



City of Greensboro

Melvin Municipal Building
300 W. Washington Street
Greensboro, NC 27401

Meeting Minutes - Final City Council

Wednesday, July 8, 2015

5:30 PM

Council Chamber

SPECIAL MEETING OF COUNCIL

Call to Order

Present: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaiter, Councilmember Mike Barber, Councilmember Jamal T. Fox, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Justin Outling and Councilmember Tony Wilkins

Also present were City Manager Jim Westmoreland, City Attorney Tom Carruthers, and City Clerk Elizabeth H. Richardson.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Councilmember Outling to lead the Pledge of Allegiance to the Flag.

City Manager Westmoreland recognized Sharon Bell to assist with speakers this evening.

Mayor Vaughan stated the purpose of the meeting was strictly to receive public comment on HB 263; decide the next steps; that comments would be limited to two minutes per speaker; requested that speakers try to make new points rather than repeat what had already been said; that speakers leave the chamber after they spoke to allow for additional speakers to enter the chamber; and stated that Councilmember Barber would participate by telephone for the later portion of the meeting.

[ID 15-0586](#) Receive Public Comment on House Bill 263

THE FOLLOWING PERSONS SPOKE IN FAVOR OF HB 263:

Damon Williams, 4209 Olympia Drive; Mack Hughes, 705 Park Avenue; James Lewis, 1101 Hammel Road; Sal Leone, 3324 Van Allen Circle; George Hartzman, 2506 Baytree Drive; Bill Knight, 214 Ridgeway Drive; Ed McKeever, 8 Country Walk Lane; Jim Kee, 4301 Lord Jeff Drive; Cameron Cooke, 100 Wedgedale Avenue; David McLaughlin, 5403 Strasburg Drive; Lee Haywood, 7203 Mackintosh Place; Sharon Kasia, 16 Owls Roost Court; Joanne Wittenborn, 3809 Waldenbrook Road; Ernie Wittenborn, 3809 Waldenbrook Road; Skip Alston, 2705 West Vandalia Road; Andrew J. Stevens, 2109 Leona Drive; Gerry McCants, 2192 McLaughlin Drive; Robbie Perkins, 108 Sunset Circle #101; and Earl Jones, 21 Loney Circle.

THE FOLLOWING PERSONS SPOKE IN OPPOSITION OF HB 263:

Franklin Willard, 2832-D Randleman Road; Luther Falls, Jr., 1603 Lansdown Avenue; Julia Blizin, 4505 Summit Avenue; Nancy Cavanaugh, 4505 Summit Avenue; Ben Andrews, 400 Woodlawn Avenue; Melvina Ray-Davis, 14 Heathrow Court; Anna Fesmire, 1407 Cornwallis Drive; Representative Ralph Johnson, 2402 Bothwell Street; Laura Blackstock, 1700 Kay Street; Carolyn Bunker, 305 Wyndham Avenue; Ann Herd, 534 Woodvale Drive; Walter Salinger, 113 Homewood Avenue; Reverend Spearmon, 4246 Farlow Drive; Lisa Johnson-Tonkins, 802 Ross Avenue; Mary Lou Clapp, 603 Cardella Drive; Jo Isler, 2009 Briar Run Drive; Nancy Wilkinson, 3510 Dogwood Drive; Julie Peebles, 2201 Villa Drive; Patti Eckard, 2621 Beechwood Street; Richard Koritz, 1801

Murrayhill Road; Willie Taylor, 808C Carriage Crossing Lane; Gail Barger, 1503 Fairmont Street; Joseph R. Beatty, 709 Simpson Street; Reverend Cardis H. Brown, Jr., 1606 Longbranch Court; Dr. Goldie Wells, 4203 Belfield Drive; Christina Yongue Hardy, 1103 Ross Avenue; Sallie Hayes-Williams, 1101 North Elm Street; Thessa Pickett, 3514 Fox Place; Maureen Burns, 1 Rutherglen Lane; Irving Allen, 649 Creek Ridge Road; Robert Foxworth, 2506 Pinecroft Road; Marty Kotis, 1410 Mill Street; Aran McCullough, 4506 Chorus Lane; Taknequa Alston, 319-K Montrose Drive; Bob Wineburg, 902 Magnolia Street; Claire Stone, 4915 Kenview Street; Michelle Kennedy, 806 Fairmont Street; Nancy Fogarty, 823 Pebble Drive; and Isa Abuzuaiter, 3601 Brassfield Oaks Drive.

THE FOLLOWING PERSONS SPOKE NEITHER IN FAVOR OR OPPOSITION OF HB 263:

Kurt Collins, 2207 Fairfield Avenue; and Barbara Carter, 1 Allwood Court.

Mayor Pro-Tem Johnson thanked those in the audience for attending the meeting and sharing their views; read a statement into the record; addressed the issue before Council; stated slavery was legal but that did not make it right; referenced comments made regarding being hostage to the State Legislature; spoke to the Voting Rights Act; emphasized she would stand up for what she believed was right; spoke to the representation of African Americans in the City; voiced concern with how quickly the districts had been revised; referenced the difference between Trinity and Greensboro; emphasized the need to hire an attorney; reminded the audience of a recent sermon she had heard; and reiterated that the bill was wrong.

(A copy of the statement read by Mayor Pro-Tem Johnson is filed in Exhibit Drawer X, Exhibit No.17, which is hereby referred to and made a part of these minutes.)

Mayor Vaughan voiced that she was disturbed by the news headline that Wade wins; spoke to when the deals were made; provided an outline of the history of the bill in the legislature; referenced the difference in the size of Trinity and Greensboro; the difference in the two bills and cities; voiced concern with the way the legislature worked; emphasized she was proud of the way the Guilford House Delegation pulled together and lobbied on Greensboro's behalf; commended Representative John Blust for standing strong; made reference to Representative Blust being the only proponent named to the Conference Committee; emphasized that Greensboro had won in the House; stated it was a dark day in North Carolina last Thursday; addressed speculation that Greensboro had not won; made reference to when the deals were cut; reiterated that Senator Wade had not won; and that Council would meet with their attorney. Mayor Vaughan spoke to the numerous emails that Council had received since the introduction and passage of SB36, now HB 263; spoke to the number of meetings Council had attended with regard to the bill; emphasized that Council was aware of the pulse of the community; and reiterated she was opposed to the bill.

Councilmember Hightower stated she wanted to go on record that she had received a message from Senator Gladys Robinson who said she absolutely supported Council to go further in their endeavor; thanked Representative Ralph Johnson for attending this evening; voiced that she was proud of the representation that Greensboro had; commended Representative Blust for standing up for what was right; added that what was right was to allow people to have a voice; and emphasized the Council was fired up and ready to protect democracy and the citizens of Greensboro.

Councilmember Abuzuaiter thanked Council for their impassioned speeches; commended the citizens for their support; referenced comments made by citizens who had spoken to her; added that most of the people speaking in favor were not Greensboro voters; reiterated that the entire community was opposed to this bill; and that she would fight for this as well as for all citizens of Greensboro who deserved to have their voices heard and their votes counted. Councilmember Abuzuaiter referenced Councilmember Wilkins email; asked if City Attorney Carruthers was not Council's first opinion; and stated she would support the Mayor and Mayor Pro-Tem.

City Attorney Carruthers advised Council that he would seek a second opinion for constitutional matters and the feasibility of litigation; spoke to what he had looked at to date; and suggested Council recess to closed session to decide what direction they would take going forward.

Mayor Vaughan stated Council would return to open session with their decision.

Moved by Councilmember Wilkins that Council remain in open session to discuss the matter as the people in the audience and listening would be paying the bill. The motion died for lack of a second.

Brief discussion took place regarding the content of the motion made by Councilmember Wilkins.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower to recess to closed session to preserve the attorney-client privilege between Council and its attorneys and for Council to consider and give instructions to its attorneys concerning judicial action pursuant to N.C.G.S. 143-318.11 (a)(3).

The motion carried by voice vote.

Council recessed to Closed Session at 7:55 p.m. and returned to open session at 8:40 p.m. with all members in attendance.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson to return to open session. The motion carried by voice vote.

Councilmember Barber entered the meeting at 7:55 p.m.; and confirmed he was participating via telephone.

Councilmember Outling voiced he wanted to make a statement urging his colleagues to vote in opposition to the legislation; to vote in favor opposing it through any means possible; stated it was time to fight for those who served the public; who were dedicated to finding solutions to problems such as jobs and economic development; spoke to the need for fairness, transparency, and accountability; to what fairness meant for the citizens of Greensboro; and to the importance in not being singled out and distinguished against every other municipality in the state. Councilmember Outling referenced the reasons to understand why people voted the way they did; their motivations for doing so; importance in supporting those who were not motivated by their political interest or their political aspirations; reiterated it was time to fight; and urged his colleagues to give the City Attorney the authority to fight for the City of Greensboro.

City Attorney Carruthers stated that prior to the vote he wanted to point out that his office had not yet retained any litigation counsel or made those decisions to assist because he had been waiting for direction from the Council; reminded Council that there were no issues regarding conflict; and emphasized he made the statement in the interest of transparency to go on record.

Councilmember Wilkins asked if Attorney Carruther's statement indicated the current contract with Brooks Pierce had ended.

Attorney Carruthers responded in the affirmative as the contract was specifically limited to give advice and to advise on constitutional issues.

Attorney Carruthers assured Council that Councilmember Barber's participation via telephone was permissible.

Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson that in view of the recent actions of the North Carolina General Assembly in enacting House Bill 263, she moved to direct the City Attorney to move forward in litigation to protect the constitutional rights of the citizens of Greensboro.

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Mike Barber, Jamal T. Fox, Sharon M. Hightower, Nancy Hoffmann and Justin Outling

Nays, 1 - Tony Wilkins

Adjournment

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Fox, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 8:54 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR