

Rough transcript by The Beacon of Bloomington city council rules committee conversation as CM Steve Volan, CM Isabel Piedmont-Smith, city clerk Nicole Bolden and council administrator/attorney Dan Sherman were waiting for CM Jim Sims to arrive.  
Aug. 5, 2019 around 5:30 p.m.

VOLAN: ... Dan, is there some kind of existing policy manual, council policy manual? Maybe it's one only you refer to, but is there some kind of like, that doesn't rise to the level of code, that you have?

SHERMAN: There's something, we have an orientation.

VOLAN: [inaudible]

SHERMAN: Are we beginning work?

VOLAN: As soon as Jim gets here.

SHERMAN: Because I do want to follow up on my email. I did not see notice of this meeting. And I wanted to clarify whether notice was actually posted. So I do want to establish that...

VOLAN: ...You did just say that it was?

SHERMAN: No.

VOLAN: Oh, you didn't say that?

SHERMAN: I asked whether it was, and I haven't heard back.

BOLDEN: That's not true. I told you that on Friday morning when I saw you.

SHERMAN: Umm...

BOLDEN: ...Your subsequent emails were...

SHERMAN: ...I sent an email last night saying I want confirmation, because I had walked around city hall, cleaning up all notices for the city council, and didn't find any in regard to rules committee. And I asked you, you [to Volan] saw the email? ...

VOLAN: ... yeah ...

SHERMAN: ... and I didn't hear anything in that regard.

VOLAN: Well, are there signs not up now?

SHERMAN: The question is whether signs ...

BOLDEN: ... actually not the point. The point he's making is that, apparently...

SHERMAN: ...I can make my own point, and that is that ...

BOLDEN: ...you know...

SHERMAN: ...according to Open Door, notice has to be posted at least 48 hours before the meeting occurs. So, and I made that point in the email.

BOLDEN: You actually made that in your email on Thursday evening. All the subsequent emails, after we spoke, were extraneous, we'd already discussed it, which is why you didn't get a response to your ...

SHERMAN: ... what, so what is the answer? ...

BOLDEN: ... email on Friday.

SHERMAN: What was the, what was the response?

BOLDEN: Do you not recall what we talked about on Friday morning?

SHERMAN: I heard something, and I said, please confirm it with your staff. And I haven't heard anything. Was notice posted on the wall?

BOLDEN: I told you on Friday morning, ...

SHERMAN: ...what was the answer to that question?

BOLDEN: I already told you, yes.

SHERMAN: You said yes?

BOLDEN: I said yes, on Friday, before you sent the email.

SHERMAN: Well, as your attorney, I can tell you I walked around, after the PS LIT meeting [Thursday], which closed after 5:30, at a lot of those locations and I did not see a notice for the rules committee.

BOLDEN: Dan...

SHERMAN: ...I went around Friday morning and...

VOLAN: ...let me ask you...

SHERMAN: ... saw notices on all those locations.

BOLDEN: Did you actually ask me privately: Nicole, do you think your staff actually [not audible]

SHERMAN: Excuse me?

BOLDEN: Did you actually come to me and say, Nicole, I don't think that your staff member actually did what they said they did?

SHERMAN: I sent you an email and I sent the committee an email. And so I established my concerns.

BOLDEN: With me directly? In person? You talked to me about it? Because functionally what you're doing is accusing my staff member of lying.

SHERMAN: I'm stating the facts as I know them.

BOLDEN: And the facts as I know them is that he assured me that he posted them.

VOLAN: This is not how I wanted this meeting to begin.

SHERMAN: I just want to let you know that that's what I did. I looked around and they were no pla- none of those places. So that is my statement of the facts.

VOLAN: OK. And the clerk has assured us that the posts, postings were made. If the committee wishes to postpone to another time, because of this issue, I would entertain a motion to do that.

PIEDMONT-SMITH: What is the law? Has to be posted how far in advance?

BOLDEN: 48 hours.

PIEDMONT-SMITH: So even if they were posted Friday morning, we'd be fine.

BOLDEN: No, that's not true.

SHERMAN: Doesn't include weekends.

VOLAN: The goal of this meeting is to develop an agenda for the long term of the committee. There's many things we could talk about. The memo that I've distributed to everybody has proposals for different topics we can talk about, or that we should talk about. My only goal for this meeting was to do that, there was no other, that's why why there's no other printed agenda, we don't have an agenda, yet. We don't know what the scope of the committee should be. So, you know, there is a member of the public here who found out about it, I'm not sure how he found out about it, I'm happy that somebody did.

BOLDEN: He's a journalist, and it was posted in your Friday packet.

VOLAN: OK. So again, if ...

BOLDEN: ...or maybe he saw it on Thursday night in the hallway.

VOLAN: I would like ...

PIEDMONT-SMITH: ... [inaudible]... no, just kidding.

VOLAN: Alright, alright, enough of that.

BOLDEN: Actually, you know what, [inaudible] your behavior has been reprehensible, and incredibly rude and unprofessional, and I'm tired of it. You have been snappy and nasty.

VOLAN: Alright. This discussion has to take place outside of...

BOLDEN: ...I am absolutely done with it. This is official notice that I will be filing a complaint with HR about this behavior.

VOLAN: I think we maybe should, we should postpone this meeting. We'll try to find another time. I'm sorry to everyone who is here. Wait until Jim comes [inaudible] what's happened, I don't know. Thank you all for your attendance, we'll reschedule.