing a food and beverage tax, which has been collected since that time. The tax is authorized by state law ([Indiana Code 6-9-41](#)) and may be used only to finance, refinance, construct, operate, or maintain a convention center, a conference center, or related tourism or economic development projects ([I.C. 6-9-41-15\(a\)](#)).



City of Bloomington Indiana

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: council@bloomington.in.gov

Under state law (I.C. 6-9-41-15(b)), the city is required to develop a written plan before December 1 each year and submit that plan to the state with the following information:

1. Proposed use of food and beverage tax funds for the upcoming calendar year;
2. Detailed use of funds in the current and prior calendar years; and
3. Fund balance as of January 1 of the current calendar year.

A written plan (included in this packet) was submitted by the city in 2023. The plan stated that in 2024 the city anticipated using food and beverage tax revenues for the following purposes:

1. To pay the expenses associated with creating a nonprofit building corporation to issue debt in support of design and construction of the Convention Center expansion.
2. Under an appropriate agreement with the CIB, to pay the CIB's personnel and administrative expenses during the design and construction phase of the expansion project, including the hiring of counsel and a controller.

The written plan also anticipated that the city would use food and beverage tax revenues (including some already-appropriated funds) to pay for architecture and engineering services.

Under an interlocal cooperation agreement with the county (approved via [Resolution 2024-02](#)), the CIB has authority to determine its budget solely with the Common Council, using city food and beverage tax revenues or any other city-designated funds.

The CIB has submitted this revised 2024 budget request for the Council's consideration. However, state law (I.C. 6-9-41-16(b)) also requires the Common Council, as legislative body of the City, to "request the [Food and Beverage Tax] advisory commission's recommendations concerning the expenditure of any food and beverage tax funds". This resolution would make such a request. After the FABTAC is able to meet and provide a recommendation, the Council will be asked to consider the revised CIB budget through an additional item of legislation.

Contact

Margie Rice, Corporation Counsel, margie.rice@bloomington.in.gov, (812) 349-3426

James Witlatch, Bunger & Robertson, Attorney for CIB, jwhit@lawbr.com, (812) 332-9295

RESOLUTION 2024-15

**REQUESTING THE FOOD AND BEVERAGE TAX ADVISORY COMMISSION TO
MAKE A RECOMMENDATION FOR EXPENDITURE OF FOOD AND BEVERAGE
TAX REVENUES**

- WHEREAS, the City of Bloomington (“City”) and Monroe County (“County”) are collaborating on a project to expand the Monroe County Convention Center (the “Project”); and
- WHEREAS, a Capital Improvement Board (“CIB”) was established in July 2023 by the County through adoption of County Commissioner Ordinance 2023-24 for the purpose of managing and directing the affairs of the Project; and
- WHEREAS, the City and the County have since executed an Interlocal Cooperation Agreement (“Agreement”) for the operation of the CIB and the Convention and Visitors Commission; and
- WHEREAS, in the Agreement, the City and County agreed that, during the Project design and construction period, the CIB has authority to determine its budget solely with the Common Council, using City food and beverage tax revenues or any other city-designated funds; and
- WHEREAS, Indiana Code § 6-9-41-15 requires that the City develop a written plan before December 1 of each year that includes, among other things, the proposed use of food and beverage tax funds for the upcoming calendar year; and
- WHEREAS, in November 2023, the City’s Controller and Corporation Counsel submitted a written plan to the Indiana State Board of Accounts, which stated that the City anticipated using food and beverage tax funds in 2024 to:
1. To pay the expenses associated with creating a nonprofit building corporation to issue debt in support of design and construction of the Convention Center expansion.
 2. Under an appropriate agreement with the CIB, to pay the CIB’s personnel and administrative expenses during the design and construction phase of the expansion project, including the hiring of counsel and a controller.
 3. Under an appropriate agreement with the CIB, to draw on already-appropriated funds to pay for architecture and engineering services as the project moves ahead; and
- WHEREAS, according to Indiana Code § 6-9-41-15, “money deposited in the city food and beverage tax receipts fund may be used only to finance, construct, operate, or maintain a convention center, a conference center, or related tourism or economic development projects;” and
- WHEREAS, according to Indiana Code § 6-9-41-16(b), the Common Council, as legislative body of the City, “must request the advisory commission's recommendations concerning the expenditure of any food and beverage tax funds”; and
- WHEREAS, on April 10, 2024, after receiving a positive recommendation from the Food and Beverage Tax Advisory Commission, the Common Council adopted Resolution 2024-10 to approve of a 2024 CIB budget of \$250,000; and
- WHEREAS the CIB has submitted a proposed revised 2024 budget, attached hereto as Exhibit A, for the Common Council’s review and approval;

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

SECTION 1. The Common Council, under Indiana Code § 6-9-41-16(b), hereby requests the Food and Beverage Tax Advisory Commission to consider and adopt written recommendations regarding the CIB’s proposed revised 2024 budget to be funded from the City’s portion of food and beverage tax revenues.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2024.

ISABEL PIEDMONT-SMITH, 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 _____, 2024.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution is a request from the Common Council for the Food and Beverage Tax Advisory Commission to recommend expenditures of food and beverage tax revenues toward a revised 2024 budget for the Capital Improvement Board.

Exhibit A

Monroe County Capital Improvement Board
Revised 2024 Budget

	Approved Budget	Revised Budget	Additional Request
Category 1 - Personnel Services	0	0	0
Category 2 - Supplies	1,000	500	(500)
Category 3 - Services			
Professional Fees-Internal			
Legal	90,000	122,858	32,858
Controller	40,000	46,844	6,844
Professional Fees - External			
Owner's Rep	50,000	305,000	255,000
Architectural & Design Fees	50,000	50,000	0
Insurance	15,000	0	(15,000)
Other			
Website	4,000	500	(3,500)
CMC preconstruction services	0	75,000	75,000
Category 4 - Capital	0	0	0
Total	250,000	600,702	350,702

Monroe County Capital Improvement Board

Revised 2024 BUDGET MEMORANDUM

To: Members of the City of Bloomington Common Council
From: Eric Spoonmore, Treasurer
Jeffrey Underwood, Controller/Assistant Treasurer

Re: Revised 2024 Budget

As noted during the approval of the initial budget, we are submitting a proposed revised 2024 budget for the Council's review and approval.

This proposal builds on the current budget. The requested additional funds provide funding for the remainder of 2024.

The revised budget request is \$600,702, which is an increase of \$350,702. The increase is broken down as follows.

Category 2 - Supplies: Decrease of \$500

Category 3 – Services: Increase of \$351,202

- **Professional Services-Internal** includes services provided by the Board's Attorney and Controller. This is an increase of \$32,858 and \$6,844 respectively.
- **Professional Services-External** includes services provided by the Owner's Representative and represents an increase of \$255,000. The request also adds funding in the amount of \$75,000 for preconstruction services to be provided by the Construction Manager.
- All agreements for professional services to the CIB stipulate that compensation for such services is contingent upon City Council budget approval.

Please note, the original CIB budget request included funding for insurance, however Monroe County Government has informed the CIB that they will extend their insurance coverage for the CIB at no additional cost. Therefore, we have removed insurance coverage from this request.

"Other" includes services such as, but not limited to, design and maintenance of CIB website and related services. We have now established a website for the CIB and have decreased this request by \$3,500.

Thank you for your consideration and support for our request.

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Stephen Lucas, Administrator/Attorney for the Common Council

Date: June 7, 2024

Re: Ordinance 2024-15 - Amending Ordinance 23-25, Which Fixed the Salaries of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2024 - Re: To Add a Position to the Clerk's Office and to Replace the Existing 12-Grade Pay Grade Structure for Non-Union Employees with an Expanded 14-Grade Pay Grade Structure

Synopsis

This ordinance amends Ordinance 23-25, which fixed the salaries of appointed officers, non-union, and A.F.S.C.M.E. employees for the year 2024. The amendment reflects the creation of one new position requested by City Council to the Clerk's Office, and also replaces the old 12-grade Pay Grade structure with an expanded 14-grade Pay Grade structure.

Relevant Materials

- Ordinance 2024-15
- Staff Memo
- Job Description

Summary

Ordinance 2024-15 would amend the 2024 civil city salary ordinance adopted last year, which set the salaries for all appointed officers, non-union, and A.F.S.C.M.E. employees.

The changes would include adding one new position to the Clerk's Office and expanding the current pay grade structure from 12 pay grades to 14 pay grades, with accompanying revisions to the corresponding salaries.

Background

In 2021, the city contracted with the Novak Consulting Group to conduct an organizational assessment of boards and commissions. The resulting assessment can be found online at <https://bton.in/haC39>. In 2023, this assessment was reviewed by a Special Committee on Council Processes. The Special Committee considered the recommendations from the assessment and consulted with the Mayor's Office, the Clerk's Office, and the Legal Department before issuing its own [Report on Board and Commission Reform](#), which adopted many of the recommendations of the organizational assessment, including the establishment of a position within the Clerk's Office to oversee the city's board and commission system. The Common Council accepted the Special Committee's report on December 13, 2023.

The staff memo and draft job description included in this packet describe the fiscal impact of the new position and its duties.

Ordinance 2024-15 would also replace the existing, 12-grade, non-union pay grade table with a new, 14-grade table containing revised salary ranges as follows:

CURRENT 2024 NON-UNION PAY GRADES

Grade	Minimum	Maximum
1	\$37,507.28	\$48,759.46
2	\$38,632.49	\$50,222.49
3	\$39,791.37	\$51,728.79
4	\$40,985.11	\$65,576.44
5	\$42,214.92	\$67,543.15
6	\$44,325.91	\$70,921.21
7	\$46,541.49	\$74,466.38
8	\$49,799.32	\$79,680.12
9	\$54,779.87	\$98,603.26
10	\$60,258.08	\$108,463.32
11	\$69,295.89	\$124,733.39
12	\$83,848.00	\$150,927.11

PROPOSED REVISED 2024 NON-UNION PAY GRADES

Grade	Minimum	Maximum
1	\$34,398	\$41,278
2	\$36,120	\$43,344
3	\$38,649	\$46,380
4	\$40,879	\$53,143
5	\$47,527	\$61,786
6	\$54,177	\$70,429
7	\$60,825	\$79,072
8	\$67,474	\$87,716
9	\$74,123	\$96,360
10	\$80,771	\$105,003
11	\$87,420	\$113,647
12	\$95,869	\$124,631
13	\$109,565	\$142,435
14	\$127,826	\$166,174

According to Deputy Mayor Gretchen Knapp, updating the pay grade table would be the first step of a process to review, rewrite, and regrade all job descriptions, adding in a philosophy for starting pay and tenure-based increases, possibly leading to adjustments for all city salaries. As the staff memo notes, this expanded pay grade structure was a recommendation of a [classification and compensation study](#) the city contracted for in 2023.

[Indiana Code 36-4-7-3](#) provides that the executive is authorized to fix the compensation of each appointive officer, deputy, or other employee of the city, subject to the approval of the city's legislative body. By approving this salary ordinance amendment, the Council is approving the addition of the new position and new non-union pay grade table as proposed by the executive.

Contact

Sharr Pechac, Human Resources Director, 812-349-3404, sharr.pechac@bloomington.in.gov

Erica De Santis, Director of Compensation & Benefits, Human Resources, 812-349-3404, erica.desantis@bloomington.in.gov

ORDINANCE 2024-15

AMENDING ORDINANCE 23-25, WHICH FIXED THE SALARIES OF APPOINTED OFFICERS, NON-UNION, AND A.F.S.C.M.E. EMPLOYEES FOR ALL THE DEPARTMENTS OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA FOR THE YEAR 2024 - Re: To Add a Position to the Clerk’s Office and to Replace the Existing 12-Grade Pay Grade Structure for Non-Union Employees with an Expanded 14-Grade Pay Grade Structure

WHEREAS, Indiana Code § 36-4-7-3 authorizes the Mayor, subject to the approval of the Common Council, to fix the annual compensation of appointed officers, non-union, and A.F.S.C.M.E. employees; and

WHEREAS, salaries for appointed officers, non-union, and A.F.S.C.M.E. employees for all departments of the city were fixed by Ordinance 23-25, which was passed by the Common Council on October 11, 2023 and approved by the former Mayor on October 13, 2023; and

WHEREAS, a 2022 City of Bloomington Organizational Assessment on Boards and Commissions, prepared for the city by the Novak Consulting Group, recommended that the city create a designated position responsible for oversight of the board and commission process, with such a position most appropriately located in the City Clerk’s Office; and

WHEREAS, on December 13, 2023, a Special Committee on Council Processes presented a report and recommendations to the Common Council, including the creation of a new position in the City Clerk’s Office, and the report was accepted by the Common Council on that date; and

WHEREAS, based on a 2023 job classification and compensation study, the current Mayor recommends amending the existing Non-Union Positions Pay Grade structure to expand from 12 grades to 14 grades;

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

SECTION 1. Ordinance 23-25 shall be amended so that the following position is added to the following Department:

<u>Department/Division</u> (followed by Job Title)	<u>Grade</u>
<u>Clerk’s Office</u> Communications and Outreach – Deputy Clerk	7

SECTION 2. Ordinance 23-25 shall be amended by replacing the existing 12-grade Pay Grade structure for Non-Union employees with the expanded 14-grade Pay Grade structure shown below:

Grade	Minimum	Maximum
1	\$34,398	\$41,278
2	\$36,120	\$43,344
3	\$38,649	\$46,380
4	\$40,879	\$53,143
5	\$47,527	\$61,786
6	\$54,177	\$70,429
7	\$60,825	\$79,072
8	\$67,474	\$87,716
9	\$74,123	\$96,360
10	\$80,771	\$105,003
11	\$87,420	\$113,647
12	\$95,869	\$124,631
13	\$109,565	\$142,435
14	\$127,826	\$166,174

SECTION 3. If any section, sentence, or provision of this ordinance, 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 ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2024.

ISABEL PIEDMONT-SMITH, 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 _____, 2024.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Ordinance 23-25, which fixed the salaries of appointed officers, non-union, and A.F.S.C.M.E. employees for the year 2024. The amendment reflects the creation of one new position requested by City Council to the Clerk's Office, and also replaces the old 12-grade Pay Grade structure with an expanded 14-grade Pay Grade structure.



TO: City Council members

FROM: Sharr Pechac, Human Resources Director

CC: Mayor Kerry Thomson, Deputy Mayor Gretchen Knapp, Controller Jessica McClellan, and Council Administrator Stephen Lucas

DATE: June 12, 2024

SUBJECT: Amendment to 2024 Salary Ordinance 23-25 for Appointed Officers, Non-Union, and AFSCME Employees

Ordinance 23-25 sets the pay grades and salary ranges for Appointed Officers, Non-Union, and AFSCME Employees. Ordinance 2024-15 proposes to amend this salary ordinance by adding one position and amending the Pay Grade structure.

The requested new position is explained below. Consistent with past practice, the grade classification was determined in the same manner as has been done in the past through the job evaluation committee.¹ The estimated fiscal impact is included. The fiscal impact for the new position includes the salary (budgeted at the midpoint of the pay range), a flat amount for benefits, retirement contributions, and taxes.

NEW POSITION

The Clerk’s Office requests a new Deputy Clerk for Communications and Outreach (Grade 7). This new position, requested specifically by the City Council, will direct, organize, and execute a comprehensive communication strategy focused on supporting City Boards and Commissions. The intent is to professionalize communication, develop and provide clearer training for new members, and overall increase citizen engagement on City Boards and Commissions. The fiscal impact is expected to be \$87,998.77.

PAY GRADES

Additionally, we request that the existing 12-grade Pay Grade structure for Non-Union employees be replaced with an expanded 14-grade Pay Grade structure. This expanded structure was recommended as part of the Classification and Compensation Study conducted in 2023 in order to relieve pay compression between mid-level employees and their supervisors, as well as to better differentiate between grades.

¹ The job evaluation committee evaluates a job using seven criteria. Points are assessed in each category, and a grade is assigned based on the cumulative score.

**POSITION DESCRIPTION
CITY OF BLOOMINGTON, INDIANA**

POSITION: Communications and Outreach - Deputy Clerk
DEPARTMENT: Clerk's Office
JOB GRADE: 7
FLSA: Exempt
EEO4 Code: Paraprofessional

Incumbent serves as Communications and Outreach - Deputy Clerk for programs in the Office of the City Clerk in order to assist the Clerk in the completion of their duties. This position envisions, organizes, and executes a comprehensive communication plan focused on supporting City Boards and Commissions. The intent is to professionalize communication, develop and provide clearer training for new members, and overall increase citizen engagement on City Boards and Commissions, This position is required to take an oath of office and is empowered to serve as Clerk in his/her absence.

1. DUTIES:

This job description is illustrative only and is not a comprehensive listing of all job functions performed. The following are essential duties for this position, performed with or without reasonable accommodation:

Essential (primary)

Develops and executes a comprehensive Training Program to professionalize the recruitment, onboarding, and maintenance for Boards and Commissions, support staff who work with these entities.

Actively seek to recruit new members for City Boards and Commissions. Creates new pathways to distribute information to the community and broader public through multiple channels regarding engagement opportunities.

Develops and executes a comprehensive Communication Strategy, which includes: Writing, editing, and directing the distribution of news releases, council materials, public notices, and other publicly available documents. Identifies and implements new opportunities for communicating messages to members of the public. Responds to official requests for information often independently, but at times in consultation with the Clerk and other departments. Builds consensus in standardizing policies and procedures, and must make the final decision where consensus cannot be reached.

Serves as project manager to synthesize projects, plans, and actions of the Council.

Develops talking points for clerk appearances, and participates in drafting of speeches and other presentations. Along with developing audio/visual presentations. Works with the Clerk to draft or review minutes, correspondence, press releases, and speeches.

Serves as a spokesperson for the Clerk.

Solicits and compiles collected information for the Office of the City Clerk to present to City Council and other staff. Develops a plan to assemble, catalog, and preserve council records of information across various formats by managing the entire collection into one comprehensive and accessible format.

Develops and maintains accessible, retrievable computer archives and databases, incorporating current advances in electric information storage technology.

Serves as a representative of the State of Indiana as satellite Voter Registration office, accepting completed voter registration forms and forwarding them to appropriate State office in accordance with statutory requirements.

Regularly reviews and interpret policies, as well as develop new policies to follow.

Non-Essential (secondary)

Serves as Acting Clerk when the Clerk and Chief Deputy Clerk are away.

Attends various professional seminars, workshops, and conferences, as required. Earns state certification (Indiana Accredited Municipal Clerk or IAMC) within three (3) years of hiring.

Attends Common Council meetings, committee meetings, and Council/Staff briefings and prepares minutes and other records for the same.

Assists with parking ticket appeals. Being able to research the city code, state code, and occasionally relevant case law is frequently necessary.

Helps to schedule, coordinate, and perform weddings. Provides preliminary information regarding preparations, planning, ceremonies, requirements and other logistics.

Assists with preparation and administration of the Clerk's annual budget.

Assists in the recruitment, hiring, training, and supervision of office intern(s). This includes job posting, applicant review, interviewing, and supervision.

Performs related duties as assigned.

2. JOB REQUIREMENTS:

Minimum knowledge equivalent to a Bachelor's Degree in Marketing, Communications, Public Relations, or related field. Master's degree or equivalent, preferred.

Minimum experience equivalent to three years in an office setting.

Experience working in partnership with local residents and community organizations.

Effective communication, both in person and in writing.

Ability to manage a wide array of tasks and projects, along with organization and planning skills.

Knowledge of municipal operations and of governmental processes, officials and roles.

3. LEVEL OF SUPERVISION AND RESPONSIBILITY:

Received

Incumbent performs duties within broad objectives and in conjunction with statutory guidelines that have a major impact on overall City projects and operations. Work is generally only reviewed occasionally and only for meeting the objectives by the City Clerk.

Reports to the City Clerk.

Exercised

Incumbent performs duties within general supervisory objectives and boundaries. It requires considerable independent judgment, where the incumbent applies a wide scope of knowledge of law and policy to problems to accomplish Clerk objectives. Work product, which must be well-written, well-reasoned, and prudent, may result in significant consequences and contributions.

Position is highly visible in dealing with community members and some material generated by the incumbent may experience wide public circulation. As such, the incumbent's work may have a significant impact on the image of the City Clerk and City in general.

4. DIFFICULTY OF WORK:

Incumbent performs duties in a high profile, modern office environment, that of the office of an elected official. Regular evening work with unpredictable hours is regularly required. Much of the work is substantially complex and requires a good deal of analytic ability.

Precision, accuracy, and attention to detail is essential. Record keeping must be impeccable.

The incumbent must exercise discretion and maintain composure when handling community members who may be upset at the actions of the city. Independent judgment is required in determining appropriate response to inquiries and complaints by residents.

The incumbent is required to be available at times during the weekends and have the ability to adjust hours to accommodate the needs of the position.

5. PERSONAL WORK RELATIONSHIPS:

Incumbent initiates and requires constant contact with City Council members, local organizations, media, and members of the general public. Contact occurs during varied situations and circumstances, often requiring tact and use of mediation skills to gain cooperation in the face of differences of opinion.

Last revision: 05/31/2024

File location:



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Stephen Lucas, Council Administrator/Attorney

Date: June 7, 2024

Re: Ordinance 2024-16 - To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" Re: Amending BMC 2.04.120 (Limits on debate)

Synopsis

This ordinance is sponsored by Councilmember Piedmont-Smith and would set limits on the number and length of speeches during debate of legislation in order to make Council regular session meetings more efficient. It would limit each councilmember's comment in the first round to three (3) minutes and allow councilmembers a second round of comments limited to one (1) minute each.

Relevant Materials

- Ordinance 2024-16
- Memo from Sponsor Cm. Piedmont-Smith

Summary

Ordinance 2024-16 proposes to amend Bloomington Municipal Code [Section 2.04.120](#) (Limits on debate), which is part of the Council's meeting rules and procedures. This section currently reads:

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.

The revised section would read:

No member shall speak more than twice upon a question without leave of the council, and no more than once until every other member has had the opportunity to speak. No member shall speak longer than three (3) minutes for the first speech on a question and no more than one (1) minute for a second speech on the same question, unless further time is granted by the council. The council may, before debate begins, decide by a two-thirds vote of all members to set time limits on debate upon a particular pending question, but time spent in answering questions shall not be counted against the speaker.

The effect of this change would be to limit the number and length of speeches from members (in practice often referred to as "council comments") when the Council is debating a motion. Members would be allowed to speak for up to three (3) minutes for a first comment and for up to one (1) minute for a second comment, with the Council able to



City of Bloomington Indiana

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authorize additional time or opportunities for members to speak. Members asking questions and providing or receiving answers would not be counted as speaking in debate. A member's unused time would not be transferable to another member, nor could it be reserved for use at a later time.

There is minimal to no direct fiscal impact associated with this ordinance.

Contact

Councilmember Isabel Piedmont-Smith & Office of the Common Council, 812-349-3409, council@bloomington.in.gov

ORDINANCE 2024-16

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL”**

Re: Amending BMC 2.04.120 (Limits on debate)

WHEREAS, the City of Bloomington Common Council (“Council”), as the legislative branch of government, recognizes the importance of meeting its responsibilities efficiently and responsively, in order to serve the best interests of the public; and

WHEREAS, current limits on debate among councilmembers are governed by Bloomington Municipal Code Section 2.04.120, which allows the Council to place time limits on debate by a two-thirds vote before debate on a particular item begins; and

WHEREAS, it is necessary to supplement these rules to further limit the number and length of speeches permitted each member in debate in order to balance goals of meeting efficiency with robust public debate;

WHEREAS, council rules have prohibited introduction of legislation for council action after 10:30 p.m. without a two-thirds vote since 1980, and, with the Common Council’s adoption of Ordinance 21-34 on October 8, 2021, a motion to adjourn accompanied with a second made after 11:59 p.m. or after five and a half hours from the start of the meeting has the effect of immediately ending the meeting; and

WHEREAS, five regular sessions in 2024 (March 27th, April 3rd, April 10th, May 1st, and May 15th) have lasted longer than four hours, three of which (March 27th, April 3rd, and May 15th) lasted close to or longer than five and a half hours, which increased the risk that the meeting would end in the middle of business;

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

SECTION 1. Section 2.04.120 of the Bloomington Municipal Code entitled “Limits on debate” shall be deleted in its entirety and replaced with the following:

2.04.120 - Limits on debate.

No member shall speak more than twice upon a question without leave of the council, and no more than once until every other member has had the opportunity to speak. No member shall speak longer than three (3) minutes for the first speech on a question and no more than one (1) minute for a second speech on the same question, unless further time is granted by the council. The council may, before debate begins, decide by a two-thirds vote of all members to set time limits on debate upon a particular pending question, but time spent in answering questions shall not be counted against the speaker.

SECTION 2. If any sections, sentence or provision of this ordinance, 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 ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2024.

ISABEL PIEDMONT-SMITH, 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 _____, 2024.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance is sponsored by Councilmember Piedmont-Smith and would set limits on the number and length of speeches during debate of legislation in order to make Council regular session meetings more efficient. It would limit each councilmember's comment in the first round to three (3) minutes and allow councilmembers a second round of comments limited to one (1) minute each.

To: Members of the Common Council
From: [Isabel Piedmont-Smith](#)
Date: June 7, 2024
Subj: Ordinance 2024-16: Amending Bloomington Municipal Code 2.04.120 "Limits on Debate"

SUMMARY

In the interest of making our regular session meetings more efficient, I am introducing Ordinance 2024-16, which would limit the number and length of councilmember speeches (that is, comments after the presentation of the legislation, any question/answer period, and public comment) to three minutes for the first "bite at the apple" and one minute as a follow-up or rebuttal. The legislation still leaves room for deviations "with leave of the Council." The Council could give leave through a motion or through unanimous consent (the chair asking if anyone objects).

CLARIFICATIONS

Debate

The current Bloomington Municipal Code section 2.04.120 is entitled "Limits on Debate" in the context of Robert's Rules of Order, wherein "debate" is all discussion on the merits of a pending question that occurs after a motion is made, which is often a motion to adopt legislation. In the Council's current practice, council debate includes the presentation of the legislation; questions from councilmembers; answers from staff, sponsors, and/or experts; public comment; and final councilmember comments. In common parlance, we have in the past referred to only the last item as "council debate," but in the BMC this word is interpreted more broadly.

To further clarify the text of this ordinance, I note that the following sentence, which already exists in code, means that, prior to considering a motion, the council may set other time limits on any part of the process.

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.

We have done this in the past with particularly complex items, such as our second reading of Ordinance 2024-07 regarding the Summit District PUD on April 17 and the 2019 repeal and replacement of the text of the Unified Development Ordinance.

Speech

The proposed language to be added to 2.04.120 refers to councilmember "speech" rather than "comment." This, too, is rooted in Robert's Rules of Order (which is the default way the Council conducts its business unless otherwise dictated by local code), which refers to "speeches" or "speaking in debate."