

D-27670

Summary of Minutes

December 17, 2008

A Special Meeting of the Winston-Salem City Council was held on Wednesday, December 17, 2008 at 2:00 p.m. in the Committee Room at City Hall, Mayor Allen Joines presiding and the following members present:

Council Members	Molly Leight Robert C. Clark Dan Besse Joycelyn V. Johnson	Vivian H. Burke (<i>in at 2:07 p.m.</i>) Wanda Merschel Evelyn A. Terry
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Member Absent: Nelson L. Malloy, Jr.

Secretaries: Renée L. Phillips, City Secretary and Melanie Johnson, Recording Secretary

Sergeants at Arms: Lieutenant David Perry and Lieutenant Tyrone Phelps

Mayor Joines called the meeting to order and asked Mr. Guy Blynn, Chair of the Silk Plant Forest Citizen Review Committee to take roll for his Committee.

Mr. Blynn called the roll and noted that all members were present except for Ms. Cheryl Mouzon and Mr. Barry Lyons.

Mayor Joines explained that Mr. D. R. Williams had been contacted and a subpoena issued for his attendance today, however, Mr. Williams was not present. The Mayor indicated that Mr. Williams would be given an additional five minutes to appear prior to the City Council entering into Closed Session.

Council Member Johnson suggested that staff investigate the possibility that Mr. Williams was either in the hallway or another location prior to ruling out his presence.

(Council Member Burke entered the meeting at 2:07 p.m.)

At 2:14 p.m., Mayor Joines indicated that Mr. Williams had not made his presence known and indicated that it was now necessary for City Council to enter into Closed Session.

Mr. Blynn called for a motion to adjourn the meeting of the Silk Plant Forest Citizen Review Committee.

The Committee unanimously voted and was adjourned at 2:15 p.m.

Mayor Joines stated that if necessary, the members of the Silk Plant Forest Citizen Review Committee could utilize the Council Chamber for discussion and return to the Committee Room after City Council resumes Regular Session. He further explained that after the motion for City Council to enter into Closed Session, everyone except the Council Members and City Attorney staff would need to depart the room.

1. CONSIDERATION OF A MOTION TO GO INTO CLOSED SESSION TO CONSULT WITH THE CITY ATTORNEY, TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE AND TO GIVE THE CITY ATTORNEY INSTRUCTIONS CONCERNING A LEGAL MATTER PURSUANT TO N.C.G.S. 143-318.11(a)(3).

At this time, Mayor Joines recognized Council Member Burke.

Council Member Burke made a motion for the Council to enter into Closed Session to consult with the City Attorney, to preserve the attorney-client privilege and to consider and give the City Attorney instructions concerning a legal matter pursuant to N.C.G.S. 143-318.11(a)(3).

Council Member Clark: Second. Unanimous.

City Council entered into Closed Session at 2:16 p.m.

At 3:07 p.m., Council Member Clark made a motion to end Closed Session and resume Regular Session.

Council Member Johnson: Second. Unanimous.

Mayor Joines recognized Council Member Besse for a motion.

Council Member Besse made a motion that the City Council ask the Mayor and Mayor Pro Tempore to communicate to the Silk Plant Forest Citizen Review Committee that the Committee wrap up its work within the anticipated 90 days from today utilizing the information that they have, and that the Committee, in particular, focus on questions regarding whether police procedures were properly followed and potential additional reform measures that this investigation of departmental procedures suggests.

Council Member Clark: Second. Unanimous.

Mayor Joines indicated that a statement proclaiming the other action taken by City Council in Closed Session would be issued within a few days and it will address the issue of the subpoena.

ADJOURNMENT: 3:08 p.m.