

**MINUTES OF SPECIAL MEETING
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10TH FLOOR CONFERENCE ROOM
2400 WASHINGTON AVENUE
August 11, 2009
11:45 A.M.**

PRESENT: Sharon P. Scott; Tina L. Vick; Joseph C. Whitaker; Dr. Patricia P. Woodbury;
Herbert H. Bateman, Jr.; Joe S. Frank; and Madeline McMillan-----7

ABSENT: None-----0

OTHERS PRESENT: Stuart E. Katz-----1

After ascertaining that proper meeting notice had been provided to each member of City Council, Mayor Frank called the meeting to order and stated the meeting was being held for the following purpose:

(1) To call a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia, 1950, as amended, subsection: (1) a discussion or consideration of the annual evaluation of the performance of the City Manager.

Councilwoman Scott moved for a closed meeting under section and reason cited above; seconded by Councilwoman Vick.

Vote on Roll Call:

Ayes: Scott, Vick, Whitaker, Woodbury, Bateman, Frank, McMillan

Nays: None

(Closed Session 11:45 p.m. – 2:23 p.m.)

After reconvening in open session, Councilwoman Scott moved to certify that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the Council. Motion seconded by Councilman Bateman.

Vote on Roll Call:

Ayes: Scott, Vick, Whitaker, Woodbury, Bateman, Frank, McMillan

Nays: None

Councilwoman Scott moved, in accord with Section 4.13 of the Newport News City Charter, that City Council issue a notice of the intention of the City Council to remove the City Manager from his position, and pursuant to the written statement of the grounds therefor, which was hereby provided by the City Council and delivered to him. The notice of intention to remove the City Manager indicates that the City Manager may be heard to respond to the grounds for removal in the Newport News City Council Chambers at 10:00 a.m. on August 25, 2009; seconded by Councilwoman Vick.

Vote on Roll Call:
Ayes: Scott, Vick, Whitaker, Woodbury, McMillan
Nays: Bateman, Frank

Councilwoman McMillan moved that the Newport News City Council place the City Manager on administrative leave, and in accord with Section 5.06 of the Newport News City Charter, designate Neil A. Morgan, a properly qualified person, to the position of Acting City Manager, to exercise and perform all of the duties and powers of the City Manager until the appointment of his successor, with a salary adjustment of \$10,000.00 added to his current salary; seconded by Councilwoman Woodbury.

Vote on Roll Call:
Ayes: Scott, Vick, Whitaker, Woodbury, Bateman, Frank, McMillan
Nays: None

(RECESS: 2:05 p.m. – 2:15 p.m.)

Vice Mayor Whitaker moved to reconsider, in accord with Section 4.13 of the Newport News City Charter, that City Council issue a notice of the intention of the City Council to remove the City Manager from his position, and pursuant to the written statement of the grounds therefor; seconded by Councilman Bateman.

Vote on Roll Call:
Ayes: Vick, Whitaker, Bateman, Frank, McMillan
Nays: Scott, Woodbury

Councilwoman Vick moved, in accord with Section 4.13 of the Newport News City Charter, that City Council issue a notice of the intention of the City Council to remove the City Manager from his position, and pursuant to the written statement of the grounds therefor, which was hereby provided by the City Council and delivered to him. The notice of intention to remove the City Manager indicates that the City Manager may be heard to respond to the grounds for removal in the Newport News City Council Chambers at 10:00 a.m. on August 25, 2009; seconded by Councilman Bateman.

Vote on Roll Call:
Ayes: Scott, Vick, Woodbury, McMillan
Nays: Whitaker, Bateman, Frank

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 2:23 P.M.

Mabel Washington Jenkins, CMC
City Clerk

Joe S. Frank
Mayor
Presiding Officer

A true copy, teste:

City Clerk