

**DURHAM CITY COUNCIL WORK SESSION**  
**Thursday, November 7, 2013**  
**Committee Room – 2<sup>nd</sup> Floor – 101 City Hall Plaza**

**Present: Mayor William V. “Bill” Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eugene Brown, Diane Catotti, Don Moffitt and Steve Schewel. Absent: Council Member Howard Clement, III.**

Also present: City Manager Thomas J. Bonfield, Senior Assistant City Attorney Don O’Toole and City Clerk D. Ann Gray.

The meeting was called to order by Mayor Bell. The Mayor asked if there were any announcements from council members.

Council Member Brown congratulated Mayor Bell, Mayor Pro Tempore Cole-McFadden, Council Member Moffitt Council Member-Elect Davis on their recent election to the council.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk.

City Manager Bonfield referenced the following items:

Agenda Item #20 – Holloway Street Local Historic District Expansion (refer back to the administration – City/County Planning Department)

Agenda Item #32 – Contract Amendment with Carter Goble Associates, LLC Professional Services for Additional Consulting Services for Police (supplemental item)

The City Manager’s items were accepted by the council.

Senior Assistant City Attorney O’Toole requested a closed session at the end of the meeting regarding attorney-client consultation (settling or handling of one or more claims), pursuant to G.S 143.318.11(a)(3).

The City Attorney’s item was accepted by the council

City Clerk Gray informed the council of supplement Item #31 regarding the Durham Housing Authority Commissioners appointment.

The City Clerk’s item was accepted by the council.

After Mayor Bell announced each item on the printed the agenda, the following items were pulled for discussion and/or comments.

**November 7, 2013**

**Subject: Dorothy Croom**

To receive comments from Dorothy Croom regarding Case #D1200005 – cell phone tower at the Development Review Board.

The staff reported indicated that Ms. Croom is a litigant in legal action against the City (and County) and a citizen who complained about the scope of comments she was allowed to make before the Development Review Board. Ms. Croom and other concerned citizens were allowed to speak before the DRB, but the DRB Chair appropriately limited comments to the technical findings that DRB was authorized to make.

Dorothy Croom addressed the council stating they were not allowed to give their entire testimony of all issues pertaining to a cell phone tower on October 18, 2013 at the DRB meeting. She said they were told the only testimony they could give was about the application that was submitted by the developer, and they had experts present at the meeting who were not allowed to speak. She said they are concerned about safety and property values in their neighborhood.

Mayor Bell said it troubles him when persons come to a public meeting and they are told what they can and cannot speak about.

Senior Assistant Attorney Don O'Toole said there are 2 separate pieces of litigation in Superior Court in Durham County related to this cell tower. He said one segment of litigation addresses whether the city improperly delegated discretionary decision making authority to the Planning Director and the Development Review Board. He said this same cell tower application was referred back for a DRB hearing which Ms. Croom is referring to – to look at very specific requirements set out in the UDO, and because of the position the city is in with respect to the lawsuit they wanted to be certain that the DRB stayed on track and reviewed the criteria that is in the UDO.

Mayor Bell said I can understand that, but if someone comes to a meeting how can you tell them what they can or cannot speak about, and said that is the part that troubles him.

Senior Assistant Attorney O'Toole said any speaker who wanted to speak was allowed to speak and this was a public meeting but not a public hearing (an administrative approval) and said no input is required for an administrative approval such as that; however, the DRB did allow speakers and gave them 3 minutes to address the criteria before them.

Dorothy Croom said they will be going before the Board of Adjustment and according to what they are saying, they can only talk about the application. She said she felt they had some highly intelligent people in their neighborhood and they would not have spent thousands of dollars to fight this case just to discuss the application. She said they are concerned about their neighborhood, safety, being robbed of their property values. Also, she commented on a Board of Adjustment Meeting held in May 2013 with testimony missing from the CD. She asked how do they receive a fair trial if they cannot present their information to go forward.

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**Subject: John Tarantino**

To receive comments from John Tarantino regarding a Veteran's Day tribute.

Mr. John Tarantino provided a song selection commemorating all veterans.

**Subject: Boards, Committees and Commissions Attendance Reports – July 1, 2012 thru June 30, 2013**

To receive the attendance reports from Boards, Committees and Commissions.

City Clerk Gray stated a letter will be sent to the Chair informing them of board members who are not meeting the attendance requirements.

**Subject: Human Relations Commission Appointment**

To appoint a citizen to fill one vacancy on the Human Relations Commission representing a Minority Male with the term expiring on June 30, 2015.

Jeffery Scott Clark, one of the applicants being considered for the Human Relations Commission, asked the council to support his appointment.

**Subject: 2014 City Council Meeting Schedule**

To approve the 2014 City Council Meeting Schedule; and

To adopt an Ordinance Cancelling the July 10, 2014 City Council Work Session and the July 21, 2014 City Council Meeting.

Council Member Moffitt requested that a schedule for the budget meetings be provided.

Budget Director Bertha Johnson said the budget meeting schedule will be on the next agenda cycle.

**Subject: Lease of Non-Residential Property and Contract for Service with Rebound, Alternatives for Youth (Non-Profit Organization)**

To authorize the City Manager to execute the lease for non-residential property and contract for services with Rebound, Alternatives for Youth at the Durham Teen Center.

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The staff reported indicated that the goals of Rebound, Alternatives for Youth are similarly aligned to that of the Durham Teen Center and provides strengths-focused programming for middle and high school youth on short-term suspension from Durham Schools. This organization fills a large service gap in Durham the objective to prevent future suspension maintain student grades, improve self-esteem and self-efficacy, improve attainment of self-identified goals, and reduce juvenile crime during out of school time.

Council Member Catotti asked why is a lease needed and if it was related to liability, could they use the facility without a lease.

Deputy City Manager Wanda Page said it is because it is city-owned property and they are going to be regularly using space at times with city personnel there and other times when city personnel is not present. She said it is consistent with the way they would make sure that the terms of use are agreed to by all.

**Subject: Mortgage Loan Servicing Contract**

To authorize the expenditure of up to \$303,855.00 in Bond Funds and to accept the proposal provided by AmeriNational Community Services, Inc. for servicing of all City of Durham's mortgage loans; and

To authorize the City Manager to execute an agreement for a three-year period beginning December 1, 2013 – November 30, 2016 with AmeriNational Community Services, Inc. in the amount not to exceed \$303,855.00.

The staff report indicated that the Mortgage Loan Servicing Review Committee comprised of staff from the Department of Community Development, the Department of Equal Opportunity/Equity Assurance, the Finance Department and the City Manager's Office, prepared a Request for Proposal for comprehensive loan servicing. The RFP was designed to solicit responses to assist the Department of Community Development in effectively servicing the City's loan portfolio.

Three proposals were received for Mortgage Loan Servicing: Dovenmuehle Mortgage, Inc. of Lake Zurich, Illinois, Ofori & Associates , PC of Raleigh, North Carolina, and AmeriNational Community Services, Inc. of Downey, California.

Council Member Catotti asked what was the cost of the mortgage servicing from Dovenmuehle Mortgage and said she understood they were ineligible for a variety of reasons.

Community Development Director Reginald Johnson said he did not have the cost with him; however, it was higher and the primary reason they were ruled out was because of state law.

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Council Member Brown asked what has AmeriNational done for the city under the previous contract – how many loans did they administer; how many are delinquent and what is the actual role of this loan servicing company, why does the city need to spend \$303,855.00.

Community Development Director Reginald Johnson replied it is about 630 loans; the delinquency is 7.3 percent; and role of the servicer is to receive loans payments; and said the city does not have the capacity in house to provide this type of administration for the loans.

Council Member Brown asked what percentage of the loans are in arrears.

Community Development Director Reginald Johnson said the number of loans past due for 30 to 59 days is 19 loans; 60 to 89 days is 13 loans and greater than 90 days is 65 – total past due is 97.

Council Member Brown asked how much service is the city receiving from this loan servicing company, what type of process do they have for trying getting paid.

Community Development Director Reginald Johnson said they do have collections in terms of sending letters; also letters are prepared within the department.

Council Member Brown said the loan servicer's role is not very satisfactory.

Community Development Director Reginald Johnson said it also needs to be taken into consideration the population they are working with as well as the nature of the economy we have just come through. He said he would not suggest that changing loan servicer would automatically decrease the delinquency rate by itself.

Council Member Brown asked in terms of qualifying people for the loans, is the city being strict enough.

Community Development Director Reginald Johnson said they do have specific guidelines but after a person qualifies for a loan and is able to get in the house it does not speak to whether they may have a medical issue, the loss of a job, or perhaps another difficulty which could affect their loan payment.

City Manager Bonfield commented on the city's standards vs. what they were back in the 90's.

Council Member Brown asked has anyone done an analysis (we are talking about \$100,000 a year) of what it would take to do this in-house, is there a possibility of savings vs. continuing with AmeriNational.

Community Development Director Reginald Johnson said they have not done a direct analysis; however, it would take more than 2 people to do it and that is more than \$100,000.

Mayor Bell said it might be helpful to have staff provide their procedures in terms of loan collections.

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Mayor Pro Tempore Cole-McFadden said in the past a listing of all the loans were shared with the council.

City Manager Bonfield said yes they has been provided to the council in the past. He said he has been working with the staff for several months to revise and revamp the loan portfolio and beginning with the next report that will be shared with the council.

**Subject: City of Durham Local Priority List for Transportation Projects**

To approve the list of transportation projects for submission by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization to the North Carolina Department of Transportation's Prioritization 3.0 process.

The staff report indicated that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) has requested that its member jurisdictions provide a list transportation projects to be considered for funding in the FY 2016-2022 Transportation Improvement Program (TIP). Development of the TIP is coordinated with the NC Department of Transportation (NCDOT) through a process called Prioritization 3.0. The DCHC MPO will be submitting a list of highway, transit, bicycle, pedestrian, and rail projects in January that will be scored by the State and the MPO based on a variety of transportation metrics by May 2014. The MPO will then apply local ranking points to projects by July 2014. The draft TIP is expected to be released by December 2014 with final approval by July 2015. The submission of projects is the first step in the process to develop the TIP.

Ellen Beckman, of the Transportation Department, said this is for the submission of projects and they are planning to have the TAC to endorse in January 2014.

Council Member Catotti said the ideal way would be the TAC to make a recommendation to this body. She asked did the TCC recommend these or did the Durham staff.

Ellen Beckman said this recommendation is from the Durham staff.

Council Member Catotti requested the staff provide the lists of all potential transportation projects that were considered in developing the staff's recommended list of projects.

The transportation department will provide this information prior to the November 18<sup>th</sup> meeting.

**Subject: Ordinance Amendment to Section 70-51, 57 and 61 of the City Code and Part 15-102A and B of the City's Fee Schedule**

To adopt an Ordinance amending Section 70 of the City's Ordinance and Part 15-102A and B of the City's fee schedule.

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The staff report indicated the proposed amendments to the ordinance and fee schedule will make clear for employees and customers the specific billing practices used for correction of errors and assessment of fees to ensure compliance with existing laws and regulations.

The City ordinance currently is silent regarding how the City will correct under- or over-billed water and/or sewer charges. Adding provisions for dealing with errors and omissions to the Utility section of the City ordinance will clarify for customers and staff the calculation and processing of billing mistakes and oversights.

City ordinance Section 70-57(g) allows the setting of a fee to recoup the cost of city employees visiting a customer's premises for the purposes of meter service, leak investigation or other purpose not covered elsewhere in the ordinance. This amendment clarifies when such charges may and may not be assessed. The ordinance also includes establishment of a fee separate from the service initiation fee.

The City ordinance Section 70-61 allows the setting of a fee to recoup the cost of city employees visiting property for the purposes of turning water on or off per the customer's request if the premises will be vacant for 30 days or more. There are currently no charges in the City's fee schedule for these services.

Water Management Director Don Greeley briefed the council on this item.

Council Member Moffitt requested the inclusion of Section 70-58 be included as part of the staff's memo.

**Subject: Holloway Street Local Historic District Expansion**

To receive a presentation on the Holloway Street Local Historic District Expansion.

The staff report indicated the Cleveland-Holloway Preservation Plan was adopted in 1987 with the creation of the Cleveland-Holloway Local Historic District. The Planning Department has undertaken an update to, and expansion of, the district in response to a petition submitted by residents of the district. The update includes additional history, corrected references, updated inventory of structures in the district, and minor revisions to the local review criteria. The expansion is a zoning map change to expand the existing historic overlay and roughly encompasses the area added to the National Register nomination for the districts in 2009. This report is provided as an informational item only. The zoning map change and Plan update are scheduled for a public hearing at the November 18, 2013 City Council meeting.

Earlier in the meeting, City Manager Bonfield requested that this item be referred back to the administration.

The following citizens spoke on this item:

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Mark Galifianakis said they just found out that staff was proposing to pull this item for reconsideration/further study. He said their concern is that they own property in the affected area that is proposed to be rezoned and this process has been going on for over a year and a half. He said there is over 130 parcels impacted by this. Mr. Galifianakis said it is a historic preservation plan but it is also a rezoning and a lot of folks are in limbo. He requested a vote by the council be taken on this item (up or down) instead of the item just hanging out there pending.

James Bradford said this is affecting many property owners, property changing hands in that neighborhood, with people renovating and investing. He said they met with investors this week, they have people in town this week doing appraisals and their lenders are ready to proceed and they needed to have this settled.

City/County Planning Director Steve Medlin said this is not just a rezoning request, it is actually a combination of a historic district plan and a rezoning to potentially implement that historic overlay district. He said with a historic preservation plan there is a lot of elements that come into play, including as the council is aware, they are going through the process working on consolidating their review criteria. Mr. Medlin said his concern with moving forward very aggressively is that they are in the process of changing that criteria and have not had an opportunity to reach out to the community to advise them of what is being done specifically as it may relate to their properties and they want to be able to do that. He said they also want to be able to address some issues that have come up as late as this past week - a number of additional property owners potentially requesting their property be removed from the boundaries of that district and the staff has not had adequate time to review that. Mr. Medlin said they certainly respect the desire of Mr. Galifianakis and Mr. Bradford trying to bring this to a resolution. He said they wanted to move forward as quickly as well, but he could not in good conscience bring to council a plan that he did not feel comfortable with. Mr. Medlin said they were struggling to come up with a timeline for this to come back before the council. Mr. Medlin also said an applicant can submit a site plan at any time under the current regulations and if an application were to come in today, it would be held to those rules.

Mayor Bell referenced the City/County Planning Department's work plan presented at the recent Joint City/County Planning Committee meeting. He asked that this work plan be added to the Joint City/County Committee agenda meeting scheduled for Tuesday, November 12, 2013.

Council Member Moffitt requested that the City/County Planning Department's Work Plan be placed on the next work session agenda.

**Subject: Durham Housing Authority Board of Commissioners – Appointment**

To appoint a citizen to fill one vacancy on the Durham Housing Authority Board of Commissioners with the term to expire on September 28, 2018.

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City Clerk Gray was asked to contact all the applicants who were not recommended and ask if they would be interested in having their application considered for Mr. Haley's vacant seat on the board.

**Subject: Contract Amendment with Carter Goble Associates, LLC Professional Services for Additional Consulting Services for Police**

To authorize the City Manager to execute a contract amendment with Carter Goble Associates, LLC in the amount of \$280,000.00 so that the total contract amount will not exceed \$429,977.00 for the Durham Police Department Master Facility Program.

The staff report indicated that the General Services Department and Durham Police Department (DPD) continue the site selection analysis for the new Police Headquarters and Annex Facility. Further, the General Services Department continues to advance the 911 Center facility project. Accordingly, a contract amendment with the existing public protection master plan consultant, Carter Goble Associates, LLC (Carter Goble) is recommended for additional expert consulting services that will advance the progress of work to include further site analysis, cost estimating, site functional relationship planning and review of technical engineering factors.

The proposed additional consulting scope of work includes:

1. Support for Police Headquarters/Annex site acquisition process, including review and analysis of surveys, geotechnical data, utility data provided by City and program cost estimates.
2. Police Headquarters/Annex Facility program validation, and site adaptation
3. Project Procurement and Delivery Method analysis for Police HQ/Annex, including evaluation of cost, schedule and project delivery recommendations.
4. Aid in development of Police HQ Design and Construction Procurement documents for design and construction.
5. 911 Operations Center program validation and development of design procurement documents

This request is for authorization to issue a contract amendment with Carter Goble for additional services for the Police HQ/Annex and 911 Center project development process.

General Services Director Joel Reitzer said this contract was a continuation of expert consulting services received from Carter Goble throughout the programming and planning and this item outlines the broad array of support services that are required that will go all through the design process, perhaps another year's worth of work.

Mayor Pro Tempore Cole-McFadden asked if there was local present on this contract.

City Manager Bonfield said that will be the next phase once they get to design and construction and goals will be set forth.

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**Subject: Duke Energy Residential Neighborhood Program**

To receive a presentation on Duke Energy's Residential Neighborhood Program.

The Residential Neighborhood Program is an energy efficiency program targeting Duke Energy's low-income residential customers. The Residential Neighborhood Program will provide information and energy conservation measures to encourage and reduce energy consumption and costs. The program will be provided to selected neighborhoods at no cost to the residents.

Durham has been selected by Duke Energy's Residential Neighborhood Program to receive free products and services intended to lower their residents' electric bills. An Energy Specialist will visit homes in the selected neighborhoods to perform FREE walk-through assessments and show residents where their homes are wasting energy. Duke Energy will also provide the residents with up to 16 energy-savings products and services that could help them save money on their electric bills. These energy-saving measures can cost up to \$210, but will be giving to residents for free – and Duke Energy will install them also.

Evans Taylor, Program Manager of Duke Energy, provided a power point presentation as follows:

**Residential Neighborhood Program**

- An energy efficiency program targeting DEC's low-income customers
- Delivered by neighborhood segments
- Provides each resident: Home energy assessment; installation of several energy conservation measures; and energy education that will enable the residents to make behavioral changes to reduce and control energy usage

**Residential Neighborhood Program Target Market – Eligibility**

- Eligible neighborhoods are those defined segments of PEC customers where approximately 50% of the households have incomes equal to or less than 200% of the federal poverty level
- DEC determines eligible neighborhoods
- DEC prioritizes neighborhoods and specifies the implementation order

**Residential Neighborhood Program Energy Conservation Measures**

- Compact Fluorescent Lights
- Water Heater Wrap & Insulation for Water Pipes
- Water heater temperature check and adjustment
- Low Flow Faucet Aerator
- Low Flow Showerhead
- Wall Plate Thermometer

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- AC Winterization Kit
- A year's supply of HVAC filters
- Change Filter Calendar
- Air Infiltration Reduction Measures

#### Program Implementation

- Marketing – work with local community leaders, notify residents in advance, build awareness & acceptance of program in the community and arrange access to customer residence
- The Home Improvement Process involves teams of surveyors and installers going door-to-door delivering services to each customer's residence (energy assessment; installation of measures; and energy education)

Mr. Taylor said they have provided this in other locations, particularly in North and South Carolina, which has been very successful servicing over 21,000 homes. Mr. Taylor said the program can apply to those residents who own or rent.

The council thanked Duke Energy for selecting Durham to be a part of this program.

City Manager Bonfield said they will also put Duke Energy in contact with the City's Neighborhood Improvement Services Department to assist in anyone they can.

#### **Subject: Status Report on the NC54/I-40 Corridor Study**

To receive a report from the Chair of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Technical Coordinating Committee on the NC54/I-40 Corridor Study.

The staff reported indicated that the Joint City-County Planning Committee requested that both governing boards be presented with a staff report on the NC54/I-40 Corridor Study. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) retained a consultant to conduct the NC 54/I-40 Corridor Study in 2009. The purpose of the study was to analyze land use and transportation issues along NC 54 between I-40 and Fordham Boulevard, evaluate opportunities and challenges for future development in the corridor, and recommend short and long-range solutions and strategies. The resulting Transportation-Land Use Master Plan employs several strategies to accomplish its objectives, including a land use and development concept, developing park and ride facilities, significant expansion of local transit service, bike and pedestrian improvements, and roadway improvements. Implementing the Master Plan will require the actions of many varied implementation partners over several decades.

Andrew Henry, of the City's Transportation Department also provided a power point presentation on the NC-54/I-40 Corridor Blueprint For Mobility Final Master Plan.

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**Subject: Downtown Loop Waterline Replace and Water Meter Upgrades**

To receive a presentation on the Downtown Loop Waterline Replacement and Water Meter Upgrades.

The staff report indicated that many of the City's existing water distribution lines in the downtown area are 100 years old. A number of the lines were replaced during the 2005 Chapel Hill Street/Main Street streetscaping project. In this project, the Department of Water Management plans to replace all City water distribution lines within the downtown loop not included in the previous project. In addition to improving the water flow capacities of the water lines to meet current and future redevelopment needs, this project will also complete water meter upgrades along the affected streets.

Design plans for these replacements are currently under permitting review; construction is planned to occur in two phases. Phase 1 will begin around April 2014, with Phase 2 beginning around March 2015.

A power point presentation was also provided referencing the following:

- Project overview; 2-way conversion conformance
- Existing waterlines (Hillandale Dual Waterline Replacement Project)
- Utility Conflicts (Chapel Hill/Main Street Streetscape Project)
- Pedestrian and Traffic Impacts
- Impacts to Businesses and Residents
- Project Timeline
- Typical Construction
- Daytime & Nighttime (Pros and Cons)
- Notification and Communication Plan

**Subject: Homeless Services Advisory Suggested Modifications to Roadside Solicitation Ordinance #14375**

To receive the suggested modifications to roadside solicitation Ordinance #14375 from the Homeless Services Advisory Committee.

The Homeless Services Advisory Committee convened a subcommittee to review the City of Durham's Roadside Solicitation Ordinance #14375. The subcommittee provided proposed revisions to the ordinance and other recommendations to the full committee at its June 26, 2013 meeting. At its August 21, 2013 meeting, the Homeless Service Advisory Committee adopted a formal resolution recommending proposed revisions to Ordinance #14375 and other recommendations to the City Council, in partial fulfillment of its role as an advisory committee to the City Council on matters impacting people who are homeless in Durham. The Homeless Services Advisory Committee has recommended a loosening of restrictions to allow solicitors to cross a road's travel lanes and approach a car.

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The Durham City Council had a discussion on considering further changes to the City's ordinance pertaining to roadside solicitation.

Council Member Moffitt spoke against allowing solicitors to walk out into a roadway.

Council Member Schewel spoke in favor of the ability to approach from the driver's side while retaining existing rules on soliciting along interstate on-ramps and from highway medians. He spoke in favor of loosening the rules because there are some people who cannot find a solution to their troubles from social services for reasons such as disability; mental illness or other issues.

Although Mayor Bell voted in support of the current ordinance, he said he did not see the issue of solicitation as a priority when it came before council initially, and did not have a problem with roadside solicitation as long as there was not aggressive solicitation and littering. Also, he was not in favor of persons walking out into the roadway.

Mayor Pro Tempore Cole-McFadden expressed concern with solicitors begging near homes and referenced complaints from homeowners/residents.

Council Member Catotti said she was not comfortable making changes related to approaching vehicles, due to safety.

Council Member Brown spoke in support of the current ordinance which was revised December 2012. Also he referenced the citizens that have contacted council members thanking them for the current ordinance that was passed in December.

John Bowman, a member of the Homeless Services Advisory Committee, said most of the issues that have been circulated were addressed by the subcommittee and by the HSAC level. He said they tried to address aggressive panhandling and they put in revisions for that and litter. He said he would like to be invited to review and discuss the draft with the city attorney and staff in order to keep the subcommittee and the HSAC who much so much time into this informed.

This item was referred back to the city administration and the city attorney who will review the council suggestions/advice and recommend revisions to the ordinance. City Manager Bonfield said it might not be perfect; however, they will bring something back to the council for consideration.

City Clerk Gray announced that Jeffery Scott Clark received 6 votes for appointment to the Human Relations Commission and Larry Yon received 5 votes for appointment to the Durham Housing Authority Board of Commissioners.

**Settling the Agenda – November 18, 2013 Meeting**

**November 7, 2013**

City Manager Bonfield announced the following items for the November 18, 2013 City Council meeting agenda: Consent Items 1 thru 5; 7 thru 18; 31 and 32. GBA Public Hearings Items 23 – 28.

**Motion** by Council Member Moffitt seconded by Council Member Schewel to settle the agenda for the November 18, 2013 City Council meeting as stated by the City Manager.

The motion was approved by a vote of 6/0 at 4:07 p.m.

**Closed Session – 4:07 p.m.**

**Motion** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to go into closed session regarding attorney-client consultation (settling or handling of one or more claims), pursuant to G.S 143.318.11(a)(3).

The motion was approved by a vote of 6/0 at 4:07 p.m.

**Open Session – 4:28 p.m.**

**Motion** by Council Member Schewel seconded by Council Member Brown to return to open session.

The motion was approved by a vote of 6/0 at 4:28 p.m.

No action was taken by the council in open session.

There being no further business to come before the council, the meeting was adjourned at 4:28 p.m.

D. Ann Gray, MMC, NCCMC  
City Clerk