



# City of Bloomington Common Council

## Legislative Packet

**09 April 2014**

**Regular Session**

*For material regarding Ordinance 14-04, please consult the  
[26 March 2014 Legislative Packet](#).*

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## **Packet Related Material**

**Memo**

**Agenda**

**Calendar**

**Notices and Agendas:**

*None*

## **Reports**

- **Interim Report from Special Council Committee on Boards and Commissions**
  - Overview
  - Table of New Term Expiration Dates
  - Minutes from March 12<sup>th</sup> and March 26<sup>th</sup> (Draft) Committee Meetings
    - *Contact*
      - *Regina Moore at 349-3408 or [moorer@bloomington.in.gov](mailto:moorer@bloomington.in.gov)*

## **Legislation for Second Reading:**

- **Ord 14-04** To Amend Title 14 of the Bloomington Municipal Code Entitled “Peace and Safety” - Re: Amending Chapter 14.20 (Firearms – Deadly Weapons) to Allow for the Discharge of Firearms at the Griffy Lake Nature Preserve for the Purpose of Deer Reduction via Sharpshooting
  - Contact: Dave Rollo at 339-7916 or [rollod@bloomington.in.gov](mailto:rollod@bloomington.in.gov)*
  - Andy Ruff at 349.3409 or [ruffa@bloomington.in.gov](mailto:ruffa@bloomington.in.gov)*

*Please see the Weekly Legislative Packet prepared for the [26 March 2014 Regular Session](#) for the legislation, summary, and related information and materials.*

## **Legislation and Background Material for First Reading:**

*None*

## **Minutes from Regular Session:**

*None*

## **Reminders of Meetings:**

**Staff Council Internal Work  
Session**

**Friday at Noon**

**McCloskey Room**

### **Memo**

## **One Report Ready for Action and One Ordinance Ready for Second Reading at the (Rescheduled) Regular Session on Wednesday, April 9th**

There is a report from a Council committee ready for action and an ordinance ready for second reading, but no legislation ready for introduction at the rescheduled Regular Session next Wednesday. The report is included in this packet and briefly mentioned below, and the ordinance and related materials can be found online as indicated above.

### **Interim Report - Special Council Committee on Boards and Commissions**

Regina Moore, City Clerk, and her deputy, Sue Wanzer, work with the Common Council and Office of the Mayor to facilitate appointments to the City's two dozen or so boards and commissions. In part, this involves ascertaining and announcing vacancies, coordinating appointments with the Office of the Mayor, shepherding the work of the three Council Interviewing Committees, contacting applicants about Committee interviews and dispositions, and notifying appointees of their appointments along with the length and expiration of those terms.

In the course of their duties and after what might have been decades of appointments, they discovered that it was no longer possible to align with certainty a particular appointee with a particular term. They also discovered that terms were not staggered as required, in some cases, by State or local code.

### **Interim Report and Recommendation to Adopt a Table of New Term Expiration Dates**

After identifying the problem, the Clerk requested that the Council President create a Special Council Committee on Boards and Commissions to address the problem with the help of the Office of City Clerk. Council President Neher established the Committee which was composed of Councilmembers Granger, Volan, and Neher. The Committee met prior to the Council's regular meetings on Wednesday March 12<sup>th</sup> and Wednesday March 26<sup>th</sup> and is ready to submit an *Interim Report* to the

Council and Mayor for approval. By approving the Report, the legislative body and executive adopt the enclosed Table of New Term Expiration Dates (Table).

The Table:

- lists 17 boards and commissions where appointments appear out-of-sync with terms established in State and local code,
- assigns what might be referred to as “seats” to each appointing authority
  - with “M-1,” “M-2” & “M-3,” for example, identifying three Mayoral appointments, and
  - with “C-1” & “C-2,” for example, identifying two Council appointments for a particular board or commission<sup>1</sup>; and
- indicates the current expiration date for each “seat” and, importantly, establishes a proposed expiration date, which is intended to bring the term of the board and commission appointments in line with State and local code.
  - The proposed adjustments were done with the balancing of two priorities in mind: restoring staggered terms with minimal disruption to current appointments.

Later Wednesday night, the Council may make appointments that have come forward from Interviewing Committees with the understanding that their terms would be subject to the Table.

#### Further deliberations of the Committee

This is an *Interim Report* of the Committee. Along with aligning terms with State and local code, the Committee discussed changes to terms that might be made to local code. The key provision is BMC 2.08.020(2), which was codified as part of the repeal and re-enactment of Title 2 (Administration and Personnel) in 1983. It addressed the length, staggered nature, and expiration date of appointments to boards and commissions in existence at that time, but not those created at a later time. The silence regarding boards and commissions created after the repeal and re-enactment raised questions that may lead to recommended changes in code in the near future.

**Happy Birthday Susan Sandberg – April 10<sup>th</sup>**

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<sup>1</sup> Seats filled by other appointing authorities are also identified and listed with suitable abbreviations (e.g. Monroe County Council – MCC).

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL REGULAR SESSION  
7:30 P.M., WEDNESDAY, APRIL 9, 2014  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**REGULAR SESSION**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. APPROVAL OF MINUTES FOR:**     *None*

**IV. REPORTS** (A maximum of twenty minutes is set aside for each part of this section.)

**1. Councilmembers**

**2. The Mayor and City Offices**

**3. Council Committees**

Report from the Special Committee on Boards & Commissions

**4. Public\***

**V. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

1. Ordinance 14-04 To Amend Title 14 of the Bloomington Municipal Code Entitled “Peace and Safety” Re: Amending Chapter 14.20 (Firearms – Deadly Weapons) to Allow for the Discharge of Firearms at the Griffy Lake Nature Preserve for the Purpose of Deer Reduction via Sharpshooting

Committee Recommendation (4/2):           Do Pass           5 – 0 – 4

**VII. LEGISLATION FOR FIRST READING**

*None*

**VIII. ADDITIONAL PUBLIC COMMENT\*** (A maximum of twenty-five minutes is set aside for this section.)

**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

\* Members of the public may speak on matters of community concern not listed on the agenda at one of the two *Reports from the Public* opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.



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

To Council Members  
From Council Office  
Re Weekly Calendar – 07 – 12 April 2014

**Monday, 07 April**

5:00 pm Redevelopment Commission, McCloskey  
5:00 pm Utilities Service Board Committee – Utilities, 600 E Miller Dr  
5:30 pm Bicycle and Pedestrian Safety Commission Work Session, Hooker Room  
5:30 pm Plan Commission, Council Chambers

**Tuesday, 08 April**

4:30 pm Commission on Aging, Hooker Room  
5:30 pm Board of Public Works, Council Chambers  
5:30 pm Bloomington Public Transportation Corporation – Transit Building, 130 W Grimes Ln  
6:00 pm Bloomington Commission on Sustainability, McCloskey  
6:30 pm Sister Cities International – CubAmistad, Dunlap  
6:30 pm Sister Cities International – Posoltega, Kelly  
7:30 pm Sister Cities International, Kelly

**Wednesday, 09 April**

4:30 pm Environmental Resources Advisory Council – Cascades, 2851 N Old St. Rd. 37, Waterfall Shelter  
5:00 pm Bloomington Arts Commission, McCloskey  
5:30 pm Commission on the Status of Black Males, Hooker Room  
7:30 pm Common Council Regular Session, Council Chambers (*Rescheduled from April 2<sup>nd</sup>*)

**Thursday, 10 April**

12:00 pm Housing Network, McCloskey  
4:00 pm Monroe County Solid Waste Management District – Courthouse, Judge Nat U. Hill, III Room  
5:00 pm Bloomington Historic Preservation Commission, McCloskey  
**Happy Birthday Councilmember Sandberg!**

**Friday, 11 April**

12:00 pm Domestic Violence Taskforce, McCloskey  
12:00 pm Council-Staff Internal Work Session, McCloskey  
1:30 pm Metropolitan Planning Organization Policy Committee, Council Chambers

**Saturday, 12 April**

8:00 am Bloomington Community Farmers' Market – Showers Common, 401 N Morton St.

*Posted and Distributed: Friday, 04 April 2014*

401 N. Morton Street • Bloomington, IN 47404

**City Hall**

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# **Proposal to Recreate Staggered Term Expiration Dates For City of Bloomington Boards and Commissions**

## **Rationale**

- Because there are 17 Boards and Commissions containing 48 seats with terms that do not have staggered end dates,
- And because the BMC and/or state statute in many cases require that terms be staggered, rather than all or many ending in one year,

The City Clerk undertook a study and audit to determine the veracity of the term expiration dates.

## **Process**

Each term which did not comply with state statute or the BMC was identified, and that information was presented to the Special Council Committee on Boards and Commissions on March 12, 2014.

Based on the council requests, the Clerk identified terms which needed to be realigned, and assigned to them new term expiration dates which comply with code and/or statute.

In doing this, the seats were identified with a letter and number to indicate the appointing body rather than associate the seat with a name of a person.

Terms were adjusted to achieve the correct stagger of expiration dates, but in doing so, no term of office was shortened.

## **Proposal**

Those new corrected term expiration dates which are recommended by the Clerk and Mayor are listed in the attached chart.

Although a number of anomalies with board and commissions in general were discussed (length of terms, term ending dates, enabling legislation after 1983 when the ordinance consolidated provisions for city boards and commissions, political balance, term limits) it was decided to continue the work of the Special Committee on Boards and Commissions, but to submit the attached proposal as an interim report.

**Proposal for Board and Commission New Term Expiration Dates  
to Comply with the Bloomington Municipal Code  
Requirement for Staggered Terms**

**2.08.020 General provisions.**

For the executive branch, the statutory boards, commissions and councils the following general provisions apply unless otherwise provided by statute or ordinance.

**2. Terms.** Membership on all boards, commissions and councils established under ordinances repealed by this ordinance terminate on the effective date of this ordinance. Initially members shall be appointed for staggered terms unless specified otherwise by statute. If the appointing authority is authorized to make one appointment, the appointee's term shall expire on January 31, 1984; two appointments, the second appointee's term shall expire on January 31, 1985; three appointments, the third appointee's term shall expire on January 31, 1984; four appointments, the fourth appointee's term shall expire on January 31, 1985; five appointments, the fifth appointee's term shall expire on January 31, 1984. Any additional appointment shall alternate in a similar manner. Thereafter, all terms shall be for two years, expiring on the thirty-first day of January unless otherwise specified by state Code or city ordinance.

**5. Vacancies by Death, Resignation—Failure to Appoint.** In the event that a vacancy occurs in the membership of a board, commission, or council through resignation or death, the appointing authority shall appoint a person to fill the unexpired term of the resigned or deceased member. If a member's term has expired, but the appointing authority has failed to act, the appointment of the member whose term has expired carries over until the appointing authority reappoints or appoints a successor.

*(Ord. 97-03, 1997); (Ord. 83-6, 1983); (Ord. No. 11-15, 2011)*

\*\*exceptions to above provision listed in notes

		Term Expirations			Notes
		Current		Proposed	
<b>Animal Control Commission – 2 year term</b>					BMC 2.12.010
M-1	Dr. Sarah Nickel	1.31.16		1.31.16	
M-2	Susie Rearick	1.31.16		1.31.16	
M-3	Kathy Cochard	<b>1.31.16</b>		<b>1.31.17</b>	
C-1	Shirley Davies	<b>1.31.14</b>		<b>1.31.16</b>	
C-2	Sarah Delone	1.31.15		1.31.15	
MCC	Valerie Pena	<b>1.31.16</b>		<b>1.31.17</b>	
<b>Bicycle and Pedestrian Commission – 2year term</b>					BMC 2.12.080
M-1	Jacob Sinex	1.31.16		1.31.16	
M-2	Carl Zager	1.31.16		1.31.16	
M-3	Anne Phillips Holahan	<b>1.31.16</b>		<b>1.31.17</b>	
M-4	Mitch Rice	1.31.15		1.31.15	
C-1	Paul Tory Nash	1.31.15		1.31.15	
C-2	vacant	1.31.15		1.31.15	
<b>C-3</b>	Jim Rosenbarger	<b>1.31.14</b>		<b>1.31.16</b>	
<b>Bloomington Digital Underground – 2 year term</b>					Res 3-28
C-1	Mike Allen	<b>1.31.14</b>		<b>1.31.17</b>	**BDU is governed by resolution, not BMC (res 3-28). Only a 2 year term length is stated. It is not a board or commission, but an advisory <b>committee</b> . Is it subject to BMC requirements for Boards and Commissions?
C-2	Chris Kurtz	1.31.14		1.31.14	
BPW-1	Dennis Cromwell	<b>1.31.14</b>		<b>1.31.17</b>	
BPW-2	Mike Trotzke	<b>1.31.14</b>		<b>1.31.17</b>	
BPW-3	Mark McMath	1.31.14		1.31.14	
BPW-4	Matt Davy	1.31.14		1.31.14	
BPW-5	Nina Onesti	1.31.14		1.31.14	



		Term Expiration Dates			Notes
		Current		Proposed	
<b>Bloomington Human Rights Commission – 2 year term</b>					BMC 2.21.010
C-1	William Morris	1.31.14		1.31.17	
C-2	Valeri Haughton	1.31.14		1.31.16	
C-3	Rev. Byron C. Bangert	1.31.14		1.31.16	
M-1	Birk Billingsley	1.31.16		1.31.16	
M-2	Beth Applegate	1.31.15		1.31.16	
M-3	Carloyn Calloway-Thomas	1.31.15		1.31.15	
M-4	Michael Molenda	1.31.15		1.31.15	
<b>Bloomington Urban Enterprise Association - 4 year term</b>					IC 5-28-15-13
C-council member	Chris Sturbaum	1.31.16		1.31.16	C- Council member with most or all of zone C- Zone Business C- Zone Resident C- Zone Resident Zone residents can't be same political party No mention of stagger in statute
C-business owner	Allison Chopra	1.31.15		1.31.15	
C-resident 1	Jean Kautt	1.31.15		1.31.17	
C-resident 2	Vacancy	1.31.16		1.31.18	
M	Danise Alano-Martin	1.31.16		1.31.16	
M	Ron Stanhouse	1.31.16		1.31.16	
M	Margarete Disque Nowak	1.31.16		1.31.19	
M	Roger Kent	1.31.18		1.31.18	
M	Paul Tory Ash	1.31.16		1.31.17	
M	Jack Baker	1.31.16		1.31.17	
<b>Board of Housing Quality Appeals – 2 year term</b>					BMC 2.19
C-1	Eric Spoonmore	1.31.15		1.31.15	
C-2	Ryan Strauser	1.31.14		1.31.16	
C-3	Susie Hamilton	1.31.15		1.31.15	
M-1	Nikki Johnson	1.31.15		1.31.16	
M-2	Megan Binder	1.31.15		1.31.16	
M-3	Elizabeth Gallman	1.31.15		1.31.15	
M-4	Kris Floyd	1.31.15		1.31.15	
<b>Board of Zoning Appeals – 4 year term</b>					BMC 2.15 IC 36-7-4
M-1	Sue Aquila	1.6.18		'18	
M-2	Barre Klapper	1.7.17		'17	
M-3	Joe Hoffman	1.5.15		'16	
M-alternate	Jenny Southern	1.6.14		'14	alternate
Plan Comm	Scott Burgins	1.7.15		'15	
C-1	Jo Throckmorton	1.7.18		'18	
<b>Commission on Hispanic and Latino Affairs – 2 year term</b>					BMC 2.23.080
C-1	Vacant	1.31.16		1.31.16	
C-2	Luke Wood	1.31.15		1.31.15	
C-3	Carlos Bakota	1.31.15		1.31.15	
M-1	Sandra Santana Ballestro	1.31.16		1.31.16	
M-2	Gracia Valliant	1.31.16		1.31.16	
M-3	Israel Fernando Herrera	1.31.16		1.31.17	
M-4	Socorro Vallejo	1.31.15		1.31.15	

		Term Expiration Dates			Notes	
		Current		Proposed		
<b>Economic Development Commission – 4 year term</b>					BMC 2.30.010 IC 36-7-12-5	
M-1	Kurt Zorn	1.31.17		1.31.17	**Mayor appoints all five, but one shall be nominated by City Council and one by County Council See notes for term length requirements	
M-2	Vanessa McClary	1.31.17		1.31.17		
M-3	Malcolm Webb	<b>1.31.16</b>		<b>1.31.15</b>		
M-4 city council	Darryl Neher	1.31.14		1.31.16		
M-5 county council	Amanda Nickey	<b>1.31.14</b>		<b>1.31.15</b>		
<b>Commission on the Status of Women – 2 year term</b>					BMC 2.23.060	
C-1	Amanda Barge	1.31.14		1.31.14		
C-2	Beth Kirk	1.31.14		1.31.14		
C-3	Jacqueline Fernette	<b>1.31.14</b>		<b>1.31.15</b>		
C-4	Cathi Crabtree	1.31.15		1.31.15		
M-1	Lee Ann Jourdan	1.31.15		1.31.15		
M-2	Toby Strout	1.31.15		1.31.15		
M-3	Nicole Griffin	1.31.14		1.31.14		
M-4	Debra Vance	1.31.14		1.31.14		
M-5	Rebecca Fisher	1.31.14		1.31.14		
<b>Environmental Commission – 2 year term</b>						BMC 2.12.050
C-1	Andrew Carty	<b>1.31.14</b>		<b>1.31.15</b>		
C-2	Norm Crampton	<b>1.31.14</b>		<b>1.31.15</b>		
C-3	Carrie Albright	<b>1.31.14</b>		<b>1.31.15</b>		
C-4	Sean Gorman	1.31.14		1.31.14		
C-5	Carissa Moncavage	1.31.14		1.31.14		
C-6	Dedaimia Whitney	1.31.14		1.31.14		
M-1	Michael Litwin	1.31.15		1.31.15		
M-2	Kriste J. Lindberg	1.31.15		1.31.15		
M-3	Diane Jung	<b>1.31.16</b>		<b>1.31.17</b>		
M-4	Chaim Julian	1.31.16		1.31.16		
M-5	Louise Sharrow	1.31.16		1.31.16		
M-6	Deborah Myerson	1.31.16		1.31.16		
<b>MLK Birthday Commission – 2 year term</b>					BMC 2.12.090	
M-1	Wendy Bernstein	<b>1.31.2016</b>		<b>1.31.2017</b>		
M-2	David F. Hummons	1.31.2016		1.31.2016		
M-3	Nicole Griffin	1.31.2016		1.31.2016		
C-1	Mary Tourner	<b>1.31.2015</b>		<b>1.31.2016</b>		
C-2	Landon Jones	1.31.2015		1.31.2015		
C-3	Barbara Fuqua	1.31.2015		1.31.2015		
NAACP	William Vance					
<b>Public Transportation Coporation – 4 year term – expires July 31</b>					BMC 2.76.050 IC 36-9-4-15	
C-1	Nancy Obermeyer	<b>07.31.15</b>		<b>07.31.16</b>	**Term staggering is 1 and 2 years for mayoral and 2, 3, 4 years for council	
C-2	Kent McDaniel	<b>07.31.14</b>		<b>07.31.15</b>		
C-3	Alex Cartwright	<b>07.31.14</b>		<b>07.31.17</b>		
M-1	Ray McConn	<b>07.31.16</b>		<b>07.31.15</b>		
M-2	Gloria Hasler	<b>07.31.15</b>		<b>07.31.14</b>		

		Term Expiration Dates		Notes
		Current	Proposed	
<b>Telecommunications Council – 2 year term</b>				BMC 2.12.060
M-1	Duane Busick	<b>1.31.11</b>	<b>1.31.15</b>	Telecommunications Council shall be responsible to Board of Public Works in reviewing and evaluating the performance of city franchise agreements. Board of Public Works shall furnish Telecommunications Council with rules and regulations for administration of the Council
M-2	Carl Zager	<b>1.31.14</b>	<b>1.31.16</b>	
C-1	<b>vacant</b>	<b>1.31.14</b>	<b>1.31.15</b>	
C-2	<b>vacant</b>	1.31.14	1.31.14	
C-3	Eric Ost	1.31.14	1.31.14	
<b>Tree Commission – 3 year term</b>				BMC 2.20.150 Ord 08-05
M-1	Mia P. Williams	<b>1.31.17</b>	<b>1.31.18</b>	
M-2	Debra Beck	1.31.17	1.31.17	
C-1	George Hegeman	<b>1.31.16</b>	<b>1.31.17</b>	
C-2	Tom Coleman	1.31.16	1.31.16	
Park Comm	Laurel Cornell	1.31.15	1.31.15	
BPW	Kerry Bridges	1.31.14	1.31.14	
EC	Diane Jung	1.31.14	1.31.14	
<b>Utilities Service Board – 4 year term – expires January 1st</b>				BMC 2.24.020 IC 8-1.5-3-3
M-1	Tom Swafford	1.1.16	1.1.16	Mayor appoints for 1,2,3,4 years, and Council for 2,3,4; expiration is January 1 <sup>st</sup> according to BMC 2.24. IC says not more than 2/3 same political party, no more than four year term, staggered. Formerly IC 8-1-2-100
M-2	Jason Banach	<b>1.1.15</b>	<b>1.1.17</b>	
M-3	Julie Roberts	1.1.18	1.1.18	
M-4	Jim Sims	1.1.15	1.1.15	
C-1	Pedro Roman	<b>1.1.14</b>	<b>1.1.16</b>	
C-2	Jeff Ehman	<b>1.1.14</b>	<b>1.1.17</b>	
C-3	Sam Frank	<b>1.1.14</b>	<b>1.1.18</b>	
Ex officio	Tom Micuda	mayor	mayor	
Ex officio	Tim Mayer	council	council	
<b>Commission on the Status of Children and Youth – 2 year term</b>				BMC 2.23.050
C-1	Mary Balle	1.31.14	1.31.14	
C-2	Angela Smith-Walgenbach	1.31.14	1.31.14	
C-3	Kristy LeVert	1.31.15	1.31.15	
C-4	vacant	1.31.15	1.31.15	
M-1	Denise Travers	1.31.15	1.31.15	
M-2	Michael Goodman	<b>1.31.16</b>	<b>1.31.17</b>	
M-3	Donna Bernens-Kinkaid	<b>1.31.16</b>	<b>1.31.17</b>	
M-4	Yevonne Jones	1.31.16	1.31.16	
M-5	Teresa Grossi	1.31.16	1.31.16	

## **Meeting of the Special Committee for Boards and Commissions**

March 12, 2014

6:15 pm in the Council Library.

Council Members Present: Dorothy Granger, Steve Volan, Darryl Neher

City Clerk Regina Moore, Deputy City Clerk Sue Wanzer, Council

Attorney/Administrator Dan Sherman.

Larry Jacobs, Chamber of Commerce.

Moore and Wanzer presented the committee with the problem that over several years, Board and Commission staggered terms had gotten out of sync.

They also presented a preliminary proposal to rectify the situation by changing the end date for some of the Board and Commission terms to recreate a staggered term more in accordance with the enabling legislation for each board or commission.

Moore and Wanzer noted that this was not about individuals on the boards or commissions, but the ending date of the terms. They proposed that each individual seat should be enumerated with a letter and number to indicate the appointing body.

Council members did not want to extend the discussion or prolong deliberations on this issue as there were several pending appointments and reappointments that were past due. They wanted a policy to direct the appointing body to make their appointments and reappointments this year in accordance with the recommendations of the report that would come out of this committee.

Moore and Wanzer agreed to:

- Research extensively the enabling legislation and include pertinent portions in the report for clarification of the problem.
- Remove names from lists of boards and commissions and replace with Seat Numbers (see above).
- Adjust term ends to achieve a staggered tier without regard to persons sitting in those particular seats.
- Prepare this proposal for the committee adoption by the next meeting
- Suggest the term changes to the other appointing bodies and ask that they agree to help with this effort.
- Send letters to the appointments/reappointments reflecting this change in what they thought was the end date of their term.

The committee agreed to review and perhaps adopt the proposal at the next meeting, after which time the final report would be presented to the council for adoption of the report and proposal.

The report should indicate if any code changes were needed to bring some boards or commissions into compliance with the BMC section dealing with all city boards and commissions. Anomalies would be noted and possibly included in this report as well.

The next meeting will be held on March 26<sup>th</sup>, 6:15 pm in the Council Library.

The meeting was adjourned at 6:55 pm.

Memo prepared by:  
Regina Moore  
Clerk  
City of Bloomington  
March 18, 2014

## Meeting of the Special Committee for Boards and Commissions

March 26, 2014

6:15 pm in the Council Library.

Council Members Present: Dorothy Granger, Steve Volan, Darryl Neher

City Clerk Regina Moore, Deputy City Clerk Sue Wanzer,

Council Attorney/Administrator Dan Sherman.

Larry Jacobs, Chamber of Commerce.

### STAGGERED TERMS:

Moore and Wanzer reviewed the discussion and work of the committee at the initial March 12<sup>th</sup> meeting: the problem of misaligned staggered terms and the proposal to get those terms back in a staggered pattern according to the initial enabling legislation. They presented an updated proposal for correcting Board and Commission staggered expiration/appointment dates that had gotten un-staggered over the past few years.

- The committee reviewed the process and changes that were proposed.
- Volan asked that the chart columns be labeled Current Expiration of Term and Proposed Expiration of Term instead of “Current” and “Proposed.”
- The commission members agreed that the proposal, included in a report, should be forwarded to the council for adoption and execution before any appointments/reappointments were made this year.

### ANOMALIES WERE NOTED AS FOLLOWED:

- **Martin Luther King, Jr. Birthday Commission**
  - Volan noted that the MLK Birthday Commission term expiration was January 31, as are other boards and commissions. He said perhaps that should be moved to another date later in the year so that the terms would not interfere with the annual Mid January celebration sponsored by the commission. A proposed expiration date was noted as July 31, which would coincide with the Public Transit Board term expiration dates.
  - The MLK Commission was enabled under the Public Works Department in 1993 (Ordinance 93-02),
  - In pursuit of the MLK Commission’s goals, the commission may appoint additional volunteers and commission associates.

- **Appointment by the Executive**

Dan Sherman noted **IC 36-4-11-2(f)**: *Notwithstanding any other law, if the term of a member of a board who was appointed by the executive expires and the executive does not make an appointment to fill the vacancy, the member may continue to serve on the board for only sixty (60) days after the expiration date of the member’s term.*

- **Staggered terms after 1983**

Sherman also noted that the **BMC 2.08.020 General Provisions Section 2 Terms**, and **Section 5 Vacancies by Death, Resignation -- Failure to Appoint** was written to cover all

the city boards and commissions that existed at the time (1983) and questioned whether it pertained to bodies enabled after that date that did not specify staggering of terms.

- **Miscellaneous**

- Only two boards, the Arts Commission and the Housing Trust Fund Board had term limits. They were both created by local ordinance.
- Only two boards, the Tree Commission and the Arts Commission have three year terms by our code. Statutory terms are of 1, 2, and 4 year durations.
- The issue of a citizen serving on more than one board or commission was briefly discussed.
- The political balance that may be statutorily required for a few boards or commissions was briefly discussed. Moore noted that when these vacancies occurred, she routinely checked voting records with the County Voter Registration Office for the most up to date status.

No conclusions were reached on these issues. However the committee agreed to continue meeting in order to further discuss and address these anomalies, possibly with legislation. No time was set for this future meeting.

The meeting was adjourned at 7:10 pm.

Memo prepared by:  
Regina Moore  
Clerk  
City of Bloomington  
March 27, 2014