

RESOLUTION NO. 014-91

STATE OF TEXAS §
 §
COUNTY OF COMANCHE §

**RESOLUTION WITH RESPECT TO THE EMPLOYMENT OF BILL MAYES,
CHIEF OF POLICE; MAKING FINDINGS OF FACT; PROVIDING FOR
MEDICAL AND PSYCHOLOGICAL EVALUATION; AND PROVIDING
FOR FURTHER CONSIDERATION BY THE CITY COMMISSION**

WHEREAS, Bill Mayes, Chief of Police of the City of De Leon, has been on injury leave for several months resulting from an injury to his back; and

WHEREAS, the duties of the Chief of Police of the City of De Leon require the performance of a full range of police, law enforcement and public safety duties, including all duties normally performed by a police patrol officer, in addition to the duties of a Chief of Police; and

WHEREAS, the City has previously provided that Chief Mayes be returned to duty immediately upon receiving a full and complete medical release, without qualification, evidencing his ability to perform all duties of the position; and

WHEREAS, by letter dated September 10, 1991, and received September 16, 1991, Tom G. Mayer, M.D. of Functional Restoration Associates provided a medical release for Chief Mayes to return to duty "with no restrictions in his previous job" but included temporary functional limitations of lifting fifty (50) pounds frequently and one hundred (100) pounds occasionally, with further provisions that limitations would be reviewed and potentially revised within two (2) months; and

WHEREAS, Chief Mayes continues to receive prescription medications "Triavil", "Midrin", and "Tylenol-ES"; and

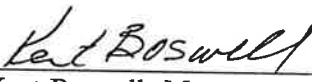
WHEREAS, the City Commission desires to the fullest possible extent to preserve both the health and welfare of Chief Mayes and that of the citizens of the City of De Leon;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DE LEON THAT:

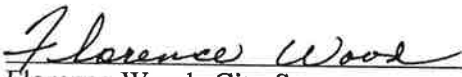
- (1) The City Secretary be directed to place upon the next regular agenda of the City Commission an agenda item authorizing the City Commission to continue the salary of Chief Bill Mayes on an interim basis.
- (2) The City Commission direct Chief Bill Mayes to submit to a complete medical evaluation and examination by a doctor specified by the City, authorize a report to the City Commission from said doctor, for the purpose of the City Commission evaluating the ability of Chief Bill Mayes to undertake the full duties of his position without significant additional risks to himself and the public due to his physical condition.

- (3) That the City Commission direct that Chief Bill Mayes submit to a full psychological examination by a psychologist or psychiatrist specified by the City and authorize a report by said psychologist or psychiatrist to the City for the purpose of the City Commission further evaluating Chief Mayes' ability to perform the full duties of his position without additional risks to himself and the citizens of the City.
- (4) That as soon as the reports from the medical doctor and the psychologist/psychiatrist are received, the City Commission review such reports and give further consideration to returning Chief Mayes to full active duty, or taking such other action as appropriate.
- (5) The City Commission hereby finds that the "release" executed by Tom G. Mayer, M.D. of Functional Restorations Associates is not, as presently worded, a full and complete medical release as contemplated by the City Commission.

ADOPTED THIS THE 17th day of September, 1991.



Kent Boswell, Mayor
City of De Leon



Florence Wood, City Secretary
City of De Leon