

**MINUTES**  
**King City Council**  
**Regular Meeting**  
**January 6, 2015**

The King City Council met in regular session at King City Hall on Tuesday, January 6, 2015, at 7:00 p.m. Present were: Councilman Charles Allen, Mayor Pro Tempore Dillard Burnette, Councilman Brian Carico, Councilman Wesley Carter, Mayor Jack Warren, City Manger Homer Dearmin, City Clerk Tammy Hatley, Director of Finance and Personnel Susan O'Brien, City Attorney Ed Woltz, City Engineer Scott Barrow, Chief of Police Paula May, Lieutenant Junior Palmer, Fire Chief Steven Roberson, Assistant Fire Chief/Fire Marshal Brad Cheek, Water Treatment Plant Superintendent Kenneth Gentry, Sergeant Kevin Crane, Senior Center Director Suzan Garner, Officer James Hall, and Officer Christian Holley.

Mayor Warren called the meeting to order.

Boy Scout Will Erickson of Troop #450 led the Pledge of Allegiance.

Mayor Warren called for a moment of silence in memory of former Mayor of King, Joe New and in honor of his family which was immediately followed by an invocation given by Councilman Allen.

**ANNOUNCEMENTS**

Mayor Warren noted that the following announcements were listed on the agenda:

- Parks & Recreation Advisory Board, Regular Meeting: Thursday, January 8, 2015, 7:00 p.m., King Recreation Acres Community Building
- Community Appearance Commission: Thursday, January 15, 2015, 3:30 p.m., King City Hall
- Stokes County Business Extravaganza: Thursday, January 15, 2015, Camp Hanes, 6:00 – 8:30 p.m.
- Stokes County League of Local Governments: Thursday, January 29, 2015, 6:30 p.m., Hosted by the Town of Walnut Cove
- King Planning Board, Regular Meeting: Monday, January 26, 2015, 7:00 p.m., King City Hall
- Annual Chicken Stew Fundraiser for King Senior Center: Saturday, February 7, 2015, 5:00 – 8:00 p.m., King Senior Center, Advance ticket purchase required, \$7 per person

**ADJUSTMENTS TO AGENDA**

There were no adjustments to the agenda.

**PUBLIC COMMENT**

Mayor Warren opened the floor to receive public comment.

Mr. Don Holland, 110 Timmy's Lane, King, NC stated that he was the Commander of Carl Calloway American Legion Post #290 – King and had been named as spokesman by the National Adjutant for the American Legion who is the Intervener in the matter of Hewett vs. City of King. Mr. Holland stated that the American Legion fully supports the Council's decision tonight if they agree to settle the lawsuit.

Mr. Benny Newsome, 112 Felts Drive, King, NC stated that he believes the flag should be kept up at the King Veterans' Memorial, appreciates the Council's efforts, and wants them to continue to fight the lawsuit.

Ms. Cheryl Boles, 206 Timmy's Lane, King, NC stated that she respects the Council for their work for the city and presented Mayor Warren with information to help with the lawsuit.

Mr. Jack Westmoreland, 117 Timmy's Lane, King, NC stated that he is a 55-year resident of King, asked that the Council do everything they could to keep the flag up at the King Veteran's Memorial, and reviewed the service of his seven family members who are honored at the memorial.

Mr. David Keaton, 211 Winchester Drive, King, NC stated that he is a 37 ½ year resident of King, is heartbroken because the flag is not up right now, asked the Council to do everything in their power to keep the flag up, and to just do what is right.

Mr. Ray Martini, 440 South Peacehaven Road, Winston-Salem, NC stated that he is a 68-69 Vietnam vet, is really disappointed that we're giving in to a small minority of people, taking down the flag would be conceding to the minority, the monument is his priority right now and he will fight like heck to keep it from being taken down. In conclusion, Mr. Martini quoted Joseph Glatthaar, a Stevenson Distinguished Professor; Adjunct Professor of the Curriculum in Peace, War and Defense at the University of North Carolina at Chapel Hill regarding his opinion of the kneeling soldier figure at King Central Park.

Mrs. Carolyn Byerly, 237 West Dalton Road, King, NC stated that she was representing the King Senior Services Advisory Board, thanked the Council for providing funding for the King Senior Center, expressed concerns about the parking lot surface, need for additional lighting, and poor striping of the parking lot, requested the creation of additional handicapped parking spaces and a covered awning at the entrance to the Senior Center, informed the Mayor and Council that the 4<sup>th</sup> Annual Chicken Stew Fundraiser will be held on Saturday, February 7, 2015. Tickets will be sold in advance at a cost of \$7 with no tickets being sold at the door. Mrs. Byerly concluded by thanking the Mayor and Council for their support of the King Senior Center.

Being no one else present wishing to speak, Mayor Warren closed the Public Comment portion of the meeting.

#### **CONSENT AGENDA**

Mayor Pro Tempore Burnette moved to approve the Consent Agenda as presented. Councilman Allen seconded the motion which carried by a unanimous vote of 4-0. Items approved were: 1) December 1, 2014, regular meeting minutes; 2) December 23, 2014, special meeting minutes; and 3) Set public hearing date for financing agreement of fire/rescue truck on February 2, 2015, 7:00 p.m. at King City Hall.

#### **INTRODUCTION OF NEW EMPLOYEES – Officer James Hall and Christian Holley**

Chief May introduced officers James Hall and Christian Holley to the Mayor and Council.

#### **CONSIDERATION OF BUDGET AMENDMENT 2014-02.05**

Finance Director O'Brien informed the Mayor and Council that this was a request to amend the FY 2014-15 budget.

#### Action

Mayor Pro Tempore Burnette moved to approve Budget Amendment 2014-02.05 as presented. Councilman Carico seconded the motion which carried by a unanimous vote of 4-0.

## **DEPARTMENTAL REPORTS**

Mayor Pro Tempore Burnette asked Chief May if the Police Department was now fully staffed with the hiring of the new officers who were introduced tonight. Chief May stated that all full-time positions have now been filled and also notified the Mayor and Council that the thirteen body cameras purchased with grant monies had started arriving earlier today.

## **ITEMS OF GENERAL CONCERN**

Councilman Allen: Nothing at this time.

Mayor Pro Tempore Burnette: Nothing at this time.

Councilman Carico: Nothing at this time.

Councilman Carter: Nothing at this time.

Mayor Warren: Nothing at this time.

## **EXECUTIVE SESSION FOR THE PURPOSE OF ATTORNEY/CLIENT PRIVILEGE PER N.C. GENERAL STATUTE 143-318.11 (A) (3) HEWETT VS. CITY OF KING**

Councilman Allen moved to adjourn to executive session for the purpose of attorney/client privilege per N.C. General Statute 143-318.11 (a) (3) Hewett vs. City of King. Mayor Pro Tempore Burnette seconded the motion which carried by a unanimous vote of 4-0.

Mayor Warren reconvened the meeting and stated that no action had been taken during the executive session.

## **REVIEW AND POSSIBLE ACTION ON THE LIMITED PUBLIC FORUM POLICY**

### Action

Mayor Pro Tempore Burnette moved to repeal Resolution 2010-21, a resolution to approve the "Limited Public Forum Approach" for the City of King Veterans' Memorial at Central park subject to Alliance Defense Fund, Inc. and the City Attorney developing a "Limited Public Forum Policy" subject to the approval of the Council. Councilman Allen seconded the motion which carried by a vote of 3-2. (Allen-yea, Burnette-yea, Carico-nay, Carter-nay, tiebreaker -Warren -yea)

Mayor Pro Tempore Burnette moved to approve the settlement agreement in the matter of Hewett vs. City of King. Councilman Allen seconded the motion.

### Discussion

Council members made statements regarding their upcoming vote.

Mayor Warren called for a vote on the motion and second on the floor. The motion carried by a vote of 3-2. (Allen-yea, Burnette-yea, Carico-nay, Carter-nay, tiebreaker -Warren -yea)

At the request of Mayor Warren, City Manager Dearmin read a Press Release which would be issued immediately following the meeting.

Councilman Carter commented that violence, anger, and ill-will are not representative of Jesus and expressed concern for the safety of the City's Police Officers.

It was the consensus of the Council that staff prepare a proposal for a new kneeling soldier figure to presented for consideration at their February 2, 2015, meeting.

**ADJOURNMENT**

Mayor Pro Tempore Burnette moved to adjourn the meeting. Councilman Allen seconded the motion which carried by a unanimous vote of 4-0. The meeting stood adjourned at 8:20 p.m.

Approved by:

Attest:

\_\_\_\_\_  
Jack Warren  
Mayor

\_\_\_\_\_  
Tamara H. Hatley, MMC, NCCMC  
City Clerk