



# **City of Bloomington Common Council**

***SUPPLEMENTAL MATERIAL***

**Legislative Packet**

**Wednesday, 04 May 2016**

**Regular Session**

Office of the Common Council  
P.O. Box 100  
401 North Morton Street  
Bloomington, Indiana 47402  
812.349.3409

[council@bloomington.in.gov](mailto:council@bloomington.in.gov)  
<http://www.bloomington.in.gov/council>

**City of Bloomington  
Indiana**



City Hall  
401 N. Morton St., P.O. Box 100  
Bloomington, Indiana 47402

**Office of the Common Council**  
(t:) 812.349.3409  
(f:) 812.348.3570  
[council@bloomington.in.gov](mailto:council@bloomington.in.gov)

To: Council Members  
From: Council Office  
Re: Legislative Packet Memo  
Date: 02 May 2016

**SUPPLEMENTAL MATERIAL FOR REGULAR SESSION: 04 MAY 2016**

Included herein please find a revised *Agenda* for the Common Council's Regular Session on Wednesday, 04 May 2016. The *Agenda* was revised to accommodate consideration of a time-sensitive resolution (Res 16-04). Res 16-04 waives the statutory requirement that a person appointed fire chief must have had at least five (5) years of continuous service with the department immediately before her or his appointment (I.C. §36-8-4-6).<sup>1</sup> Statute requires a majority vote by the legislative body for waiver of this requirement. Such waiver will allow for the appointment of Jason Moore as Fire Chief for the City of Bloomington Fire Department.

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<sup>1</sup> Indiana Code § 36-8-4-6 provides:

(a) This section applies only to:

(1) police departments in second and third class cities having a population of ten thousand (10,000) or more; and  
(2) fire departments in second and third class cities; that are not governed by a merit system prescribed by statute or ordinance.

(b) Promotion of police officers or firefighters must be from the active personnel of the department.

(c) A person appointed fire chief must have had at least five (5) years of continuous service with the department immediately before his appointment. However, this requirement may be waived by a majority vote of the city legislative body upon request of the city executive, although the person must still have at least five (5) years service with a full-time, paid fire department or agency.

(d) A person appointed to a rank other than police or fire chief or deputy police chief must have had at least two (2) years of continuous service with the department immediately before his appointment.



## VIII. LEGISLATION FOR FIRST READING

1. Ordinance 16-01: To Amend Chapter 20 (Unified Development Ordinance) of the Bloomington Municipal Code Re: Amending 20.05.051 (“Home occupation – General”), 20.05.064 (“Municipal services – General”), 20.05.079 (“Sign standards – General”), 20.05.080 (“Sign standards – Temporary signs”), 20.05.081 (“Sign standards – Residential”), 20.05.082 (“Sign standards – Permanent display cabinets”), 20.05.083 (“Sign standards – Nonresidential”), 20.05.084 (“Sign standards – Commercial limited”), 20.05.085 (“Sign standards – Commercial downtown”), 20.05.086 (“Sign standards – Sandwich board signs”), 20.05.097 (“Special conditions – Community garden”), 20.05.110 (“Temporary uses and structures – Generally”), 20.07.070 (“Easement standards”), 20.07.160 (“Street and right-of-way standards”), 20.07.190 (“Street sign standards – Residential, commercial and industrial”), and 20.11.020 (“Defined Words”) to Render Provisions of the Bloomington Municipal Code Regulating Signs Compliant with the U.S. Supreme Court’s Holding in *Reed v. Town of Gilbert*

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

**X. COUNCIL SCHEDULE**

**XI. ADJOURNMENT**

**Please note:** *This Agenda was revised on May 2, 2016, after it was issued in the Council’s Legislative Packet.*

\* 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.

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812) 349-3409 or e-mail [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

Posted: April 29, 2016  
Revision Posted: May 2, 2016

**RESOLUTION 16-04**

**TO WAIVE THE STATUTORY FIVE-YEAR CONTINUOUS SERVICE REQUIREMENT FOR THE APPOINTMENT OF JASON MOORE AS FIRE CHIEF**

WHEREAS, after a rigorous selection process, the Mayor of the City of Bloomington has selected Jason Moore for the position of Fire Chief for the City of Bloomington, starting on June 6, 2016; and

WHEREAS, Jason Moore most recently served as Battalion Chief for the James Island Public Service District Fire Department in Charleston, South Carolina; and

WHEREAS, Indiana Code § 36-8-4-6(c) requires that, “[a] person appointed fire chief must have had at least five (5) years of continuous service with the department immediately before his appointment. However, this requirement may be waived by a majority vote of the city legislative body upon the request of the city executive;” and

WHEREAS, Mayor John Hamilton requests that the Common Council waive the aforementioned requirement to allow the appointment of Jason Moore as Fire Chief;

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

SECTION 1. The Common Council of the City of Bloomington hereby waives the requirement of Indiana Code § 36-8-4-6 that an appointee to the position of Fire Chief must have had at least five (5) years of continuous service with the department immediately before his or her appointment, as that requirement applies to Jason Moore, appointee of the Mayor to the position of Fire Chief.

SECTION 2. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
ANDY RUFF, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk

SIGNED AND APPROVED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

## SYNOPSIS

State statute provides that a person appointed fire chief must have had five (5) years continuous service with the fire department immediately before his or her appointment. However, this requirement may be waived by a majority vote of the legislative body upon request of the city executive. Mayor John Hamilton desires to appoint Jason Moore as fire chief, and requests that the Common Council waive the five-years-of-continuous-service requirement. This resolution waives the five-year continuous service requirement.



**CITY OF BLOOMINGTON**

**OFFICE OF THE MAYOR**

**MEMORANDUM**

**To:** City Council Members

**From:** Mick Renneisen, Deputy Mayor

**Re:** Resolution 16-04 To Waive the Statutory Five-Year Continuous Service Requirement for the Appointment of Jason Moore as Fire Chief

**Date:** April 27, 2015

**CC:** Mayor John Hamilton, Caroline Shaw

State statute provides that a person appointed fire chief must have had five (5) years continuous service with the fire department immediately before his or her appointment. However, this requirement may be waived by a majority vote of the legislative body upon request of the city executive. Mayor John Hamilton desires to appoint Jason Moore as fire chief, and Ordinance 16-04 requests that the Common Council waive the five-years-of-continuous-service requirement.

Moore was selected following a rigorous selection process following a nationwide search. The application process was open from December 2015 through January 2016. Twelve candidates were selected for phone interviews. Seven of those candidates were invited for a day-long assessment center interview process conducted by a four-person team. Following this process, the committee selected three finalists all of whom met with Mayor Hamilton for individual interviews.

Moore comes to the City of Bloomington as a well credentialed and qualified leader. Moore currently serves in his position as Battalion Chief of the James Island Public Service District Fire Department in Charleston, SC.

Moore received a Bachelor of Science in Fire Science from Columbia Southern University, a Master of Science from Strayer University and holds a Master of Business Administration, also from Columbia Southern University. He has extensive fire and emergency management training, including multiple certifications from the International Fire Service Accreditation Congress, National Incident Management Systems (FEMA) and the South Carolina Fire Academy. Moore is a veteran of the United States Air Force, during which time he served in Afghanistan as a firefighter.

Your approval of Ordinance 16-04 is requested. Please feel free to contact me if you have any questions at 349-3569.