

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 837
HOUSE BILL 1581

AN ACT TO MAKE REVISIONS IN THE CHARTER OF THE CITY OF KINSTON.

The General Assembly of North Carolina enacts:

Section 1. Section 6-1(a) of the Charter of the City of Kinston, being Chapter 92, Session Laws of 1961, is rewritten to read:

"(a) The following offices and positions are hereby continued under this Charter; Mayor, Mayor pro tem, five Councilmen, City Manager, City Clerk, Director of Finance and Administration, Tax Collector, City Attorney, Chief of Police, Fire Chief, City Engineer, Public Works Director, Public Utilities Director, Planning and Community Development Director, Personnel Director and Recreation Director. The Council may assign to the said offices and positions functions in addition to those set forth in this Chapter, but may not discontinue or transfer from such offices and positions functions assigned to them by this Charter."

Sec. 2. Sections 6-9 and 6-10 of the Charter of the City of Kinston, being Chapter 92, Session Laws of 1961, are rewritten to read:

"Sec. 6-9. City Clerk. The City Council shall, by a majority vote, elect a City Clerk to hold office for an indefinite term at the pleasure of the City Council. He shall have such powers and perform such duties as the City Council may from time to time prescribe in addition to such duties as are imposed upon him by this Charter or by General Law.

The City Council shall also have the authority to appoint a Deputy City Clerk to act during the absence or disability of the City Clerk and may assign to said Deputy the same powers, authority and duties as are assigned to the City Clerk.

It shall be the duty of City Clerk to attend every meeting of the City Council and keep the minutes and record of all proceedings in a well bounded book kept for that purpose.

The City Clerk shall receive such salary as may be fixed by the City Council according to the pay and classification plan.

Sec. 6-10. Director of Finance and Administration. The Director of Finance and Administration, acting under the City Manager, shall have supervision and control of the fiscal affairs of the City. The City Manager shall appoint and may suspend and remove the Director of Finance and Administration subject to the personnel provisions of the City Charter. The Director of Finance and Administration shall have the following powers and duties:

He shall keep the accounts of the City in accordance with generally accepted principles of governmental accounting and the rules and regulations of the Local Government Commission.

He shall disburse all funds of the City in strict compliance with the Local Government Budget and Fiscal Control Act, the Budget Ordinance, and each Project Ordinance and shall pre-audit obligations and disbursements as required by the Local Government Budget and Fiscal Control Act.

As often as may be requested by the Manager or City Council, he shall prepare and file with the Council a statement of the financial conditions of the City.

He shall receive and deposit all monies accruing to the City or supervise the receipt and deposit of monies by other duly authorized officers or employees.

He shall maintain all records concerning the bonded debt of the City, determine the amount of money that will be required for debt service during each fiscal year, and maintain all sinking funds.

He shall supervise the investment of idle funds of the City. He shall perform such other duties as may be assigned to him by law, by the Manager, or City Council or by rules and regulations of the Local Government Commission.

He shall audit and determine the correctness of all accounts against the City presented to him for payment and he is fully authorized when deemed by him necessary or expedient to require any such account or claim to be certified by the affidavit of the claimant or, in the case of a corporation, by an officer thereof, and to that end the City Clerk shall be and he is hereby authorized to administer oaths and to require any person to answer such questions as may be propounded to him by the Director of Finance and Administration touching the correctness of any account or claim against the City.

The position of the Director of Finance and Administration shall be included in the official pay and classification plan as adopted by the City Council."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of June, 1986.