

**MINUTES**  
**King City Council**  
**Regular Session**  
**September 3, 2019**

The King City Council met in regular session at King City Hall on Monday, September 3, 2019, at 7:00 p.m. Present were: Councilman Charles Allen, Councilman Brian Carico, Councilman Wesley Carter, Mayor Pro Tempore 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, Superintendent of Public Utilities Robert Pettitt, Superintendent of Public Works Ricky Lewis, Chief of Police Jordan Boyette, Fire Chief Steven Roberson, Senior Center Director Suzan Garner, Parks & Recreation Director Olivia Smith, Chaplain Tracey Collins, Police Captain Ian Tedder, Lieutenant Benny Haynes, Collections Supervisor Debra Burnette, Sgt. Matt Perdue, Cpl. Stephen Laws, Officers Chase Maney and Michael Deaton, Grayson Vass, Aubrey Sawyers, and John Jackson, Police Administrative Assistant Pam Ellison, Battalion Chief Bill Tedder, Fire Captains Jonathan Lane and Tanner Hairford, Engineer Josh Francis, Firefighters Mark Thorpe, Chase Gammons, Matthew Hutchens, and Andrew George.

Mayor Warren called the meeting to order, welcomed City Council write in candidate, Terri Fowler, and led the *Pledge of Allegiance*.

The invocation was offered.  
Chaplain Collins left the meeting.

**ANNOUNCEMENTS**

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

- Stokes County Fair: Tuesday-Saturday, September 10-14, 2019, Carl Calloway American Legion Post #290-King
- Parks & Recreation Advisory Board, Regular Meeting: Thursday, September 12 2019, 7:00 p.m., King Recreation Acres Community Building
- Stokes Family YMCA, Annual King of the Hill 5k and 10K Road Race: Saturday, September 14, 2019, 7:00 – 10:30 a.m.
- Beach Music Concert featuring Moxie, Saturday, September 14, 2019, 5:30 p.m., King Central Park, \$5 admission
- Community Appearance Commission, Regular Meeting: Thursday, September 19, 2019, 3:30 p.m., King City Hall
- King Planning Board, Regular Meeting: Monday, September 23, 2019, 7:00 p.m., King City Hall

Manager Dearmin announced that the 30<sup>th</sup> annual KingFest would be held on Saturday, October 5, at King Central Park from 10 a.m. – 5 p.m.

**ADJUSTMENTS TO AGENDA**

It was the consensus of the Council to add a request to amend the Economic Development Committee Bylaws as well as a request to change the date of the West Stokes High School Homecoming Parade to the consent agenda.

## **PUBLIC COMMENT**

Mayor Warren opened the floor to receive public comment.

Mr. Derek Edwards, Executive Director of the Stokes Family YMCA addressed the Mayor and Council. Mr. Edwards stated that this would be the final year of the *King of the Hill* race and thanked the Mayor and Council for their support of the event.

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

## **CONSENT AGENDA**

Councilman Allen moved to approve the Consent Agenda as presented. Mayor Pro Tempore McCraw seconded the motion which carried by a unanimous vote of 4-0. Items approved were:

(1) August 5, 2019, Regular Meeting Minutes; (2) Approval of Resolutions for grant and funding for water and wastewater asset inventory and assessment; (3) Ordinance Amendment 2019-03.1 to amend the Economic Development Advisory Board meeting date; and (4) Approve Ordinance Amendment 2019-01.1 to change the date of the West Stokes High School Homecoming Parade.

## **INTRODUCTION OF NEW EMPLOYEE – OFFICER CHASE MANEY**

Chief Boyette introduced Officer Chase Maney to the Mayor and Council.

## **EMPLOYEE OF THE QUARTER PRESENTATION – MR. JEREMY COOK, PUBLIC UTILITIES MAINTENANCE**

Mayor Warren recognized Public Utilities Maintenance Worker, Jeremy Cook as the City of King *Employee of the Quarter* for the third quarter of 2019 and presented him with a recognition plaque, windbreaker and check.

## **PUBLIC HEARING FOR FINANCING OF POLICE VEHICLES**

Mayor Warren opened the public hearing for financing of police vehicles. Mayor Warren noted that no one had signed up to speak during the public hearing.

Director of Finance and Personnel O'Brien stated that she had only received one bid for financing and has sent out a request for more bids which should be ready by the Council's regular October meeting.

### Action

Councilman Allen moved to recess the public hearing for financing of police vehicles until the October 7, 2019, City Council meeting. Mayor Pro Tempore McCraw seconded the motion which carried by a unanimous vote of 4-0.

## **CONSIDERATION OF A DECLARATION OF INTENT TO REIMBURSE**

Mayor Pro Tempore McCraw moved to approve Resolution 2019-15 as presented, which is included within the body of the minutes below. Councilman Carter seconded the motion which carried by a unanimous vote of 4-0.

**DECLARATION OF THE COUNCIL  
OF THE CITY OF KING OF OFFICIAL INTENT  
TO REIMBURSE  
RESOLUTION 2019-15**

WHEREAS, this declaration (the "Declaration") is made pursuant to the requirements of United States Treasury regulations Section 1.103-18 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

WHEREAS, the undersigned is authorized to declare the official intent of the City of King (the "City") with respect to the matters contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KING THAT:

1. **Expenditures to be incurred.** The City anticipates incurring expenditures (the "Expenditures") for purchase of two police vehicles and equipment (the "Project").

2. **Plan of Finance.** The City intends to finance the cost of the Project described above with the proceeds of debt to be incurred by the City in accordance with the contract method of financing under the authority of North Carolina General Statutes Section 160A-20 as amended by Chapter 708 of the 1989 Session Laws.

3. **Maximum amount to be financed.** The maximum amount to be financed by the City to complete the Project is \$87,807.

4. **Declaration of Official Intent to Reimburse.** The City hereby declares its official intent to reimburse itself with the proceeds of the debt for any of the Expenditures incurred by it prior to financing of the Project.

Adopted this the 3rd day of September 2019.

**CONSIDERATION OF COST SAVINGS PLAN FOR POLICE ADMIN/CID VEHICLES**

Councilman Carico moved to table this item until more information on purchase vs. lease is obtained. Councilman Carter seconded the motion which carried by a unanimous vote of 4-0.

**DRAWINGS/PLANS FOR NEW POLICE DEPARTMENT BASEMENT UPFIT**

Councilman Carter requested to be recused from voting on this item.

It was the consensus of the Council to recuse Councilman Carter from voting on the drawings/plans for new police department basement upfit.

Councilman Carico moved to approve an agreement to provide pre-construction services for the King Police Department basement upfit as presented. Mayor Pro Tempore McCraw seconded the motion which carried by a unanimous vote of 3-0.

**CONSIDERATION OF REVISION TO PERSONNEL POLICY**

Mayor Pro Tempore McCraw moved to approve the amendments to Section 22 and 22a of the City of King Personnel Policy as presented, which is included within the body of the minutes below. Councilman Carter seconded the motion which carried by a unanimous vote of 4-0.

## **Section 22. Workers' Compensation Leave**

An employee absent from duty because of sickness or disability covered by the North Carolina Worker's Compensation Act may receive Worker's Compensation benefits and elect to use accumulated leave as a supplemental payment for the difference between his regular salary and the payment received under the Worker's Compensation Act.

Part time, Volunteer Firefighters and temporary employees will be placed in a leave without pay status and will receive any benefit(s) for which they are entitled under the Worker's Compensation Act.

Any employee involved in a job-related injury, accident or illness must report the event to his/her immediate supervisor, Department Head and the Personnel Director as soon as possible but no later than 72 hours after the event to avoid potential loss of benefits and disciplinary action. The Personnel Director must report such events to the City Manager within 24 hours of receiving such a report and to the Industrial Commission per its requirements. Major job-related injuries/accidents such as severe physical impairment (loss of limbs, multiple broken bones, loss of vision, damage to internal organs) or death must be reported to the City Manager and Personnel Director immediately.

~~The City of King encourages early return to work following an on-the-job injury, accident or illness when cleared by the employee's physician. At that time, part-time or light duty work may be assigned. Such work may or may not be in the employee's regular department or his/her normal duties. The Department Head and Personnel Director will coordinate return-to-work assignments with the employee after a workers' compensation event. If the employee refuses to comply with physician recommendations and/or any newly assigned part-time or light duty work, the workers' compensation insurance carrier may discontinue workers' compensation benefits.~~

### **Section 22.A. Light Duty**

The City of King encourages early return to work following an on-the-job injury, accident or illness when cleared by the employee's physician. At that time, part-time or light duty work may be assigned. Such work may or may not be in the employee's regular department or his/her normal duties. The Department Head and Personnel Director will coordinate return-to-work assignments with the employee after a workers' compensation event. If the employee refuses to comply with physician recommendations and/or any newly assigned part-time or light duty work, the workers' compensation insurance carrier may discontinue workers' compensation benefits.

In the event of an off-the-job injury, accident or illness, part-time or light duty may be assigned when the employee has cleared by the employee's physician and after FMLA has been exhausted or is no longer necessary. Such work may or may not be in the employee's regular department or his/her normal duties. The Department Head and Personnel Director will coordinate return-to-work assignments with the employee after an off-the-job event.

Regardless of an on-the-job or off-the-job event, refusal on the employee's part to comply with physician recommendations and/or to accept newly assigned part-time or light duty work could result in disciplinary action as said refusal is tantamount to job abandonment.

A lengthy discussion was held regarding the proposed amendment to Section 14 of the Personnel Policy.

### **Action**

Councilman Carico moved to disapprove the request to amend Section 14 of the City of King Personnel Policy and leave it as it currently stands. The motion died for the lack of a second.

Councilman Carter moved to table the request to amend Section 14 of the City of King Personnel Policy for further study. Mayor Pro Tempore McCraw seconded the motion which carried by a unanimous vote of 4-0.

#### **CONSIDERATION OF RIGHT OF ENTRY AGREEMENT WITH FORSYTH COUNTY**

Mayor Pro Tempore moved to approve the Right of Entry Agreement with Forsyth County as presented. Councilman Allen seconded the motion which carried by a unanimous vote of 4-0.

#### **CONSIDERATION OF INVOLUNTARY COMMITMENT TRANSPORT AGREEMENT**

Councilman Allen moved to approve the Involuntary Commitment Transport Agreement as presented. Mayor Pro Tempore McCraw seconded the motion which carried by a unanimous vote of 4-0.

#### **DEPARTMENTAL REPORTS/QUARTERLY STRATEGIC PLANNING REPORTS**

Councilman Carico asked for an update on the Cook Out restaurant. Manager Dearmin stated that plans have been received and are currently under review.

Councilman Carico stated that he wished to give clear direction on what information he wanted gathered on the new police department vehicles which is a cost analysis on lease vs. purchase.

#### **ITEMS OF GENERAL CONCERN**

Councilman Allen: Nothing at this time

Mayor Pro Tempore McCraw:

- Thanked Terri Fowler for coming to the meeting and being willing to serve on the City Council again as a write-in candidate
- Stated he was glad that reporter Neill Caldwell of *The Stokes News* reporter was in attendance
- Commended Police Department staff for a great job on the recent Brown road and South Main Street incidents
- Welcomed new Officer Chase Maney and congratulated her on her recent graduation from Police Academy
- Commended Parks & Recreation Director Olivia Smith and Terri Fowler for the fundraising success to this point for the new dog park
- Congratulated Public Works Maintenance Worker, Jeremy Cook on being selected as the *Employee of the Quarter*
- Thanked Chief Roberson for the storm alerts and preparedness with Hurricane Dorian
- Thanked all city staff for the good jobs they perform every day
- Stated that he feel privileged to serve on the City Council

Councilman Carico:

- Thanked Stokes Family YMCA Executive Director Derek Edwards and his staff for the Bright Beginning Program, noting it had touched many lives
- Noted the Police Department had had a couple of wild weeks and thanked them for what they do
- Stated that he would appreciate Council being kept up to date on the numbers of the Police Department basement upfit
- Hopes everyone enjoys the beginning of fall
- Will see everyone in October

Councilman Carter:

- Suggested having another Strategic Planning workshop to prioritize new projects in response to the recent Capital Improvement Survey

Mayor Warren:

- Thanked everyone for attending the meeting
- Thanked all City staff for the job they do
- Noted it has been a busy few months for Chief Boyette

**ADJOURNMENT**

Mayor Pro Tempore McCraw moved to adjourn the meeting. Councilman Allen seconded the motion which carried by a unanimous vote of 4-0. The meeting stood adjourned at 8:44 p.m.

Approved by:

Attest:

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Jack Warren  
Mayor

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Tamara H. Hatley, MMC, NCCMC  
City Clerk