

**FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
EXECUTIVE CONFERENCE ROOM
MARCH 26, 2012
6:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2) (arrived at 6:10 p.m.); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7) (arrived at 6:15 p.m.); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Others Present:

Kristoff Bauer, Assistant City Manager

Karen McDonald, City Attorney

Brian Leonard, Assistant City Attorney

Lisa Smith, Chief Financial Officer

Patricia Bradley, Police Attorney

Members of the Press

Mayor Chavonne called the meeting to order at 6:00 p.m.

MOTION: Council Member Bates moved to go into closed session for consultation with the attorney for an attorney-client privileged matter, a personnel matter, and litigation in the matter of the *City of Fayetteville v. Bill and Sophia Agapion*.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (8-0)

The regular session recessed at 6:10 p.m. The regular session reconvened at 6:45 p.m.

MOTION: Council Member Hurst moved to go into open session.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (10-0)

MOTION: Council Member Crisp moved to authorize release of the following closed session minutes:

- 1. January 24, 2011 - Consultation with the Attorney regarding litigation involving Festival Park Plaza.**
- 2. March 14, 2011 – Consultation with the Attorney regarding litigation involving Festival Park Plaza.**
- 3. March 23, 2011 - Consultation with the Attorney in the matter of a personal injury claim involving William C. Williams.**
- 4. March 23, 2011 – Consultation with the Attorney regarding litigation involving Festival Park Plaza.**
- 5. April 11, 2011 - Consultation with the Attorney in the matter of a personal injury claim involving Williams C. Williams.**
- 6. April 26, 2011 - Consultation with the Attorney regarding recommendation on Festival Park Plaza Financing Project.**
- 7. May 9, 2011 – Discussion of an economic development matter.**
- 8. May 9, 2011 – Consultation with the Attorney in the matter of a personal injury claim involving William C. Williams.**

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

MOTION: Mayor Pro Tem Arp moved to accept the resignation and release agreement tendered by the City Manager and to authorize the Mayor to execute the agreement on behalf of the City.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (10-0)

MOTION: Council Member Hurst moved to appoint Kristoff Bauer as the Interim City Manager.

SECOND: Council Member Fowler

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Applewhite)

Ms. Karen McDonald, City Attorney, explained that based on Council's action, she had been advised by the Chief Financial Officer, Ms. Lisa Smith, that a budget amendment would be necessary. She then distributed the proposed budget amendment.

Council members expressed concern regarding the budget amendment and directed that the Chief Financial Officer provide a budget amendment for \$215,000.00 for the City Manager's compensation and to hire the City Manager search firm Colin Baenziger & Associates in the amount of \$22,500.00.

There being no further business, the meeting adjourned at 6:55 p.m.