

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, December 11, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.	COMMON COUNCIL REGULAR SESSION December 11, 2024
Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Andy Ruff, Hopi Stosberg, Sydney Zulich Councilmembers present via Zoom: none Councilmembers absent: none	ROLL CALL [6:31pm]
Council President Isabel Piedmont-Smith gave a land and labor acknowledgment and summarized the agenda.	AGENDA SUMMATION [6:31pm]
There were no minutes for approval.	APPROVAL OF MINUTES [6:34pm]
Piedmont-Smith noted the passing of Cheryl Munson, former Monroe County Councilor, and her experience knowing and working with Ms. Munson. She noted her upcoming constituent meeting.	REPORTS <ul style="list-style-type: none">COUNCIL MEMBERS [6:34pm]
Stosberg reported on the Plan Commission and its petition which contained an amendment that would be presented to council. She spoke about her upcoming constituent meeting.	
Rollo lamented Cheryl Munson’s passing and praised her patience, intellect, and good humor. He noted the passing of Donald Byrd, founding member of Braver Angels, later known as Better Angels, which addressed political divides. He noted his and Ruff’s upcoming constituent meeting.	
Ruff recognized Cheryl Munson’s service in the community. He spoke about his work with Ms. Munson over the last thirty years. He thanked Piedmont-Smith (President) and Stosberg (Parliamentarian) for their work. He appreciated Stosberg stepping up when he was not available for his duties as Vice President.	
There were no reports from the mayor and city offices.	<ul style="list-style-type: none">The MAYOR AND CITY OFFICES [6:43pm]
There were no reports from council committees.	<ul style="list-style-type: none">COUNCIL COMMITTEES [6:43pm]
Christopher Emge, Greater Bloomington Chamber of Commerce, spoke about constituent meetings, transit service outside of the city, and praised Cheryl Munson for her work in the community.	<ul style="list-style-type: none">PUBLIC [6:43pm]
Chuck Livingston spoke about the 7-Line, traffic, and bicycle counts.	
Khari Mkola, also known as Adrian Thomas, nephew of Troy Thomas, said it was difficult to see city police vehicles since they were painted black in the front and back. He discussed issues with the Bloomington Housing Authority.	
There were no appointments to boards and commissions.	APPOINTMENTS TO BOARDS AND COMMISSIONS [6:56pm]
There was no legislation for first reading.	LEGISLATION FOR FIRST READING [6:56pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:57pm]

Stosberg moved and Ruff seconded that Appropriation Ordinance 2024-09 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Stosberg moved and Ruff seconded that Appropriation Ordinance 2024-09 be adopted.

Jessica McClellan, Controller, presented the legislation which was a request to transfer funds with no net effect. She gave more details.

Appropriation Ordinance 2024-09
– To Specially Appropriate from the General Fund, Economic Development Lit Fund, Parks and Recreation General Fund, Public Safety LIT Fund, ARPA Local Fiscal Recovery Fund and Alternative Transportation Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Economic Development LIT Fund, 2 Parks & Recreation General Fund, Public Safety LIT Fund, ARPA Local Fiscal Recovery Fund, and Alternative Transportation Fund) [6:57pm]

Flaherty asked for clarification on alternatives to the process.

McClellan said additional appropriations or a transfer within the department, could be requested. She highlighted that the request did not include an additional appropriation.

Council questions:

Asare asked about the timing of transfers to other departments.

McClellan clarified that departments were in constant contact with the controller’s office regarding expenses and needs.

Asare asked how end of year transfers related to the budget process.

McClellan said an analysis would be done to see if there could be better budgeting of funds.

Stosberg asked if departments had enough time to expend the funds.

McClellan confirmed yes and gave examples.

Asare asked about American Rescue Plan Act (ARPA) funds.

McClellan said the final \$7.5 million had to be obligated that year.

Adrian Thomas commented on budgets, transfers, and his understanding of the process.

Public comments:

Stosberg said it was pretty standard to have end of year transfers. She thanked McClellan and department heads for their efforts.

Council comments:

Zulich thanked McClellan and others for effectively balancing the transfers.

The motion to adopt Appropriation Ordinance 2024-09 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 2024-09 [7:08pm]

Stosberg moved and Ruff seconded that Ordinance 2024-25 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 2024-25 – An Ordinance to Amend Ordinance 23-25 That 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,

Stosberg moved and Ruff seconded that Ordinance 2024-25 be adopted.

Sharr Pechac, Director, Human Resources (HR), presented the legislation. The request was to provide a one-time payment of \$500 to all American Federation of State, County and Municipal Employees (AFSCME) employees in 2024.

Indiana for the Year 2024
[7:09pm]

Stosberg asked if AFSCME salaries were the only ones not in the salary study.

Council questions:

Pechac confirmed that was correct. The salaries for AFSCME employees would take priority in the following year.

Piedmont-Smith asked when the contract would be renegotiated.

Pechac said it would be in December 2026.

Deputy Mayor Gretchen Knapp said that if the salary study was done in 2025, then the negotiation process would be reopened to adjust 2025 salaries.

Pechac said the goal was to prioritize the salary study. The request was to give a bonus as a good faith effort and appreciation of AFSCME employees' work.

Asare asked if the \$97,000 impact was budgeted.

Pechac stated it was a portion of the budgeted amount for the salary study.

Piedmont-Smith asked what the total amount was for the bonuses.

Pechac said it was \$96,000.

There were no public comments.

Public comments:

Stosberg and Piedmont-Smith appreciated the request for bonuses.

Council comments:

The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 2024-25
[7:16pm]

Stosberg moved and Ruff seconded that Ordinance 2024-26 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 2024-26 – To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2025 [7:17pm]

Stosberg moved and Ruff seconded that Ordinance 2024-26 be adopted.

Flaherty summarized the process and framework the Ad Hoc Salary committee undertook. There were materials on the process in the packet, and there had been a full presentation the previous evening.

Flaherty moved and Ruff seconded to adopt Amendment 01 to Ordinance 2024-26. Flaherty presented the amendment, detailed the process, and highlighted the structured, methodical, and thoughtful way, aided by consultant experts in city government, in which the recommendations were determined. The amendment addressed the issue of councilmembers and clerk being underpaid, gradually.

Amendment 01 to Ordinance 2024-26

Amendment 01 Synopsis: This amendment is sponsored by Cm. Flaherty and Cm. Rosenbarger and would change the proposed salaries in Ordinance 2024-26 to the following levels for 2025:

- Mayor's salary: \$139,411, which is a 1% increase over the mayor's 2024 salary.

- Clerk’s salary: \$92,873, which is half way between the Clerk’s 2024 salary and the Grade 12, Step 1 compensation level. This is an increase of \$5,873 compared to the 2024 salary.
- Council Member’s salary: \$26,488, which is 19% of the Mayor’s salary. This is an increase of \$5,335 compared to a Council Member’s 2024 salary.

Amendment 01 to Ordinance 2024-26 (cont’d)

Combined, the 2025 salaries proposed in this amendment have a fiscal impact of \$60,526 (i.e., the fiscal impact beyond 2024 fiscal requirements for elected official salaries). These changes are part of a proposed four-year, phased increase of elected official salaries. The intent is to increase salaries in a way that balances (1) alignment with the Elected Official Compensation Framework and principles of accessibility, equity, and quality community service; and (2) more gradual changes from the current (2024) salaries for elected officials. These changes come in the context of a broader, citywide update of compensation levels in order to improve the quality of local government and achieve more competitive and equitable pay. The proposed phase-in schedule would be subject to the passage of a corresponding salary ordinance for elected officials each year. Ordinance 2024-26 would only fix 2025 elected official salaries.

Piedmont-Smith noted that Ordinance 2024-26 only fixed salaries for 2025, and asked how Amendment 01 would be implemented over four years.

Council questions:

Flaherty clarified that Amendment 01 would not force future council’s votes on fixing salaries. The intent was to demonstrate that the sponsors were not arbitrarily choosing numbers. It was a values-based approach to addressing elected officials’ salaries.

Asare asked why the percentages would increase.

Flaherty said council pay would be calculated as a percentage of the mayor’s salary. The current percentage was 15% and the goal was to reach 25%. The committee believed tying council salaries to a percentage of the mayor’s salary was reasonable, instead of doing Cost of Living Adjustment (COLA) each year. He noted the civil city rubric that was used for determining how the council role related to the mayoral role; as branches of local government.

Rosenbarger added that Amendment 01 resulted from the discussion the previous evening. There were councilmembers that wanted a longer phase in approach, from three years to four. There were differing opinions of councilmembers. It was important to follow the framework that was put forth by the committee. She referenced the consultant’s, Crowe, appreciation of the committee’s work. At the previous meeting, Crowe said they were impressed with the result. She reiterated that the amendment was intentional but not binding for future years.

Asare asked if the 19% was chosen arbitrarily.

Flaherty said no; it was a step process to reach 25% overtime. It was a set of changes that attained more equitable pay for council, resulting in better government. The committee assessed the nature and role of the jobs using the point-factor rubric, talked about hours that were necessary and expected to provide quality service, relative to the mayor, which informed a decision and a number. It was not arbitrary, the percentages were based on a set of values and an analysis. The 19% was a slightly bigger jump in the first year than in subsequent years. Addressing the inequity better in the first year was reasonable.

Rosenbarger explained that it was easier to use whole numbers for the percentages when calculating a three-year phase to four.

Rollo asked about the possibility of a mayoral veto and the potential for additional council meetings that year, during some holidays.

Flaherty said Amendment 01 was very clear that salaries were only being set for 2025. The subsequent years were included as rationale. He could not speak for the mayor but reiterated that state code mandated that council set the salaries for elected officials.

Rollo asked if the sponsors had discussed the amendment with the mayor.

Flaherty said no, Amendment 01 was drafted that day, in response to the previous meeting's discussion. The mayor's Legislative Aide had attended every Ad Hoc Salary Committee meeting and the committee had invited the mayor's input on setting the mayoral salary.

Piedmont-Smith asked Knapp for the mayor's input on Amendment 01.

Knapp said the mayor had not seen Amendment 01 so did not know what the mayor would do.

Stosberg said Amendment 01 created an intent for future years and asked how that reconciled with the annual process of reviewing salaries by an Ad Hoc Salary committee.

Rosenbarger responded that it would be up to the new members of the committee to consider. Future years' numbers were nonbinding.

Stosberg asked if council should focus on the 2025 numbers.

Flaherty reiterated that it was a rationale to explain the numbers, and was not arbitrary. He was not comfortable voting on another amendment, that was based on what the mayor stated she wanted, without considering an alternative that used the framework determined by the committee.

Rollo asked if Amendment 01 was arbitrary since it did not come from the committee.

Flaherty clarified that the committee had recommended the mayor have a mid-grade point of thirteen and council pay be 30% of that. The committee believed that recommendation best reflected the values of accessibility, equity, and quality service. Amendment 01 was drafted as an effort to compromise amongst nine councilmembers. Based on discussions, it became clear that some councilmembers did not believe the clerk and council roles were deserving of the level of pay recommended by the committee. Amendment 01 was still based on the compensation and classification frame, the basis for salary setting. It was the application of the framework.

Rollo asked if consultation extended to the mayor.

Flaherty clarified again that he did not reach out to the mayor because it was council's responsibility to set elected officials' salaries. It was similar to the process the administration took when conducting the salary study, where council was not consulted and a salary ordinance was brought for a vote.

Asare asked how raising council pay made councilmembers better at doing their job.

Rosenbarger referenced a report from Stanford Law Review from 2018, regarding compensation for city councilmembers across the United States (US). She discussed three concerns of under-compensation including the limiting effect of making elected offices only open to those who could afford it, potential of decreasing effectiveness, accountability, and transparency in government, and increasing conflicts of interest and corruption. Pay affected who

Amendment 01 to Ordinance 2024-26 (cont'd)

Council questions:

decided to serve. Low pay was not a barrier to those who had other sources of income, like the retired or independently wealthy. Low pay had a disproportionate impact on already underrepresented groups, like minorities and women, and failed to attract highly qualified candidates. Low pay for city council reduced effectiveness because unless independently wealthy, councilmembers would have to maintain other employment, thus reducing time spent on city matters. She gave additional details.

Asare asked Rosenbarger and Flaherty if they would stop other sources of income in order to be more effective councilmembers.

Piedmont-Smith noted that might be an inappropriate question directed at individuals and not relevant to the amendment.

Asare said he was asking how raising council's pay would lead to more effective service.

Rosenbarger clarified that the amendment considered current and future councilmembers. The issue being addressed was about who was able to run and barriers from low pay. For example, a resident expressed to Rosenbarger that she would like to run for office, but as a single parent, could not afford to do so and also pay for childcare.

Ruff asked the sponsors of Amendment 01 if they agreed that higher pay would allow councilmembers to spend more time researching items for council's consideration.

Flaherty said councilmembers would likely spend more time on council duties. He provided examples. He noted that correcting unfair pay was reason enough. Addressing inequities for their own sake was important.

There was brief council discussion on considering the amendment.

Flaherty withdrew Amendment 01. Piedmont-Smith objected. Withdrawal failed.

Steve Volan commented on the low pay for council and expressed concern that the clerk was not graded higher, at thirteen. He noted statute forced council to set its salary but not whether or not the position was full-time or part-time. The salary was far too low when he served on council, but appreciated the health insurance. He noted that council did not receive retirement. The Ad Hoc Salary committee had established a scientific framework for evaluating a difficult problem and it was not arbitrary. Councilmembers should be adequately paid so as to not require outside income.

Joe Davis agreed that a living wage was appropriate for council. He said the council and mayor had different purviews and should not have salaries tied together.

Adrian Thomas spoke about living wages. He expressed concern that so much of taxpayer's went to the mayor. He believed that council bore the brunt of the public's concerns and should be adequately compensated. He understood the purpose of the legislation which gave value to councilmembers.

Renee Miller praised the late Cheryl Munson. She believed only a COLA was sufficient.

Christopher Emge did not like tying council's salary to the mayor's. The timing of the salary ordinance was not ideal since it was the first year of a term. Though, he did believe council's pay was low.

Amendment 01 to Ordinance 2024-26 (cont'd)

Council questions:

Withdrawal of Amendment 01

Public comment:

Abby Stemler, Professor of Business Law and Ethics, IU, stated that the current compensation model of council excluded many talented members from serving. Providing an equitable wage for council broke down economic barriers for residents wanting to serve. Low pay inherently favored those with personal wealth or flexible job arrangements. It did not represent the community correctly.

Amendment 01 to Ordinance 2024-26 (*cont'd*)

Public comment:

Chaz Gillespie supported council and clerk receiving higher pay. Higher pay led to more people being interested in serving, which led to a greater diversity of class, age, education, and more.

Jeff Richardson wondered what the two amendments were.

There was discussion on tabling something for consideration and taking it from the table in the same meeting.

Council discussion:

Stosberg moved and Asare seconded to table Amendment 01 to Ordinance 2024-26. The motion was approved by a majority voice vote.

Vote to Table Amendment 01 to Ordinance 2024-26 [8:24pm]

Rollo moved and Ruff seconded that Amendment 02 to Ordinance 2024-26 be adopted. Rollo presented the amendment outlining the salary increases for 2025. He had consulted with Mayor Thomson who had set parameters that would be required for her signature on legislation.

Amendment 02 to Ordinance 2024-26

Amendment 02 Synopsis: This amendment is sponsored by Cms. Dave Rollo and Andy Ruff and would change the proposed salaries in Ordinance 2024-26 for 2025 as follows:

- Set the Mayor’s salary at \$138,031 adjusted in 2025 with a Cost of Living Adjustment (COLA).
- Set the Clerk’s salary at \$90K for 2025 without a COLA.
- Set the salary of Councilmembers at \$25K for 2025 without a COLA. The fiscal impact for the 2025 salaries proposed in this amendment is estimated to be \$45,972.92.

Stosberg noted the comparison of clerk, council, and mayoral salaries over time was inaccurately represented in the amendment materials because the Y axis salary ranges were different. That changed the perspective of the increase in salary over time. She asked if that had been considered by the sponsors.

Council questions:

Rollo acknowledged that the Y axis salary ranges were different but the historical data was accurate.

Asare asked how \$25K was determined for council salaries.

Rollo believed a flaw of the Ad Hoc Salary committee was to not reference peer cities’ salaries. He had compared cities with similar populations to Bloomington, though Bloomington’s council likely did more work and had a higher cost of living. He believed \$25K was ideal for council and if anything, was on the conservative side.

Asare asked if there were limitations with comparisons with other cities. Or, if they increased salaries, so would Bloomington.

Rollo said yes, but highlighted there was a deadline. It was not the end of the discussion for elected officials’ salaries. He had consulted with the mayor and other councilmembers and his amendment was viable. He said the original proposal had damaged the perception as overreaching and self-serving.

Rosenbarger asked if Rollo had spoken with the mayor or mayoral staff. She asked about the timeline for 2025, and if Rollo would serve on the committee and work with consultants.

Amendment 02 to Ordinance 2024-26 (cont'd)

Rollo said he had corresponded with the mayor and spoken to Deputy Mayor Knapp. He acknowledged working with consultants was valuable. The previous administration had not kept up with cost of living increases during high inflation. He thought focusing on the lowest paid city employees was important. There was potential to engage with the administration as partners.

Greg Alexander recognized that many councilmembers attended city and county meetings, and engaged with staff. He gave examples of his displeasure with council's effectiveness, such as city plans not being implemented. Council was supposed to be a balance to the mayor, but in essence, the mayor was writing the salary ordinance. He believed the work the council did needed to be adequately compensated in order to be effective and provide value.

Public comment:

Joe Davis believed there should be a COLA increase for mayor, council, and clerk. Council was not equivalent to the mayor and legislation should be considered to give council more authority. He thought Amendment 02 was a good start. A committee reviewing salaries should include members of the public.

Christopher Emge, Greater Bloomington Chamber of Commerce, spoke in favor of Amendment 02 and gave reasons in support.

Jami Scholl said the timing of the salary ordinance was off. She supported Amendment 02.

Steve Volan noted that pay was not done towards the end of term. Council had never done the kind of work that the Ad Hoc Salary committee had done, identifying principles for setting salaries. It had always been assumed the mayor set the salary. The current council was correcting that assumption. The committee had developed a framework, in public meetings over six months. Low pay restricted who could run for office, as well as suppressed oversight of the administration. Council and mayor were coequal branches of government. He gave additional reasons supporting council setting adequate salaries.

Stosberg moved and Asare seconded to table Amendment 02 to Ordinance 2024-06. The motion received a roll call vote of Ayes: 7, Nays: 2 (Rollo, Ruff), Abstain: 0.

Vote to put Amendment 02 on the table [8:58pm]

Stosberg moved and Asare seconded that the council suspend the rules to allow each council member 3 minutes to comment on the proposed amendments or the ordinance as a whole. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to suspend the rules [9:02pm]

Flaherty did not have a preference on the amendments because there was not a large difference. He noted the extensive discussion on council's opinions, rationales, and the possible mayoral veto.

Consideration of Amendment 01 and Amendment 02 to Ordinance 2024-26

Zulich would support Amendment 02 and thanked councilmembers for their work on the ordinance. She thanked Clerk Bolden and Taylor Brown, Legislative Affairs Specialist, for having attended all of the committee meetings.

Council discussion:

Rollo clarified that Amendment 02 had not been authored by the mayor. There had been collaboration and he was confident that the

legislation, with Amendment 02, would not be vetoed. He thanked the committee for their work and for setting parameters for future discussions.

Ruff recognized the committee's work which would be valuable for future consideration of elected officials' salaries. He believed it was not the right time for the ordinance as written.

Consideration of Amendment 01 and Amendment 02 to Ordinance 2024-26 (cont'd)

Council discussion:

Daily appreciated the committee's extensive work and the sponsors of both amendments. She appreciated that Amendment 01 was a good response to council's concerns, though she did not support the proposed schedule of pay increases through 2028. She would support Amendment 02. She did not question the motives of each councilmember. She cautioned council to not lose the public's trust.

Rosenbarger noted research showed that the most self-serving issue for city councils was to keep pay low so as to restrict who was able to run for office. It was interesting to see how individuals would rationalize the difference of the amendments because they were very similar. She highlighted that the mayor had suggested a salary for herself that was greater than the two other branches of government and stated that was the only way she would not veto. She had larger questions, such as what council wanted to be. Some councilmembers preferred to rubber-stamp items and avoid conflict or vetoes with the administration. She put in a disproportionate amount of work than some councilmembers.

Asare did not believe it was appropriate for council to consider raising their salary at the time. He had made suggestions on raising the clerk's salary. He spoke about his experience running for council and the pushback he'd received as well as the amount of time spent on council meetings, et cetera. He wished that council had other opportunities to discuss the framework the committee had developed. He appreciated there was a framework to initiate the discussion in coming years though he did not intend to run for council again.

Stosberg said the committee had determined the proposed salaries based on the position, not the current individuals in the position. There were equity flaws with only providing a standard COLA increase with the position at the top of the pay scale receiving a much larger increase than the bottom. That increased the wage gap significantly. For council, a COLA increase resulted in \$635 and for the mayor it would be over \$4000. She noted factors like inflation and a high cost of groceries, and more. She would support Amendment 01 since it was based on the framework.

Piedmont-Smith said that during the Committee of the Whole meeting on September 25, 2024, councilmembers, mayor, and clerk discussed how elected officials' salaries should be determined for 2025. Mayor Thomson suggested identifying guiding principles and working with an external consultant was ideal. Council had created the Ad Hoc Salary committee which identified guiding principles. The committee had worked with a consultant, Crowe. She was grateful to the committee for their work. Criticism of the outcome did not focus on the guiding principles created by the committee. She stated that current salaries were not a viable starting point. She discussed current pay and noted that she spent around twenty hours per week on council items. That was the amount of time needed to adequately serve the public. Serving on council was complex, using independent judgement, knowing consequence of errors, and having external work relationships. To make serving on

council accessible to all socioeconomic groups, council needed to significantly increase the salary. She added that the salary of city clerks had been systematically undervalued for decades. The duties of the clerk should be valued higher than Amendment 02. She supported Amendment 01 but would support Amendment 02 if Amendment 01 did not get a vote. She urged council to continue the work of the Ad Hoc Salary committee.	Consideration of Amendment 01 and Amendment 02 to <u>Ordinance 2024-26</u> (cont'd)
Stosberg moved and Piedmont-Smith seconded to take Amendment 01 to <u>Ordinance 2024-26</u> off the table. The motion received a roll call vote of Ayes: 7, Nays: 2 (Asare, Rosenbarger), Abstain: 0.	Vote to take Amendment 01 to <u>Ordinance 2024-26</u> off the table [9:22pm]
There were no council comments.	Council comments:
The motion to adopt Amendment 01 to <u>Ordinance 2024-26</u> received a roll call vote of Ayes: 4 (Flaherty, Piedmont-Smith, Rosenbarger, Stosberg), Nays: 5 (Asare, Daily, Rollo, Ruff, Zulich), Abstain: 0. FAILED	Vote to adopt Amendment 01 to <u>Ordinance 2024-26</u> [9:23pm]
Stosberg moved and Asare seconded to take Amendment 02 to <u>Ordinance 2024-26</u> off the table. The motion was approved by a voice vote.	Vote to take Amendment 02 to <u>Ordinance 2024-26</u> off the table [9:24pm]
There were no council comments.	Council comments:
The motion to adopt Amendment 02 to <u>Ordinance 2024-26</u> received a roll call vote of Ayes: 8, Nays: 1 (Stosberg), Abstain: 0.	Vote to adopt Amendment 02 to <u>Ordinance 2024-26</u> [9:23pm]
There were no council questions.	Council questions:
Renee Miller appreciated Stosberg's example of the pay inequities.	Public comment:
Ruff said that for council to be an effective balance to the mayor, councilmembers needed to be informed on issues, which took time. The mayor had hundreds of specialized experts. Councilmembers could spend endless time on items for consideration but each individual councilmember had to determine the balance. It had been a difficult but useful discussion.	Council comments:
Asare said council and mayor were coequal branches of government with the purpose of giving value to residents. There was a system of checks and balances between branches but cautioned on a contrarian tone. He spoke about council processes, codification of process, and council's agency. He believed that meeting once per month was sufficient to give councilmembers time to become informed on matters before council. Council had a close relationship with residents and could bring their issues to the mayor.	
Stosberg said salary discussions were never comfortable, nor was determining someone's value by their pay. She was disappointed the recommended framework had been so easily dismissed. She spoke about her experience with being undercompensated; as a high school teacher, environmental educator, and a stay at home parent. She expressed concern that the process had resulted in council undervaluing itself. There was a basic counterbalance in government, for council, which included the final approval of the \$150 million city budget. All of the elected officials' salary comprised less than 0.5% of the civil city budget. To believe that councilmembers should not be equitably paid was not good oversight for things like the city budget. She commented that it was easier to focus on smaller numbers.	

Piedmont-Smith stated that collaboration with the mayor was important. She had regular meetings with the mayor, as council president. The meeting that had been scheduled for the previous day, had been canceled, but Piedmont-Smith was able to speak to the mayor two days ago for a short period of time. She had asked Mayor Thomson to call her to discuss the ordinance prior to the meeting, but that had not occurred. She had made attempts to collaborate with Mayor Thomson and noted it had to be reciprocal. It would have been best to have the full council review the framework prior to the writing of the ordinance, but there had not been enough time. The framework was valuable and a great start but had been dismissed when a councilmember posted online about their outrage at the proposal. That had become the public conversation rather than the logical, rational framework for elected officials' salaries. She hoped that would not occur again, especially since it came close to assuming bad intentions by the committee.

Ordinance 2024-26 as amended
(*cont'd*)

Council comments:

Ruff clarified that he had meant to say checks and balances.

Flaherty appreciated Piedmont-Smith's comment noting the remarks from the mayor suggesting the course of action, which the committee had done. It had been a short timeframe. He suspected salary increases beyond COLA would not occur. If council was serious about analyzing elected officials' salaries in a logical, structured way that centered values and data, rather than just comparisons to other cities, then he urged council to do so in early 2025. It was clear that it would be a long undertaking that required the full council.

Rosenbarger supported salary increases due to Bloomington's high cost of living causing residents being pushed out of the city. Increasing housing and salaries were ways to address that. Council could influence city salaries, allowing people to live in Bloomington. She noted that councilmembers not on the Ad Hoc Salary committee had not attended the public meetings, nor had they reached out individually. Things like universal basic income would help people do things like run for office. She said that recently, council had not been debating the substance of an item but instead things like timing, mayoral vetoes, and more. Council was willing to collaborate with the administration and had been patient throughout the transition. It was unfortunate that the salary ordinances had been brought to council at the last minute, and that the administration had not allowed council to raise their staff's salaries. The administration had made it clear what ordinance would not be vetoed. She expressed concern about what had been happening with the council and mayor and noted that the previous administration had more collaboration with council. Delaying as well as creating a sense of urgency was not the best way to approach an issue. She added that she had only received three emails from residents and one person who told her in person that they hoped council received a significant salary increase.

Stosberg said her vote against Amendment 02 was a statement about wage gaps and inequities. She spoke about council having been underpaid for a long time. Closing the wage gap was important and if doing it all at once was not comfortable, then working towards closing the gap was necessary. The current gap was about \$6000 and there were still inequities in the elected officials' salaries.

The motion to adopt Ordinance 2024-26 as amended received a roll call vote of Ayes: 7, Nays: 1 (Asare), Abstain: 0. (Flaherty out of the room).

Vote to adopt Ordinance 2024-26 as amended [9:52pm]

Stosberg moved and Ruff seconded that Ordinance 2024-27 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 2024-27 – To Amend title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” Re: The Establishment of the Advisory Transportation Commission [9:53pm]

Stosberg moved and Ruff seconded that Ordinance 2024-27 be adopted.

Ryan Robling, Planning Services Manager, Planning and Transportation (PT) department, presented the legislation including the purpose of the new Advisory Transportation Commission (ATC), membership requirements, powers and duties, and decision-making. The commission would be staffed by the engineering department except when the ATC was serving as a steering committee. It would then be staff by PT staff.

Flaherty moved and Ruff seconded that Amendment 02 to Ordinance 2024-27 be adopted. Flaherty presented the amendment and gave details in support.

Amendment 02 to Ordinance 2024-27

Amendment 02 Synopsis: This amendment, sponsored by Cm. Flaherty, would replace Ordinance 2024-27 in its entirety with an amended version of the ordinance that would make several changes, both typographical and substantive. Among the substantive changes, Ordinance 2024-27, as replaced by Amendment 02, would incorporate more of the currently existing Parking Commission’s purview into the new commission, giving it additional powers specific to parking and transportation policy review and recommendation. The amended ordinance would also change some of the types of residents given preference for appointment. Other language emphasizing climate change mitigation and the prioritization of non-automotive modes of transportation is also added via this amendment. Finally, this amendment would remove the word “Advisory” from the “Advisory Transportation Commission” so that the new commission will simply become the “Transportation Commission”.

Piedmont-Smith asked for staff’s feedback.
Robling said staff was in support of Amendment 02.

Council questions:

Ruff asked about the germaneness of Amendment 02.
Ash Kulak, Deputy Attorney/Administrator, said it had significant changes as well as typographical corrections. The changes were substantive.

Stosberg asked if the additional responsibilities gave staff pause.
Robling viewed Amendment 02 as clarifying language and would not affect staff. Instead of doing the work for three commissions, it would be done for one.

Flaherty clarified city code that addressed amendments to ordinances and what constituted germaneness. Adding substantive changes to the legislation via an amendment was germane.

Steve Volan, Chair of the Parking Commission (PC), said the commission had achieved the goal of a comprehensive parking policy and reports to council which had been very labor intensive.

Public comments:

He noted hindrances to the PC like the former chair having to submit a Freedom of Information Act (FOIA) request to obtain parking data, and the mayor not making appointments. The PC never had a budget, and were not consulted on things like a parking study request for proposal. The most significant reason for the legislation was to reduce bureaucracy. He said none of the three commissions had been invited to speak at the meeting. There was not a deadline for the legislation, unlike the salary ordinances.

Amendment 02 to Ordinance 2024-27 (cont'd)

Public comments:

Joe Davis commented on his experience with a neighbor's uReports about his cars which were not abandoned, but were being reported as such. He did not support combining the PC into the ATC.

Chris Sturbaum said it was important for commissions to report to council. He urged council not to create the ATC without any oversight by council.

Janis Sorby believed it was important for the committee to have oversight.

Wendy Bernstein agreed that there needed to be oversight and did not support the ATC.

Stosberg asked for clarity on how the public would interact with the commission or if removing the word "Advisory" changed things.

Council comments:

Robling said nothing in Amendment 02 would change how the public interacted with the commission.

Rollo asked if the commission would be advisory.

Robling said the ATC was based off the Plan Commission, which was also advisory. The commission would make recommendations.

Ruff said the Plan Commission had statutorily-defined duties. He expressed concern with removing the word "advisory."

Flaherty said the question of roles and duties was relevant. While the commission would be new, the duties that were giving people pause were already present in current commissions that were being consolidated. He acknowledged Chair Volan's concerns and noted that the three commissions had discussed the proposal. The PC had issues with resources, like staffing. Parking would be a focus with the new commission.

Piedmont-Smith asked Flaherty why it was important to remove the word "advisory."

Flaherty said because the commission should be called the Transportation Commission and not the ATC. He spoke about the statutory boards and commissions.

Stosberg read the purpose of the commission and highlighted that the commission shall provide recommendations and guidance to the mayor and Common Council. Changing the name did not change the purpose. Since staff was not concerned she would support Amendment 02.

Rollo agreed that Amendment 02 did not change the commission's advisory status.

Piedmont-Smith appreciated Flaherty bringing forth Amendment 02 and the added language to include the Parking Commission's duties.

The motion to adopt Amendment 02 to <u>Ordinance 2024-27</u> received a roll call vote of Ayes: 8, Nays: 1(Ruff), Abstain: 0.	Vote to adopt Amendment 02 to <u>Ordinance 2024-27</u> [10:38pm]
Ruff moved and Rollo seconded to adopt Amendment 01 to <u>Ordinance 2024-27</u> . Ruff presented the amendment and gave reasons in support. Rollo added additional information.	Amendment 01 to <u>Ordinance 2024-27</u>
Amendment 01 Synopsis: This amendment, sponsored by Cm. Ruff, would recognize the role of the new Advisory Transportation Commission as an advisory body, replacing words like “oversight” and “determine” with “advisory” and “provide input”. The amendment also adds an additional requirement to the code section governing the Traffic Calming and Greenways Program (TCGP), in which the role of the Advisory Transportation Commission would be to review and make recommendations to the Common Council, rather than administer the Program along with the Department of Planning and Transportation. Further amendments to the TCGP guidelines would be necessary to accomplish the precise role of the Common Council in receiving and taking action upon such recommendations.	
Robling said staff questioned the germaneness of Amendment 01 because it could not address all the things that would need to be changed in Title 15. Amendment 01 focused on giving council oversight over traffic-calming and greenway program. That was not relevant to <u>Ordinance 2024-27</u> . He gave additional details.	
Andrew Cibor, City Engineer, pointed out that council had recently approved the Safe Streets and Roads 4 All (SS4A) action plan. A key component was establishing a public engagement process which would inform how to prioritize projects. He urged council to allow implementation of the plan first. <u>Ordinance 2024-27</u> combined three commissions into one. Sometimes staff presented to all three, and then to council. The purpose of the legislation was to receive a variety of opinions, which might not always agree, in order to review projects comprehensively.	
Piedmont-Smith asked if Amendment 01 would need to be updated to remove the word “Advisory.”	
Kulak said Amendment 01 could be amended. There was brief discussion on changing the language in Amendment 01 based on Amendment 02.	
Piedmont-Smith moved and Stosberg seconded to call a ten-minute recess. The motion was approved by a voice vote.	Recess
Piedmont-Smith reconvened the meeting.	Reconvening
Stosberg moved and Ruff seconded to replace Amendment 01 with Amendment 01 as amended. This amendment to the amendment aligns the language of the ordinance with changes made from Amendment 02 and retains the changes from the original Amendment 01 to <u>Ordinance 2024-27</u> . Stosberg explained the amendment to Amendment 01.	Amendment to Amendment 01 to <u>Ordinance 2024-27</u>
There were no council questions.	Council questions:
There was no public comment.	Public comments:
Ruff thanked Stosberg, Council Attorney/Administrator Lisa Lehner, and Kulak for their quick work on amending Amendment 01.	Council comments:

The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Stosberg asked for clarification on Robling's reference to Title 15.

Robling responded that Amendment 01 should be a separate ordinance, and not an amendment. Staff was willing to explore the proposal, but it should not be an amendment to Title 2 legislation.

Ruff asked for council staff's feedback.

Kulak said that Robert's Rules of Order (RRO) stated that the Chair could determine if an item was germane, or could call the question for the full council to determine. Ordinance 2024-27 would amend Title 15 so Amendment 01 could too. The traffic-calming and greenways program guidelines would not be changed by Amendment 01. They gave additional details.

Ruff said Amendment 01 indicated that there would need to be further amendments to accomplish the goals.

Kulak clarified that Amendment 01 added that the new commission would make recommendations to the full council.

Flaherty said the sponsors' goal was to change the traffic-calming and greenways program, but Amendment 01 did not accomplish that. A separate ordinance designed to change how the program functioned would be needed, and had been done the previous year but had failed 4-5. He asked if it was correct that Amendment 01 was nonsensical because it would not change the program.

Robling confirmed that was correct.

Ruff said Ordinance 2024-27 changed Title 15 which was what Amendment 01 intended to do.

Kulak said a future ordinance would be needed to change the guidelines because Amendment 01 did not do so.

There was additional discussion on actions council could take.

Stosberg asked if council had to pass the legislation that evening or if it could be considered in January.

Robling said if the Transportation Commission was not established that evening, it would not be problematic.

Margie Rice, Corporation Counsel, concurred that the intent of Amendment 01 was substantive enough to require a longer conversation and legislation, possibly.

Rollo asked if the traffic-calming and greenways program would have to be revised since it referenced the Bicycle and Pedestrian Safety commission.

Rice said most likely yes.

Rollo asked why legislation on the traffic-calming and greenways program was not brought to council with Ordinance 2024-27.

Rice discussed roles of council, commissions, mayors and more and said further discussion was needed.

Rollo asked what the next steps were for amending Title 15.

Kulak explained how amendments and Ordinance 2024-27 revised Title 15.

Piedmont-Smith asked if it was correct that only if Amendment 01 passed, would Title 15 need to be amended.

Robling confirmed that was correct.

Ruff moved and Rollo seconded to withdraw Amendment 01 to Ordinance 2024-27.

Vote to amend Amendment 01
[11:13pm]

Amendment 01 as amended to
Ordinance 2024-27 (cont'd)

Council questions:

Motion to withdraw Amendment
01 to Ordinance 2024-27

Stosberg moved and Zulich seconded that Ordinance 2024-27 as amended be postponed indefinitely.

Motion to postpone Ordinance 2024-27 as amended

Flaherty said it seemed that the primary question pertained to the traffic-calming and greenways program and not Ordinance 2024-27's goal of establishing the Transportation Commission. He preferred voting on Ordinance 2024-27 that evening.

Council discussion:

Rosenbarger concurred with Flaherty.

Rollo stated that he would invoke the midnight rule which would result in a postponement.

Stosberg noted that staff said that postponing the legislation would not harm the commission, and that it was late and there were still two more amendments.

The motion to postpone Ordinance 2024-27 as amended indefinitely received a roll call vote of Ayes: 5 (Daily, Rollo, Ruff, Stosberg, Zulich), Nays: 4 (Asare, Flaherty, Piedmont-Smith, Rosenbarger), Abstain: 0.

Vote to postpone Ordinance 2024-27 as amended [11:45pm]

Greg Alexander commented that evening was the second time in the recent weeks that the item he was interested in was not discussed.

ADDITIONAL PUBLIC COMMENT [11:45pm]

Wendy Bernstein said that it was important for council to receive feedback by the public and not have city departments make decisions.

COUNCIL SCHEDULE [11:46pm]

Chris Sturbaum expressed disdain for having to wait so long for the public to make comments.

Joe Davis concurred with Bernstein and Sturbaum.

Piedmont-Smith acknowledged it was the last meeting of 2024. She thanked councilmembers for their service and for entrusting her with presidency. She thanked council staff. She wished everyone happy holidays. She thanked Clerk Bolden and deputy clerks. She adjourned the meeting.

ADJOURNMENT [11:51pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 05 day of March, 2025.

APPROVE:

ATTEST:



Hopi Stosberg, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington