

MINUTES
King City Council
Regular Session
December 7, 2015

The King City Council met at King City Hall on Monday, December 7, 2015, at 7:00 p.m. Present were: Councilman Charles Allen, Mayor Pro Tempore Dillard Burnette, Councilman Brian Carico, Councilman-elect Rick McCraw, Mayor Jack Warren, City Manager Homer Dearmin, City Clerk Tammy Hatley, Director of Finance and Personnel Susan O'Brien, City Engineer Scott Barrow, Director of Planning and Inspections Todd Cox, Public Utilities Superintendent Robert Pettitt, Public Works Superintendent Ricky Lewis, Water Plant Superintendent Ben Marion, Chief of Police Paula May, Fire Chief Steven Roberson, Senior Center Director Suzan Garner, Meter Reader Robby Boles, Administrative Assistant Gina Calloway, Firefighter Derek Hughes, Firefighter Mike DeRidder, and Recycling Attendant Chase Alexander.

Mayor Warren called the meeting to order, thanked District Court Judge Bill Southern and State Representative Kyle Hall for attending the meeting, and led the *Pledge of Allegiance*.

Councilman Allen offered the invocation.

ANNOUNCEMENTS

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

- Parks & Recreation Advisory Board, Regular Meeting: Thursday, December 10, 2015, 7:00 p.m., King Recreation Acres Community Building
- Annual Employee Appreciation Meal: Friday, December 11, 2015, 12:00-2:00 p.m., Maintenance Department
- City Hall closed: Thursday & Friday, December 24 & 25, 2015, in observance of the Christmas holiday
- King Planning Board, Regular Meeting: Monday, December 28, 2015, 7:00 p.m., King City Hall
- City Hall closed: Friday, January 1, 2015: in observance of the New Year's holiday

City Clerk Hatley announced that the December 10, 2015, Parks and Recreation Advisory Board meeting had been cancelled due to a lack of agenda items.

Mayor Warren announced that King Elementary School would hold their D.A.R.E. graduation on December 16, 2015, at 9:00 a.m.

City Manager Dearmin announced that Councilman Carter would be absent from tonight's meeting.

ADJUSTMENTS TO AGENDA

There were no adjustments to the agenda.

EXCUSE ABSENCE OF COUNCILMAN

Mayor Pro Tempore Burnette moved to excuse the absence of Councilman Wesley Carter. Councilman Allen seconded the motion which carried by a unanimous vote of 3-0.

PUBLIC COMMENT

Mayor Warren opened the floor to receive public comment.

Mr. Warren Bailey of 137 Glenbrook Lane, King, NC; Mr. Lewis Carroll of 121 Glenbrook Lane, King, NC; and Mr. Wayne Tuttle of 1123 West Westmoreland Road, King, NC spoke during the Public Comment portion of the meeting.

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 item A of the consent agenda as presented. Councilman Allen seconded the motion which carried by a unanimous vote of 3-0. The Item approved was: (A) November 2, 2015, regular meeting minutes.

RECOGNITION OF EMPLOYEE OF THE QUARTER – MR. ROBBIE BOLES

Mayor Warren recognized Meter Reader, Robbie Boles, as *Employee of the Quarter* for the 4th Quarter of 2015. Mayor Warren presented Mr. Boles with a plaque, windbreaker and check.

INTRODUCTION OF NEW EMPLOYEES – FIREFIGHTER MIKE DERIDDER, RECYCLING ATTENDANT CHASE ALEXANDER, AND WATER PLANT SUPERINTENDENT BEN MARION

New employees were introduced to the Council by their respective department heads.

PUBLIC HEARING FOR CONSIDERATION OF FINANCING AGREEMENT FOR THE GOFF ROAD PUMP STATION

Mayor Warren opened the public hearing for *Consideration of Financing Agreement for the Goff Road Pump Station*.

Finance Director O’Brien recommended that Council award financing of the Goff Road Pump Station Project to NewBridge Bank and approve Resolution 2015-19.

Being no one else present wishing to speak, Mayor Warren closed the public hearing for *Consideration of Financing Agreement for the Goff Road Pump Station*.

Action

Councilman Allen moved to award financing of the Goff Road Pump Station to NewBridge Bank at an interest rate of 2.39%, annual payments of \$28,227.29 and a total cost of principal and interest of \$282,272.90 for the Goff Road Pump Station and to approve Resolution 2015-19, which has been incorporated within the body of the minutes below. Councilman Carico seconded the motion which carried by a unanimous vote of 3-0.

Bids for Financing Goff Road Pump Station			
Bidder	Interest rate	Annual Payment	Total Cost (principal and interest)
NewBridge Bank	2.39%	\$28,227.29	\$282,272.90
Capital Bank	2.48%	Even Principal Method (Average \$28,549.60)	\$282,346.40
BB&T	2.85%	\$28,730.24	\$287,302.40
Wells Fargo	No quote received		
First Citizens Bank	No quote received		

**CITY OF KING
RESOLUTION 2015-19**

A Resolution Approving Financing Terms for Goff Road Pump Station

WHEREAS, the City of King “City” has previously determined to undertake a project for replacement of the Goff Road Pump Station “the Project” and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED AS FOLLOWS:

1. The City hereby determines to finance the Project through NewBridge Bank, in accordance with the proposal dated November 30, 2015. The amount financed shall not exceed \$254,000.00, the annual interest rate (in the absence of default of change in tax status) shall not exceed 2.39%, and the financing term shall not exceed ten years (10) years from closing.
2. All financing contracts and all related documents for the closing of the financing “the Financing Documents” shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as NewBridge Bank may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the NewBridge Bank financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City’s general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

IN WITNESS WHEREOF, this resolution was adopted this the day 7th day of December 2015.

**PUBLIC HEARING FOR CONSIDERATION OF AMENDMENT TO CHAPTER 28 – TRAFFIC AND VEHICLES
SECTION 28-31 METHOD OF PARKING GENERALLY AND SECTION 28-41 PARKING NOT TO OBSTRUCT
TRAFFIC OF THE CITY CODE OF ORDINANCES**

Mayor Warren opened the public hearing for *Consideration of Amendment to Chapter 28 – Traffic and Vehicles Section 28-31 Method of Parking Generally and Section 28-41 Parking Not to Obstruct Traffic of the City Code of Ordinances*.

Chief May stated that two sections of the City's parking ordinances are in need of minor clarification. The City Attorney has reviewed the proposed changes presented for Council's consideration.

Being no one present wishing to speak, Mayor Warren closed the public hearing for *Consideration of Amendment to Chapter 28 – Traffic and Vehicles Section 28-31 Method of Parking Generally and Section 28-41 Parking Not to Obstruct Traffic of the City Code of Ordinances.*

Action

Councilman Carico moved to approve Text Amendment 2015-05 as presented. Councilman Allen seconded the motion which carried by a unanimous vote of 3-0.

City of King Text Amendment 2015-05

Sec. 28-41. - Parking not to obstruct traffic.

Notwithstanding section 28-38, it shall be prohibited for any person to park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the travel lane for free movement of vehicular traffic.

Sec. 28-38. - Method of parking generally.

It shall be prohibited for any person to stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement.

- a) It shall be prohibited for any person to park a vehicle with the left hand wheels of the vehicle any closer to the center of the roadway than 12 inches from the right hand edge of the roadway, or the white fog line if present on the right side of the roadway.
- b) On streets equipped with curbs and/or gutters, the right hand wheels of the vehicle must rest within 12 inches of the curb, or with the left hand wheels of the vehicle within twelve inches of the curb if the vehicle is parked on the left side of a one-way street.

In any case, vehicle operators must park in such a manner as to leave at least ten feet of the width of the travel lane for free movement of vehicular traffic. Vehicles may park in spaces marked for angle parking where provided.

SPECIAL RECOGNITION: MAYOR PRO TEMPORE BURNETTE

Mayor Warren presented Mayor Pro Tempore Dillard Burnette with a plaque in recognition of his many years of service to the citizens of King.

ORGANIZATIONAL MEETING

OATHS OF OFFICE

District Court Judge Bill Southern administered the oaths of office to Mayor Jack Warren, Councilman Brian Carico, and Councilman Rick McCraw.

Mayor Warren called for a recess.

Mayor Warren reconvened the meeting.

ELECTION OF MAYOR PRO TEMPORE

Mayor Warren called for nominations for the position of Mayor Pro Tempore. Councilman Allen nominated Councilman Wesley Carter. Being no other nominations, Mayor Warren closed the floor for nominations for the position of Mayor Pro Tempore.

Action

Councilman Allen moved to appoint Councilman Wesley Carter as Mayor Pro Tempore. Councilman Carico seconded the motion which carried by a unanimous vote of 3-0.

APPOINTMENT OF CITY ATTORNEY

Councilman Carico moved to re-appoint Mr. Edwin Woltz as City Attorney. Councilman McCraw seconded the motion which carried by a unanimous vote of 3-0.

APPOINTMENT TO PIEDMONT TRIAD REGIONAL COUNCIL OF GOVERNMENTS

Councilman Carico moved to appoint Councilman McCraw as the City of King's representative on the Piedmont Triad Regional Council of Governments. Councilman Allen seconded the motion which carried by a unanimous vote of 3-0.

PRESENTATION OF ANNUAL AUDIT AND FINANCIAL STATEMENTS – MR. RICHARD TAMER OF CANNON AND COMPANY

Mr. Richard Tamer of Cannon and Company gave the Mayor and Council a brief overview of the City's annual audit report and financial statements. All compliance testing was favorable with no instances of state or federal incompliance to report. Mr. Hopkins gave highlights of the City's General and Enterprise funds, stated great stewardship was shown by the City Council and staff, and closed by thanking Director of Finance and Personnel, Susan O'Brien and all staff who assisted with the audit.

AUTHORIZE LETTER OF SUPPORT FOR PTRC EPA BROWNFIELDS COALITION GRANT

Manager Dearmin informed the Mayor and Council that this is a request for Council to authorize him to submit a letter of support for the PTRC Grant Application. This program, if funded, will enable PTRC to identify potential sites that have been subjected to environmental contamination, and provide funding for Phase I and Phase II site assessments as well as the potential for funding site cleanup and reuse planning.

Action

Councilman Allen moved to authorize the City Manager to submit a letter of support for the PTRC Grant Application. Councilman Carico seconded the motion which carried by a unanimous vote of 3-0.

APPOINTMENTS TO COMMUNITY APPEARANCE COMMISSION

Councilman Carico moved to appoint Pam Warren and re-appoint Janet Calloway to four-year terms on the Community Appearance Commission. Councilman McCraw seconded the motion which carried with a unanimous vote of 3-0.

APPOINTMENTS TO PARKS AND RECREATION ADVISORY BOARD

Councilman Allen moved to reappoint Garry Merritt and Charles Helsabeck to four-year terms on the Parks and Recreation Advisory Board. Councilman McCraw seconded the motion which carried by a unanimous vote of 3-0.

APPOINTMENT TO PLANNING BOARD/BOARD OF ADJUSTMENT

Councilman Carico moved to reappoint Donald Speight and appoint Dean Craver to three-year terms as regular members and appoint Mr. Jon Carroll to a three-year term as an alternate member on the Planning Board/Board of Adjustment. Councilman McCraw seconded the motion which carried by a unanimous vote of 3-0.

APPOINTMENT TO SENIOR SERVICES ADVISORY BOARD

Councilman Allen moved to reappoint Mrs. Nelda Wilkinson, Mr. Gerald Lawrence and to appoint Mr. Art Hollaran to three-year terms on the Senior Services Advisory Board. Councilman McCraw seconded the motion which carried by a unanimous vote of 3-0.

CONSIDERATION OF FIREWORKS CONTRACT

Councilman Carico moved to authorize the City Manager to proceed with entering into a multi-year fireworks contract with Zambelli for \$9,700 in 2016, \$9,900 in 2017, and \$10,000 in 2018 as recommended by staff. Councilman Allen seconded the motion which carried by a unanimous vote of 3-0.

DEPARTMENTAL REPORTS

There were no questions concerning the departmental reports.

ITEMS OF GENERAL CONCERN

Councilman Allen: Nothing at this time.

Councilman McCraw:

- Stated that he feels very honored to be a member of the City Council and looks forward to serving the citizens of King

Councilman Carico:

- Thanked the Finance Department staff for another great audit report
- Acknowledged the presence of Brady Ashworth, who is a 3rd grader at King Elementary

Mayor Warren:

- Thanked the Police Department staff, Fire Department staff, Santa Claus, Santa’s Elf, Chief May, Community Appearance Commission members and Public Works Superintendent Ricky Lewis for their work at the Community Christmas Tree Lighting Ceremony and Christmas Parade
- Thanked Judge Southern and Representative Hall for attending tonight’s meeting

ADJOURNMENT

Councilman Allen moved to adjourn the meeting. Councilman McCraw seconded the motion which carried by a unanimous vote of 3-0. The meeting stood adjourned at 8:04 p.m.

Approved by:

Attest:

Jack Warren
Mayor

Tamara H. Hatley, MMC, NCCMC
City Clerk