

In The Matter Of:
In Re: City Council Meeting
Doraville, Georgia

July 15, 2013

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CITY COUNCIL MEETING
CITY OF DORAVILLE
STATE OF GEORGIA

Transcript of the Council meeting held
in the City Council Room at Doraville City
Hall, 3725 Park Avenue, Doraville, Georgia;
Mayor Donna Pittman presiding, before
Theresa Bretch, Certified Court Reporter, on
July 15, 2013 at 6:30 p.m.

* * *

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1 PROCEEDINGS
2 MAYOR PITTMAN: Meeting come to order.
3 Please rise for the Pledge.
4 ---
5 (Pledge of Allegiance)
6 ---
7 MAYOR PITTMAN: Thank you, and welcome to
8 everyone.
9 We are going to do a special presentation
10 tonight. Tonight we'd like to take minute to honor a
11 very special restaurant; we are going to honor Gu's
12 Bistro.
13 The restaurant was closed in honor of Chef
14 Gu last month and his wife in reference to their
15 wedding anniversary; correct? So we missed you last
16 month and we're going to go ahead and move forward
17 with it now. We'd like to welcome Yvonne Khan, Chef
18 Gu's daughter and the restaurant manager.
19 Gu's Bistro is one of the many outstanding
20 restaurants in Doraville but they were recently named
21 one of Atlanta's 50 Best Restaurants by the Atlanta
22 Journal Constitution, and that's quite an honor.
23 They've also been honored by Atlanta Magazine and have
24 received rave reviews by critics and publications
25 throughout Metro Atlanta.

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1 APPEARANCES:
2 Doraville City Council:
3 Mayor Donna Pittman
4 Councilmember Maria Alexander
5 Councilmember Brian Bates
6 Councilmember Trudy Jones Dean
7 Councilmember Pam Fleming
8 Councilmember Karen Pachuta
9 Councilmember Robert Patrick
10
11 Dr. Shawn Gillen, City Manager
12 Sandra Bryant, Acting City Clerk
13
14 Cecil G. McClendon, Jr., City Attorney
15 Riley McLendon, LLC
16 315 Washington Avenue
17 Marietta, GA 30060
18 (770) 590-5900
19
20
21
22
23
24
25

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1 So in honor of their achievements and
2 contributions to our local economy, I would like to
3 present this proclamation to Yvonne.
4 And if you haven't tried it, you should go
5 by. It's really, really good.
6 Congratulations.
7 MS. YVONNE KHAN: Thank you.
8 MAYOR PITTMAN: So do you want to say
9 anything, either one of you?
10 MS. KHAN: My dad has start -- he has been a
11 chief for over 30 years, and so it's authentic Chinese
12 Szechuan.
13 CHEF GU: It's located in the same strip
14 mall as the Burlington which is just maybe a mile from
15 here.
16 MAYOR PITTMAN: And it's very, very good, so
17 you should try it. So thank you so much.
18 CHEF GU: Thank you.
19 ---
20 (Applause)
21 ---
22 MAYOR PITTMAN: If you'd call the roll,
23 please.
24 CLERK BRYANT: Councilmember Alexander?
25 COUNCILMEMBER ALEXANDER: Here.

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1 CLERK BRYANT: Councilmember Bates?
 2 COUNCILMEMBER BATES: Here.
 3 CLERK BRYANT: Councilmember Dean?
 4 COUNCILMEMBER DEAN: Here.
 5 CLERK BRYANT: Councilmember Fleming?
 6 COUNCILMEMBER FLEMING: Here.
 7 CLERK BRYANT: Councilmember Patrick?
 8 COUNCILMEMBER PATRICK: Here.
 9 MAYOR PITTMAN: We need approval of minutes
 10 for June 17th, 2013.
 11 COUNCILMEMBER ALEXANDER: So moved.
 12 MAYOR PITTMAN: Second?
 13 COUNCILMEMBER PACHUTA: Second.
 14 MAYOR PITTMAN: Discussion?
 15 - - -
 16 (No response)
 17 - - -
 18 CLERK BRYANT: Councilmember Alexander?
 19 COUNCILMEMBER ALEXANDER: Yes.
 20 CLERK BRYANT: Councilmember Bates?
 21 COUNCILMEMBER BATES: Yes.
 22 CLERK BRYANT: Councilmember Dean?
 23 COUNCILMEMBER DEAN: Yes.
 24 CLERK BRYANT: Councilmember Fleming?
 25 COUNCILMEMBER FLEMING: Yes.

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1 CLERK BRYANT: Councilmember Pachuta?
 2 COUNCILMEMBER PACHUTA: Yes.
 3 CLERK BRYANT: Councilmember Patrick?
 4 COUNCILMEMBER PATRICK: Yes.
 5 MAYOR PITTMAN: Okay. Thank you. And for
 6 the record, Number 11 under New Business, Traffic
 7 Study, that will be removed. And when did you want
 8 that back on the agenda?
 9 COUNCILMEMBER PATRICK: For August. As soon
 10 as we have a policy.
 11 MAYOR PITTMAN: Thank you.
 12 Okay. Next is going to be Public Comments
 13 on Agenda Items.
 14 We do have several public hearings tonight;
 15 so in order to get your comments on these public
 16 hearings for the record, if you would like to withhold
 17 your comments on particular subjects that are under
 18 public hearing, you may do so. Otherwise, if you'd
 19 like to come forward and make a comment on agenda
 20 items only, please.
 21 - - -
 22 (No response)
 23 - - -
 24 MAYOR PITTMAN: All right. We're going to
 25 close that portion.

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1 Chief, did you have anything?
 2 CHIEF JOHN KING: No, ma'am.
 3 MAYOR PITTMAN: And Ms. Ferguson, I believe
 4 you're next.
 5 This is the -- I believe we discussed last
 6 time -- the Draft Surplus Policy and also first read
 7 on Ordinance to Revise the Disposition of Property
 8 provisions in Chapter 2 of the City Code.
 9 MS. LISA FERGUSON: Yes, ma'am.
 10 What we need tonight is --
 11 MAYOR PITTMAN: Excuse me. Do we know where
 12 the microphone is?
 13 - - -
 14 (Assistance from City technical staff)
 15 - - -
 16 MAYOR PITTMAN: If you want to go ahead and
 17 talk, well, just talk loud, please.
 18 MS. FERGUSON: I'll try to talk loud.
 19 Last time, we went over the draft surplus
 20 policy, and so this time, I just need to know if
 21 anybody has any questions. And if they do, I'll be
 22 happy to answer them; and if they don't, then we just
 23 need a motion to pass it.
 24 MAYOR PITTMAN: Okay. Ms. Alexander?
 25 COUNCILMEMBER ALEXANDER: No, ma'am.

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1 MAYOR PITTMAN: Mr. Bates?
 2 COUNCILMEMBER BATES: No, ma'am.
 3 MAYOR PITTMAN: Ms. Pachuta?
 4 COUNCILMEMBER PACHUTA: No.
 5 MAYOR PITTMAN: Mr. Patrick?
 6 COUNCILMEMBER PATRICK: No.
 7 MAYOR PITTMAN: Ms. Fleming?
 8 COUNCILMEMBER FLEMING: No.
 9 MAYOR PITTMAN: Ms. Dean?
 10 COUNCILMEMBER DEAN: I have one question.
 11 Under the transfer part of it where we transfer to
 12 other governmental units such as schools, munici-
 13 palities, counties, etc. -- I asked this last time,
 14 and we talked about giving things to other cities as
 15 well.
 16 MS. FERGUSON: Uh-huh.
 17 COUNCILMEMBER DEAN: Instead of doing that,
 18 could we change this or at least talk about giving it
 19 to other departments or schools, etc., within
 20 Doraville, or, if not, give it to a nonprofit group?
 21 MS. FERGUSON: We're not allowed to give
 22 things to nonprofits because of the gratuity law, and
 23 Cecil can explain that better.
 24 COUNCILMEMBER DEAN: Okay. No. That's all
 25 right. I believe you. That's it.

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1 MS. FERGUSON: The preferred method of
2 dealing with this is to try to find someplace in the
3 City to put it, and we do actually cover that in the
4 first sentence of that transfer section, but we -- you
5 know. We also put the option to go to another
6 municipality or another government if we, you know,
7 seek it.

8 COUNCILMEMBER DEAN: Okay. Thank you.

9 MAYOR PITTMAN: Okay. Thank you.

10 If there's nothing further, does anyone wish
11 to entertain a motion?

12 COUNCILMEMBER ALEXANDER: I make a motion to
13 accept the new Surplus Property policy as presented.

14 MAYOR PITTMAN: Second?

15 COUNCILMEMBER BATES: Second.

16 MAYOR PITTMAN: Discussion?

17 ---
18 (No response)
19 ---

20 MAYOR PITTMAN: Call the roll, please.

21 CLERK BRYANT: Councilmember Alexander?

22 COUNCILMEMBER ALEXANDER: Yes.

23 CLERK BRYANT: Councilmember Bates?

24 COUNCILMEMBER BATES: Yes.

25 CLERK BRYANT: Councilmember Dean?

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1 COUNCILMEMBER DEAN: Yes.

2 CLERK BRYANT: Councilmember Fleming?

3 COUNCILMEMBER FLEMING: Yes.

4 CLERK BRYANT: Councilmember Pachuta?

5 COUNCILMEMBER PACHUTA: Yes.

6 CLERK BRYANT: Councilmember Patrick?

7 COUNCILMEMBER PATRICK: Yes.

8 MAYOR PITTMAN: Okay. Thank you.

9 MS. FERGUSON: Okay. The second part of
10 what I have tonight is an ordinance now that we have
11 passed the surplus policy to remove the surplus
12 language from the ordinance. And Lenny was so kind as
13 to draft this so that it references the policy we just
14 adopted and took all the conflicting language out of
15 the ordinance.

16 MAYOR PITTMAN: Okay. Does anyone have
17 questions? Anyone on this end have questions?

18 ---
19 (No response)
20 ---

21 MAYOR PITTMAN: Anyone on this end?

22 COUNCILMEMBER ALEXANDER: Huh-uh.

23 MAYOR PITTMAN: Okay. It's the first read?

24 MS. FERGUSON: Yeah, this is the first read.

25 This'll come back the next time.

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1 MAYOR PITTMAN: Okay. All right. Thank you
2 so much.

3 COUNCILMEMBER BATES: Thank you.

4 MAYOR PITTMAN: Next, the public hearings.
5 First is the application for rezoning of
6 parcel Number 18 310 04 028 located at 5859 New
7 Peachtree Road from C-2 Commercial to CT Commercial
8 Transition.

9 MR. COOLEY: Good evening, Mayor and
10 Council.

11 I won't repeat that, but I will add for the
12 record this is parcel No. 18 310 04 028 at 5859 New
13 Peachtree. This is a rezoning request from C-2 to CT.

14 You saw one of these not too long ago. It's
15 by the same applicant. This is one of the properties
16 that were identified in the 2008 ordinance that was
17 intended for parcels that have existing roll-up doors.
18 There's a pretty good description of it in your
19 packet.

20 Basically it meets all the criteria. Split
21 zoning was never allowed in those portions, and it has
22 not been requested. It's one parcel. Basically, the
23 idea of it originally and my understanding was to make
24 existing businesses legal conforming uses under the CT
25 zoning where they're currently legal nonconforming

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1 under C-2 or require conditional use permits.

2 This was before the Planning Commission, and
3 the Planning Commissioner's here that may wish to
4 speak to it in a moment; but their recommendation was
5 4-0 vote to deny, recommendation to deny.

6 Basically the staff's recommendation, it
7 does meet the criteria of Section 23-914 for the
8 rezoning C-2 to CT. It was established for specific
9 properties, and this is one of which it was
10 established. We see no -- any problem with it as far
11 as the conditions that would be required on top of
12 anything, and the staff recommendation is for
13 approval.

14 The applicant, I believe, is here.

15 Be happy to answer any questions you might
16 have, and I'm sure --

17 MAYOR PITTMAN: Okay. Ms. Gilman, did you
18 have anything you wanted to say on behalf of the
19 Planning Commission?

20 COMMISSIONER GILMAN: Mayor, only if Council
21 has questions. I believe our report aligns with
22 staff's report, but if you have questions --

23 MAYOR PITTMAN: Okay. Thank you.
24 Ms. Alexander?

25 COUNCILMEMBER ALEXANDER: No, ma'am.

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1 MAYOR PITTMAN: Mr. Bates?
 2 COUNCILMEMBER BATES: No.
 3 MAYOR PITTMAN: Ms. Pachuta?
 4 COUNCILMEMBER PACHUTA: No.
 5 CLERK BRYANT: Councilmember Patrick?
 6 COUNCILMEMBER PATRICK: Just a quick
 7 question for my colleagues who have been here a little
 8 longer.
 9 What was the purpose of the CT zoning back
 10 in the day?
 11 COUNCILMEMBER PACHUTA: When we changed --
 12 and actually, the C-2 zoning got changed before I was
 13 on Council. I think that was 2008. It bas- -- and
 14 these were existing buildings that are a little bit
 15 unusual. They're usually things that you see more in
 16 a light industrial area than a C-2. It basically made
 17 everything that was in there legal nonconforming, and
 18 then new businesses, the new CT -- C-2 are not
 19 businesses that would normally fit in those buildings,
 20 and these buildings have been there 40/50 years and
 21 were perfectly legal for 40/50 years.
 22 So the CT was viewed as a transition,
 23 recognizing that these buildings have been in
 24 existence for a long time, and helping, especially
 25 when the economy was slow and sometimes they had

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1 vacancies; that once those vacancies disappeared for
 2 six months, the new C-2 businesses didn't fit well in
 3 those buildings at all, and you were basically just
 4 creating empty buildings where new business can go in.
 5 So that was the idea behind it, was because
 6 this is kind of -- it's sort of a transitional zoning.
 7 COUNCILMEMBER BATES: Yeah, just to further
 8 on that, there were -- this -- when C-2 was changed,
 9 it took a lot of -- as Karen said, a lot of some
 10 light-industrial uses out of the C-2 zone, which these
 11 properties are perfect for, like glass cutters and
 12 motorcycle repair and those types of things that we
 13 deliberately moved out of the C-2.
 14 They got caught up in a -- you know, in a
 15 catch. And to have them put in, you know, an
 16 accounting firm or a restaurant in those businesses
 17 wasn't a good fit; I mean it doesn't make sense. So
 18 this was -- this was a very long and painful process
 19 for us.
 20 Right, Pam?
 21 COUNCILMEMBER FLEMING: Absolutely.
 22 COUNCILMEMBER BATES: So it was four months?
 23 five months?
 24 COUNCILMEMBER PACHUTA: And it was four or
 25 five months of multiple public hearings and multiple

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1 meetings and multiple public comments and hours and
 2 hours and hours of discussion coming up with
 3 businesses we -- we picked -- We deleted some of the
 4 more onerous light industrial uses and picked out uses
 5 that were closer to what your traditional C-2 would be
 6 while recognizing that these are clearly buildings
 7 with storage and roll-up doors, that they're not going
 8 to be an attorney's office or something like that.
 9 COUNCILMEMBER BATES: We also --
 10 COUNCILMEMBER PACHUTA: So --
 11 COUNCILMEMBER BATES: -- were very
 12 restrictive on where the C-T could be. It is limited
 13 to certain identified parcels. It's limited to
 14 parcels or buildings that have a roll-up door, and --
 15 and it's restricting them to less than three acres.
 16 So we didn't want these uses to expand outside of
 17 basically the New Peachtree corridor but we wanted to
 18 provide some very definitive answers as to where they
 19 could go.
 20 COUNCILMEMBER FLEMING: And at that time,
 21 also, if I'm not mistaken -- and correct me if I am
 22 incorrect -- we specified the actual addresses --
 23 COUNCILMEMBER BATES: Yes.
 24 COUNCILMEMBER FLEMING: -- that they applied
 25 to as well.

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1 COUNCILMEMBER BATES: Yeah.
 2 COUNCILMEMBER FLEMING: And this is one of
 3 them.
 4 COUNCILMEMBER BATES: Six or seven parcels
 5 only.
 6 COUNCILMEMBER PACHUTA: Yeah. And -- and we
 7 did go through every single use that had been
 8 previously in C-2 and the uses in light industrial and
 9 the new uses and took out ones that we thought were
 10 not something that would be compatible with -- with
 11 the changing and -- changing corridor.
 12 MAYOR PITTMAN: Okay. Ms. Fleming?
 13 COUNCILMEMBER FLEMING: No.
 14 MAYOR PITTMAN: Ms. Dean?
 15 COUNCILMEMBER DEAN: Yes.
 16 So this was supposed to be kind of a
 17 transition, right, transitional period; but for how
 18 long? Is this going -- I mean is this going to be
 19 forever?
 20 COUNCILMEMBER PACHUTA: Oh. Well, I can --
 21 I imagine that as New Peachtree eventually gets
 22 redeveloped, those buildings will be torn down,
 23 probably. I mean I can't -- they're older buildings.
 24 But that is not the case right now, hasn't --
 25 COUNCILMEMBER DEAN: So there's no --

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1 COUNCILMEMBER PACHUTA: -- hasn't been the
2 case in this.
3 COUNCILMEMBER DEAN: -- time on it?
4 COUNCILMEMBER FLEMING: We didn't adopt a
5 specific time frame of how long CT would be in effect.
6 MAYOR PITTMAN: If everyone could speak up;
7 they're having difficulty out there, hearing, please.
8 COUNCILMEMBER DEAN: Does any other city in
9 the state of Georgia have CT zoning?
10 COUNCILMEMBER PACHUTA: I can't answer that
11 question. I know of other communities -- I don't know
12 about Georgia -- that do have a transitional zoning,
13 including my home town, that recognizes especially
14 areas that have been industrial.
15 And as my city that I grew up in went from
16 6,000 when I was born to over 150,000 now, and it has
17 changed some of those industrial areas to what they
18 call transitional zone, recognizing that the city has
19 grown up around those areas.
20 So I know I -- I can't re- -- I mean I
21 believe this came up, perhaps, but I just can't
22 remember off the top of my head. But I know from my
23 own personal experience, yes.
24 COUNCILMEMBER DEAN: Well, I have looked in
25 Georgia and I have been unable to find any city that

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1 has C-2 zoning. So my question is, Why not leave it a
2 legal nonconforming use with a specific amount of time
3 to then upgrade or perhaps renovate the buildings so
4 that it can be upgraded and conform more to what our
5 LCI Plan, what our Comp Plan is? That's my question.
6 MR. COOLEY: That really is a policy
7 question for the Council. I'm basically going on the
8 application and what's allowed by code, but I assume
9 those are things that y'all discussed when you adopted
10 this, to some point, but I'm not aware of --
11 COUNCILMEMBER DEAN: Well, we weren't -- we
12 weren't -- I wasn't on Council then.
13 COUNCILMEMBER PACHUTA: Well, and I think
14 our packet mentions trying to determine if something
15 is a legal nonconforming use and how long has it been
16 vacant. Staff -- time-consuming for staff and for
17 applicants and confusing for applicants.
18 And at the same time, I do think New
19 Peachtree Road will get redeveloped, and I don't even
20 see these buildings remaining at that point. They're
21 old buildings; they're not necessarily something's
22 that's going to be in a downtown center.
23 But for the meantime, that is what we have;
24 and it is time consuming for staff to figure out
25 what's legal nonconforming, what isn't, what -- you

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1 know, and --
2 COUNCILMEMBER BATES: Well, the other issue
3 with the legal nonconforming, let's take a glass
4 cutter that was allowed in the old C-2, not allowed in
5 the new C-2. If there were no glass cutters in any of
6 those buildings, there is no legal nonconforming; it's
7 just plain not allowed. So if a -- if, you know,
8 Brian's Glass Cutter Shop wanted to open up a business
9 over there, sorry.
10 COUNCILMEMBER DEAN: Right.
11 COUNCILMEMBER BATES: Not allowed.
12 COUNCILMEMBER DEAN: Right. Right, right.
13 COUNCILMEMBER BATES: So --
14 COUNCILMEMBER DEAN: May I have -- I have a
15 question for the Planning Commission, Ms. Gilman.
16 It says on the report that the PC, the
17 Planning Commission, voted 4 to 0 to recommend that
18 Council and the TC zoning -- I mean the CT zoning --
19 COMMISSIONER GILMAN: There was a
20 discussion; there was a vote. And subsequently, we
21 will be offering a proposal to Council because we want
22 to take into consideration what Mr. Bates and
23 Mr. Pachuta just said but with how we are developing
24 as a city, how we are discussing form-based code, how
25 we have brought on a city manager, and really focus on

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1 economic development. We think that is -- that is
2 part of the conversation, and so we want to come back
3 to Council with something more to say than what's in
4 our report, but we certainly wanted to give Council a
5 heads-up that we were thinking about that.
6 Now, as regards this particular property,
7 it's somewhat different from the last property that
8 was submitted by Mr. Stokes in that there is
9 residential property adjacent to this property. And
10 that subject matter -- had a lot of conversation at
11 the Planning Commission meeting about quality of life,
12 about the absence of some type of buffer between those
13 buildings, the rear of those buildings that back up to
14 the apartments.
15 And we believe it's worthy of conversation
16 that, in the meantime, waiting for redevelopment and
17 anticipating redevelopment, that perhaps we could
18 address creating a buffer, some type of landscape,
19 some type of streetscape, and I expect that would be
20 part of policy. But again, we want to bring that to
21 the attention of Council as part of our evaluation at
22 our last meeting of this application.
23 Does that make sense?
24 COUNCILMEMBER DEAN: Uh-huh. Yes, it does.
25 And just to be clear, the Planning

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1 Commission voted unanimously to not approve this?
 2 COMMISSIONER GILMAN: Yes. Yes, that was --
 3 it was unanimous.
 4 COUNCILMEMBER DEAN: Okay.
 5 COMMISSIONER GILMAN: That's correct.
 6 COUNCILMEMBER DEAN: Okay. All right.
 7 Here's something: that this, to me, seems very much
 8 like spot zoning also because it's on an isolated
 9 property.
 10 The Comp Plan does not support CT. The Comp
 11 Plan calls for the property to be a Highway Commercial
 12 district, and, thus, there's no need to rezone it,
 13 because right now as it is zoned, it's already at its
 14 highest and most efficient use.
 15 And my biggest question is -- well, two more
 16 questions: What benefit is it to the City to change
 17 it to CT? And number two is, Did the applicant --
 18 there were two Planning Commission meetings where this
 19 was on the agenda. Did the applicant show up at
 20 either one of those meetings?
 21 COMMISSIONER GILMAN: The applicant was
 22 absent from the meetings. But the first meeting that
 23 the applicant missed the meeting, he did ask someone
 24 to be there on his behalf -- two very nice gentlemen
 25 -- however, they weren't familiar with the zoning

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1 issue and could not participate.
 2 We did make every effort to wait at the July
 3 3rd meeting for the applicant, rearranging the agenda
 4 item on the agenda. And Mr. Stokes had not arrived by
 5 the end of the meeting; that's correct.
 6 COUNCILMEMBER DEAN: Okay. And the benefit
 7 to the City if we --
 8 Mr. Cooley?
 9 MAYOR PITTMAN: Thank you, Ms. Gilman.
 10 COUNCILMEMBER DEAN: Thank you.
 11 MR. COOLEY: Again, that is something that
 12 is part of the discussion that y'all need to have as
 13 far as that's a policy issue as far as several Council
 14 members have already said what their intent was.
 15 There are a number of businesses --
 16 I was curious, so I went actually back
 17 through and looked at some of the things that were not
 18 allowed in C-1 or C-2, and C-2 by the fact that they
 19 are in C-1. And there are things -- there's a huge
 20 number, but it's things like animal grooming and
 21 veterinary services without overnight kennels, burglar
 22 and fire alarm sales-and-installation offices,
 23 blueprint duplicating shops, car and passenger stereo
 24 and audio-video; cleaning, maintenance and janitorial
 25 supplies; computer sales of new and used merchandise

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1 and service.
 2 Service is the key there -- a lot more
 3 service oriented it appears from what they were going
 4 through and picking out. A lot of the things that are
 5 allowed in the C-2 really is restricted to new sales,
 6 and this seemed to be more geared towards service,
 7 repairs, things of that sort. Consult -- some
 8 interesting ones too: consulting scientist with or
 9 without laboratories, dental fitting with a lab. Most
 10 places don't have the lab. Dog obedience training.
 11 Drapery shops with on-site fabrication. Drapery shops
 12 are allowed in C-1 and C-2 but without fabrication.
 13 So the gist of what I got, fence instal-
 14 lation offices, seem to be geared more towards repair,
 15 service and installation, what you typically would not
 16 find in fire code would not be allowed in the C-1 and
 17 C-2.
 18 COUNCILMEMBER DEAN: Are there any legal
 19 nonconforming uses in CT?
 20 MR. COOLEY: I don't know what all is
 21 actually in every individual unit so I really can't
 22 answer that. There possibly could be. Anything
 23 that's allowed now that's in place would continue as a
 24 legal nonconforming use; yes, ma'am.
 25 COUNCILMEMBER PATRICK: Joe, if the Council

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1 in the future were to go with the smart code, how
 2 would that affect allowable uses on that property?
 3 MR. COOLEY: Depends how it's adopted,
 4 whether it's done as an overlay or if it's a mandatory
 5 rezone.
 6 If it's mandatory rezone, anything -- all
 7 businesses within that area will fall under the
 8 regulations of the -- the form-based code.
 9 Anything allowed currently and that
 10 continues would be the same way: It'd be a legal
 11 nonconforming use until some point six months where it
 12 would actually go out.
 13 So basically it would make all uses
 14 throughout the whole area of the LCI -- you know,
 15 anything that's there could stay, basically. But the
 16 -- the uses in the form-based, I don't want to get too
 17 much into that right now, but the uses in the form-
 18 based are pretty broad. It still restricts the things
 19 that the City does not want to see in the Code.
 20 MAYOR PITTMAN: Mr. Bates?
 21 COUNCILMEMBER BATES: I was just going to
 22 respond that the reason why CT wouldn't be in our Comp
 23 Plan was the CT zone was created after the Comp Plan
 24 was done, so the Comp Plan wouldn't have contemplated
 25 a transitional zoning because it didn't exist.

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1 COUNCILMEMBER DEAN: Well, my biggest
2 concern about the CT is that I looked and I could not
3 find any other city in the state of Georgia that has
4 CT zoning.
5 And while Ms. Pachuta, your home town may
6 have that in place --
7 And I looked hard, because I wanted to see
8 some good examples of how it was used, so that I mean
9 it's not in our Comp Plan or it wasn't implemented
10 when our Comp Plan was created; but it's not -- it
11 hasn't been implemented in any other city --
12 COUNCILMEMBER PACHUTA: Well --
13 COUNCILMEMBER DEAN: -- in Georgia either.
14 COUNCILMEMBER PACHUTA: -- I mean we came up
15 with the name CT, Commercial Transition.
16 COUNCILMEMBER DEAN: Right.
17 COUNCILMEMBER PACHUTA: There are lots and
18 lots and lots of other cities that have more divisions
19 of zoning than we do -- that have more than C-1, C-2,
20 O/I, you know --
21 COUNCILMEMBER DEAN: Right, right.
22 COUNCILMEMBER PACHUTA: -- that have maybe
23 20 classifications or 30 classifications. And some of
24 those classifications probably include things that
25 we've included in the CT; they're --

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1 COUNCILMEMBER DEAN: Right.
2 COUNCILMEMBER PACHUTA: -- just not called
3 CT.
4 COUNCILMEMBER DEAN: Right. I understand.
5 COUNCILMEMBER PACHUTA: So I'm not sure that
6 that's a good comparison.
7 COUNCILMEMBER BATES: And we -- just to
8 further expand on that, we -- we debated ad nauseam
9 calling it C-3.
10 COUNCILMEMBER DEAN: Right.
11 COUNCILMEMBER FLEMING: Correct, because
12 Dekalb County does indeed have greater than C-1
13 and C-2.
14 COUNCILMEMBER BATES: And we made the
15 decision that -- and Legal at the time made the
16 recommendation that if you create this C-3, you're
17 creating something that could be deemed in perpetuity
18 because of the transference; whereas, a CT is very
19 much as it stands -- transitional, where it can --
20 COUNCILMEMBER DEAN: Okay. But if we have a
21 legal nonconforming use -- and the way it's zoned now,
22 if we changed the zoning, then it's no longer going to
23 be a legal nonconforming use; is that correct?
24 COUNCILMEMBER PACHUTA: It potentially would
25 be a --

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1 COUNCILMEMBER BATES: It could be --
2 COUNCILMEMBER PACHUTA: -- legal.
3 COUNCILMEMBER BATES: -- legal.
4 MR. COOLEY: Could be legal.
5 COUNCILMEMBER PACHUTA: It could make it
6 legal.
7 COUNCILMEMBER DEAN: Because we would allow
8 things in CT that we would not allow in C-2.
9 COUNCILMEMBER PACHUTA: Correct.
10 COUNCILMEMBER DEAN: But if it's legal --
11 COUNCILMEMBER PACHUTA: But we took out some
12 of the more onerous or heavier industrial stuff that
13 had been in I believe it was O/I --
14 Was it O/I before? Or no. It was in the
15 old C-2; is that correct?
16 COUNCILMEMBER BATES: Yeah.
17 COUNCILMEMBER PACHUTA: But when we narrowed
18 the C-2, the narrowing was not -- did not fit these
19 properties that we've had in the city for 50 years --
20 COUNCILMEMBER DEAN: Okay.
21 COUNCILMEMBER PACHUTA: -- so --
22 MAYOR PITTMAN: All right. Mr. Cooley,
23 thank you.
24 At this time, we're going to open the public
25 hearing portion.

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1 COUNCILMEMBER BATES: We need to hear from
2 the applicant.
3 MAYOR PITTMAN: Oh. Mr. Stokes, I'm sorry.
4 Did you want to speak? I apologize. Come on up.
5 MR. DEANE STOKES: I didn't -- I heard part
6 of what was said but I didn't hear everything that was
7 said. I'm Deane Stokes.
8 I built that unit in 1974. It's in
9 excellent shape. The original zoning of C-2 did allow
10 everything that is in there today. Then it was
11 changed, as we know. The C-2 zoning was changed along
12 the way to a -- to what really doesn't fit office-
13 warehouse type of zoning.
14 I'll be the first to say I'm a developer.
15 I've built throughout the county and other parts of
16 Georgia. And when the time is ripe for an upgrade, if
17 you want to say an upgrade, to another higher type of
18 commercial, I'll be right in front to do it because
19 that's what we do.
20 Something was brought up about -- Well,
21 first of all, I had my office manager, a fellow I've
22 known for years, show up the first time. And the
23 second time, I flat just missed it. We had a -- I had
24 a new granddaughter who was born the same day, and I
25 was -- I just missed it.

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1 Anyway, the apartments that you're speaking
2 about residential next door, that's an anomaly in
3 there. Everything up and down the street is -- is
4 commercial in nature, office/warehouse nature.
5 And I'll answer any questions you-all have.
6 MAYOR PITTMAN: Mr. Stokes, we're going to
7 open the public hearing portion.
8 COUNCILMEMBER BATES: I -- I --
9 MAYOR PITTMAN: Do you have a question?
10 COUNCILMEMBER BATES: Just out of curiosity,
11 we passed CT in 2009.
12 COUNCILMEMBER PACHUTA: Or '10.
13 COUNCILMEMBER BATES: Yeah, 2010. It's
14 2013. Why --
15 MR. STOKES: I know I should have done it
16 earlier.
17 COUNCILMEMBER BATES: Why the -- why the
18 wait?
19 MR. STOKES: I don't have a good answer for
20 that.
21 We did go ahead with rezoning on Buford
22 Highway, and I was filled up at the time at Doraville
23 Square and just didn't do it. Don't have any good
24 reason.
25 COUNCILMEMBER ALEXANDER: So do you have a

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1 hundred percent occupancy?
2 MR. STOKES: Back then I did.
3 COUNCILMEMBER ALEXANDER: Do you now?
4 MR. STOKES: No. I've got, let's see, two
5 -- three units, although I think that I'll be down to
6 one unit with what I'm talking about.
7 MAYOR PITTMAN: Okay. Ms. Pachuta, do you
8 have anything?
9 COUNCILMEMBER PACHUTA: No.
10 MAYOR PITTMAN: Mr. Patrick?
11 COUNCILMEMBER PATRICK: Just a clarifi-
12 cation. One unit is occupied or one unit is vacant?
13 MR. STOKES: Oh, vacant. No, it's -- it's
14 been -- the people that are in there have been there
15 for a number of years. It's a good mix of people.
16 It's a safe facility; it's a clean facility. I've got
17 a man that cleans up every day. It's -- I think it's
18 an attractive facility, four buildings, and we keep
19 them pretty well occupied.
20 COUNCILMEMBER FLEMING: Now you're talking
21 about Doraville Square; is that right?
22 MR. STOKES: Doraville Square.
23 COUNCILMEMBER FLEMING: Okay. So you only
24 have one vacancy presently.
25 MR. STOKES: No.

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1 I've got -- I've got three: one that just
2 came up -- well, one had just come up. But I've got
3 -- I believe two of those are in the talking stages
4 and I've got leases out on one of them, but --
5 And I'm sorry. Two. I did make one lease
6 this week, so it'll be down to two units --
7 COUNCILMEMBER DEAN: I'm good.
8 COUNCILMEMBER FLEMING: Thank you.
9 MR. STOKES: -- that are vacant.
10 MAYOR PITTMAN: Okay. Anything else from
11 Council?
12 Mr. Stokes, thank you.
13 MR. STOKES: Thank you.
14 MAYOR PITTMAN: We're going to open the
15 public hearing portion.
16 Okay. At this time, we are going to open
17 the public hearing portion. If you wish to speak on
18 this agenda item, please come forward, state your name
19 for the court clerk, and you have 10 minutes. That's
20 10 minutes total, so if you speak for 10 minutes, no
21 one else will be able to speak.
22 Those wishing to speak for, please come
23 forward.
24 MR. STUART ANDERSON: Stuart Anderson.
25 The application is relative to why we had

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1 that effort to make the CT, put that in place so that
2 business owners could make use of it, and that's all
3 he's asking to do. Thank you. I'm for it.
4 MAYOR PITTMAN: Anyone else wishing to speak
5 for?
6 - - -
7 (No response)
8 - - -
9 MAYOR PITTMAN: Okay. Anyone wishing to
10 speak against please come forward.
11 MS. SUSAN CRAWFORD: Susan Crawford,
12 Oakcliff.
13 I remember when the CT was discussed ad
14 nauseam, and I believe it was Mr. Bates who suggested
15 the CT as a temporary fix. And as I recall, there was
16 a time limit put on it, but apparently that was not
17 written in the actual ordinance. The time limit was
18 two years, six months, something like that.
19 It may be an anomaly, but there is an
20 apartment complex very, very close to that
21 development, which is very nice. I went by and looked
22 at it; it is very attractive.
23 And congratulations on your new
24 granddaughter.
25 MR. STOKES: Facility's been there over 30

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1 years, 40 years.
2 MAYOR PITTMAN: Shh, Mr. Stokes.
3 MS. CRAWFORD: No. I said that it looks,
4 you know, like it's kept up nicely. It's in good
5 shape.
6 MR. STOKES: But the apartments --
7 MAYOR PITTMAN: Mr. Stokes, this is public
8 hearing, sir. I need you to remain silent, please.
9 Thank you.
10 MS. CRAWFORD: And I realize it is in a
11 redevelopment area, but for the people who live in the
12 apartments, it's very relevant right now. And the
13 apartments do really abut that property. I mean you
14 could put in a buffer, you could put in hedges but
15 they're still right -- when I went by, there were
16 children playing right almost in that area, in the
17 parking lot.
18 And anything -- a zoning change that would
19 bring about anything detrimental to those residences
20 nearby in the way of noise pollution or air pollution
21 or quality of life or property values is not good.
22 So thank you.
23 MAYOR PITTMAN: Anyone else wishing to speak
24 against?
25 MR. JOHN WEST: I got here just in time.

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1 What do I do? Speak my name and --
2 MAYOR PITTMAN: Yes, sir.
3 MR. WEST: John West.
4 This is about the teen club; right?
5 MAYOR PITTMAN: No, sir.
6 MR. WEST: Then, I'm going to sit back down.
7 My neighbor told me about, and I --
8 MAYOR PITTMAN: At least we know who you are
9 now.
10 All right. We're going to close the public
11 hearing portion.
12 Do you have anything else you wanted to add?
13 MR. COOLEY: No, ma'am, unless --
14 MAYOR PITTMAN: Okay. Any questions?
15 MR. COOLEY: -- you've got questions.
16 MAYOR PITTMAN: Ms. Alexander?
17 COUNCILMEMBER ALEXANDER: No, ma'am.
18 MAYOR PITTMAN: Mr. Bates?
19 COUNCILMEMBER BATES: (Shakes head)
20 MAYOR PITTMAN: Ms. Pachuta?
21 COUNCILMEMBER PACHUTA: No.
22 MAYOR PITTMAN: Mr. Patrick?
23 COUNCILMEMBER PATRICK: No.
24 MAYOR PITTMAN: Ms. Fleming?
25 COUNCILMEMBER FLEMING: No.

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1 MAYOR PITTMAN: Ms. Dean?
2 COUNCILMEMBER DEAN: No.
3 MAYOR PITTMAN: Okay. Does anyone wish to
4 entertain a motion?
5 COUNCILMEMBER FLEMING: I'd like to make a
6 motion to approve the rezoning of property parcel
7 number 18 310 04 028 located at 5859 New Peachtree
8 Road from C-2 to CT Commercial Transition.
9 MAYOR PITTMAN: Okay. Do I get a second?
10 COUNCILMEMBER PACHUTA: Second.
11 MAYOR PITTMAN: Discussion?
12 ---
13 (No response)
14 ---
15 MAYOR PITTMAN: Call the roll, please.
16 CLERK BRYANT: Councilmember Alexander?
17 COUNCILMEMBER ALEXANDER: No.
18 CLERK BRYANT: Councilmember Bates?
19 COUNCILMEMBER BATES: Yes.
20 CLERK BRYANT: Councilmember Dean?
21 COUNCILMEMBER DEAN: No.
22 CLERK BRYANT: Councilmember Fleming?
23 COUNCILMEMBER FLEMING: Yes.
24 CLERK BRYANT: Councilmember Pachuta?
25 COUNCILMEMBER PACHUTA: Yes.

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1 CLERK BRYANT: Councilmember Patrick?
2 COUNCILMEMBER PATRICK: Yes.
3 MAYOR PITTMAN: Motion carries. Thank you.
4 (To Mr. Deane) It passed, sir.
5 Next on the agenda is the application for a
6 Conditional Use Permit for Teen Dance Club in the CT
7 zoning district at 5938 Buford Highway, Suites 108 and
8 109, and I will let you give us the parcel number.
9 MR. COOLEY: Again, the parcel -- for the
10 record, the parcel number is 18 337 030 01, and that
11 is in Units -- I've got it here.
12 COUNCILMEMBER FLEMING: 108 and 109.
13 MR. COOLEY: -- 108 and 109. Thank you,
14 ma'am.
15 COUNCILMEMBER FLEMING: You're welcome.
16 MR. COOLEY: It's here somewhere.
17 This is a conditional use permit for a dance
18 club. There is no specific designation of teen dance
19 club within our ordinance. It does allow it by
20 conditional use in the CT zoning district, does not
21 allow alcoholic beverages. You are probably all
22 familiar with this. This is Plaza I shopping center.
23 Based upon the analysis we did, the parking
24 is not a problem because when the -- according to the
25 development plans when it was originally developed, it

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1 was -- parking spaces were allocated on a one-per-200-
 2 square-foot ratio, and when actually our code is one-
 3 to-300. One-to-200 actually meets the requirements of
 4 a congregation area without fixed seating, so there
 5 should be no effect as far as the parking goes.
 6 The adjacent prop- --
 7 MAYOR PITTMAN: [To the audience] I'm
 8 sorry. If you wish to speak, I need you to step
 9 outside. That's okay. You know, it makes it very
 10 difficult for her to hear. Thank you.
 11 MR. COOLEY: The adjacent properties to the
 12 northwest across New Peachtree Road are zoned M-1,
 13 properties to the north and south on Buford Highway
 14 are zoned C-2, and the property directly across Buford
 15 Highway are commercial properties but they're in
 16 unincorporated Dekalb County.
 17 As you know, that there are eight standards
 18 when you're considering conditional use permits within
 19 your packet, that we go one by one and make comments.
 20 I'll be happy to answer any questions, but for the
 21 sake of time, I won't go through each one unless you
 22 wish.
 23 The -- when this was before the Planning
 24 Commission, the vote was 2 to 2. The motion was to
 25 deny, and it didn't go anywhere. And because of the

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1 fact that I think it's Section 2-40 that requires the
 2 Planning Commission to carry a vote by the next time
 3 that they meet or it goes as a non-vote, so this comes
 4 to you as a non -- excuse me; as a non-recommendation.
 5 So this comes to you as a non-recommendation because
 6 there was a 2 to 2 split on the motion.
 7 Staff's concerns basically relate to
 8 increased traffic at certain times of the night, that
 9 this does have ingress/egress on New Peachtree and on
 10 Buford Highway.
 11 I guess the other concern that the applicant
 12 did address at the Planning Commission meeting and I'm
 13 sure will tonight is the patrolling, I guess, of the
 14 outside of the actual confines of the use.
 15 I think that is my largest concern is how
 16 that will be policed. There -- there's parking on
 17 both sides of the facility, so you've got, really,
 18 parking all the way around the building. That is
 19 always a difficulty enforcing and monitoring.
 20 And so, you know, there's three options I
 21 would say: you know, Council can move to deny, move
 22 to approve or move to approve with conditions.
 23 Staff's recommendation is if you do go for
 24 approval, that conditions be placed on it regarding
 25 the security on the outside of the building.

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1 MAYOR PITTMAN: Thank you. And I heard the
 2 applicant is here. Okay.
 3 MR. COOLEY: Any questions from Council?
 4 MAYOR PITTMAN: Well, Ms. Gilman, did you
 5 have anything you wanted to add?
 6 COMMISSIONER GILMAN: (No verbal response.)
 7 MAYOR PITTMAN: Okay. Ms. Alexander?
 8 COUNCILMEMBER ALEXANDER: No, ma'am.
 9 MAYOR PITTMAN: Okay. Mr. Bates?
 10 COUNCILMEMBER BATES: (Shakes head)
 11 MAYOR PITTMAN: Ms. Pachuta?
 12 COUNCILMEMBER PACHUTA: I have a question.
 13 You may not know the answer to this; Ms. Fleming might
 14 know.
 15 The houses that are behind the Plaza I, that
 16 are -- even though they're C-2, they've been legal
 17 nonconforming actual residences for 50 or more years.
 18 Is there just one now that residents are living in?
 19 COUNCILMEMBER FLEMING: Mr. Hansard.
 20 COUNCILMEMBER PACHUTA: Okay.
 21 MR. COOLEY: I believe the other has been
 22 converted to commercial use.
 23 COUNCILMEMBER PACHUTA: One of the two --
 24 MAYOR PITTMAN: There's actually two.
 25 COUNCILMEMBER PACHUTA: -- converted, but I

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1 believe --
 2 MAYOR PITTMAN: There's two.
 3 COUNCILMEMBER PACHUTA: -- one occupant
 4 passed away last year or something, so --
 5 MAYOR PITTMAN: There's two residential.
 6 Sorry. Mr. Hansard owns both. They're both occupied.
 7 Okay. Thank you.
 8 Sir, did you have anything you wish to say?
 9 MR. DARNELL GASKINS: Good evening. My name
 10 is Darnell Gaskins. I'm the owner-operator of Club
 11 Hollywood. I come before you today in the hopes of a
 12 majority approval vote of a teen dance-hall venture
 13 that I engaged in.
 14 COUNCILMEMBER FLEMING: Sir, I'm sorry to
 15 bother you. Raise the microphone, because I can
 16 barely hear you over here. Tip it toward you.
 17 MR. GASKINS: Oh.
 18 COUNCILMEMBER FLEMING: There you go. Thank
 19 you very much.
 20 MR. GASKINS: I apologize.
 21 Club Hollywood first and foremost would be a
 22 non-alcoholic beverage establishment at all times.
 23 This dance hall would focus on the entertainment of
 24 high school adolescents between the ages of 14 to 17
 25 years old between the hours of 7:00 p.m. and 11:00

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1 p.m. on Fridays and Saturday nights.
2 Therefore, a minimum of two Doraville -- two
3 Doraville police officers will be stationed outside
4 along with four deputy sheriffs inside, one at each
5 door, for a total of five including myself. The heavy
6 law-enforcement presence is in place to deter any acts
7 of irresponsible behavior by anyone that is in
8 attendance.
9 Club Hollywood's business model is a for-
10 profit corporation. Portions of the revenue collected
11 will be injected back into the community for various
12 community outreach programs with the main focus being
13 on after-school tutoring free of charge for anyone
14 that needs academic help or use of a computer.
15 Apparent in my concern as a business owner
16 and as a citizen is the safety and enjoyment -- safety
17 and enjoyment of my customers and fellow business
18 owners as well as the quality of life for the
19 residents in the area. I will make every attempt to
20 dampen any noise that the dance hall will make --
21 excuse me -- dampen any noise that the dance hall will
22 make, to cut down on the sound. I will not allow
23 patrons to stand and wander outside of the building.
24 While I'm aware of various adult-based
25 businesses in the area, I believe that those

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1 businesses which operate legally within the city will
2 continue to abide by the law and not allow any
3 underage admittance into their establishment.
4 The target of the patrons of Club Hollywood,
5 as I stated earlier, is 14 to 17, so I anticipate a
6 high percentage of the patrons will be dropped off and
7 picked up by parents, therefore alleviating any
8 concern for minors attempting to engage in any
9 inappropriate activity.
10 City of Doraville has an 11:59 curfew on the
11 operating nights of this establishment, so no music
12 will be played beyond 11:00 p.m. to ensure that the
13 curfew is respected.
14 Safety measures that are in place, as I
15 stated earlier, are heavy law-enforcement presence;
16 also -- also there are four exits total: two that
17 offer double-door exits, two rear exits that offer
18 single-door access. There are fire extinguishers
19 located throughout the facility as well as a overhead
20 sprinkler system.
21 There will be a zero tolerance of any gang
22 activity -- you know, for example, tee shirts,
23 bandannas, flashing signs, handshakes, etc. No
24 standing around will be permitted outside.
25 I would like for this venue to be a joint

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1 partnership with the community and offer various free
2 services that can benefit kids academically as well as
3 -- as well as adults in terms of computer classes,
4 insurance education, health and nutrition and so on.
5 Anything that I can do to help benefit
6 anyone, I am in total support of. If I am not able to
7 help, I will at least put them in contact with an
8 organization that can assist them.
9 While I understand that concerns involved in
10 -- while I understand that there are concerns involved
11 with this venue, I have taken a proactive stance to
12 address any issues that I feel that may arise. While
13 we do not live in a perfect world, I will do my best
14 to maintain and sustain a responsible and respectable
15 establishment.
16 The benefits I feel that this venue will
17 bring far exceed any legitimate negatives that I can
18 think of. I would appreciate your support in granting
19 me the conditional use permit for this establishment.
20 Any concerns and issues that the Council may
21 have, I would gladly work with the City and community
22 to come up with a mutual understanding to tackle those
23 issues.
24 MAYOR PITTMAN: Thank you, sir.
25 Ms. Alexander, do you have questions for the

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1 applicant?
2 COUNCILMEMBER ALEXANDER: No, ma'am.
3 MAYOR PITTMAN: Mr. Bates?
4 COUNCILMEMBER BATES: I -- I have several.
5 First, the -- the dates and times that you
6 just read conflict with the application that was
7 submitted. The application stated Saturday nights
8 between 8:00 and 1:00 a.m. This evening you stated
9 Friday and Saturday nights from 7:00 to 11:00 p.m.
10 Which is correct?
11 MR. GASKINS: Well, tonight's.
12 When I came initially, as I had spoke with -
13 - as I had told the Planning and Zoning Commission, I
14 couldn't find anything as far as a curfew goes. But
15 obviously the 1 o'clock -- you know, the 1 o'clock
16 close time, that would be a problem, so that's why I
17 changed that.
18 COUNCILMEMBER BATES: What's your expected
19 attendance for either Friday or Saturday night?
20 MR. GASKINS: Well, of course, you know,
21 we'd like a packed house, but --
22 COUNCILMEMBER BATES: Well, how many is a
23 packed house? Quantify that for me.
24 MR. GASKINS: According to with our life
25 zones, it's 250.

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1 COUNCILMEMBER BATES: Okay. And you're
 2 going to be charging a cover, I'm assuming; right?
 3 MR. GASKINS: Yes, sir. \$10.00, sir.
 4 COUNCILMEMBER BATES: And so it will remain
 5 vacant the balance of the time?
 6 MR. GASKINS: Well, if -- it will be open
 7 for, you know, anyone who would like to, you know,
 8 have a -- you know, have a gathering place, you know,
 9 as long as it doesn't conflict with anything that I
 10 have going on.
 11 COUNCILMEMBER BATES: Are you going to rent
 12 it out or --
 13 MR. GASKINS: Yes, sir. Yes, sir.
 14 COUNCILMEMBER BATES: To what types of
 15 establishments?
 16 MR. GASKINS: I mean that's what I -- that's
 17 what I was saying. Anyone that -- you know, anyone
 18 that -- you know, some -- you know, just a gathering
 19 place. You know, there is no -- there's no kitchen,
 20 so there's no food. Just a gathering-place type of --
 21 you know, just a gathering-place type of venue if
 22 you'd like to throw a wedding there or, you know,
 23 things of that nature.
 24 COUNCILMEMBER BATES: What's the plan to
 25 mitigate the noise? We've had in the past and

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1 occasionally still have businesses where they will
 2 have a late-night event, and you open the door and you
 3 can hear -- hear the music for -- for blocks and
 4 blocks and blocks.
 5 MR. GASKINS: Well, in terms of that area
 6 there, after I drove around like you -- you know, like
 7 you were speaking earlier, on New Peachtree, there's,
 8 you know, one or two houses directly behind the
 9 building. Down the street further, that neighborhood
 10 is, you know, approximately a half mile, three
 11 quarters of a mile. On the south side of Buford
 12 Highway, that starts the residential area.
 13 I don't have any problem with putting up
 14 noise buffers, you know, inside of the -- you know,
 15 inside of the facility; but let's keep in mind the
 16 only music that you -- you know, like you said, when
 17 the door will open. But if you're not standing
 18 outside, if you're inside your house down the street,
 19 I really can't see how -- you know, I really can't see
 20 how that would impede -- you know, how that would
 21 affect people that's, you know, down -- you know, way
 22 down the street.
 23 COUNCILMEMBER BATES: Okay. Well, respect-
 24 fully I disagree with you because it does and you can.
 25 MR. GASKINS: Okay.

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1 COUNCILMEMBER BATES: So thank you.
 2 COUNCILMEMBER PACHUTA: Yeah. I guess one
 3 of my concerns is the noise, because when there was a
 4 club on New Peachtree Road close to that, those of us
 5 in Oakcliff heard them all the time.
 6 But my other concern too is renting it out
 7 as an event facility, because here we are to approve
 8 it -- or you're asking us to approve it as a teen
 9 dance club, but then we're going to have no control if
 10 it's going to be operating as an event facility on
 11 other nights, and I'm not sure how that fits in with
 12 the zoning of what you're proposing, so --
 13 MR. GASKINS: Oh. Well, you know, if that
 14 would be a issue, I mean quite simply, I would -- I've
 15 had, you know, a few of my neighbors, they asked about
 16 having religious con- -- you know, religious
 17 congregations there. Nothing -- you know, nothing in
 18 the aspect of a entertainment-type facility, because,
 19 like I said, that's my -- you know, that's -- you
 20 know, that's my bread and butter for the building.
 21 But in terms of like I said, you know, for a
 22 gathering in terms of like, you know, for religious or
 23 a meeting -- you know, a type of business meetings or
 24 anything like that, you know -- I would not be opposed
 25 to letting it be used for that facilities; but nothing

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1 that will conflict with anything that will have to do
 2 with -- you know, violating the -- you know, the use
 3 of the license -- or the permit, I should say.
 4 MAYOR PITTMAN: Just curious. What is
 5 your -- we all would like to think that parents are
 6 great parents and will pick their kids up and drop
 7 their kids off and do what they're supposed to do, but
 8 what happens on the evening when you have multiple
 9 children that are not being picked up?
 10 MR. GASKINS: Well, that's the whole point
 11 in the closing at 11 o'clock. You know, we have six
 12 officers there, and, like I said, seven including
 13 myself.
 14 So unfortunately, like you said, we would
 15 like to think that parents would be responsible, but
 16 in the event that they're not, well, we will hold them
 17 to the same standard as if, you know, you catch a --
 18 you know, if you found a kid walking down the street
 19 at 3 o'clock in the morning; you know, you take them
 20 to, you know, RYDC or just whatever.
 21 You know, you make every attempt available
 22 to -- you know, to, you know, get in contact with the
 23 parents. But after you've exhausted all of that, you
 24 have to take them -- you know, I don't want to say
 25 into custody but that's more or less, you know, what

1 we're left with.

2 COUNCILMEMBER PATRICK: As a father with two
3 daughters, what do you think a 14-year-old and an
4 18-year-old are going to do together?

5 MR. GASKINS: Well --

6 COUNCILMEMBER PATRICK: And I hate to ask
7 that very blunt question, but I remember being an 18-
8 year-old, and 14-year-olds were not who I wanted to
9 associate with. But 14-year-olds invariably want to
10 hang out with someone who's older and worldlier and
11 maturer, and I -- How is it putting them in the same
12 room is a good idea?

13 MR. GASKINS: Well, number one, I have a 14-
14 year-old daughter, myself. And then so if a 18-year-
15 old boy is talking to my 14-year-old daughter, that's
16 illegal. I mean, well, I wouldn't say talking to them
17 is illegal but once we -- you know, the world that we
18 live in, that's illegal. They go to school together.

19 And at the same time, like I said, I -- I
20 don't -- I'm not going to -- I want to run a
21 responsible establishment, so that's not going to be a
22 place where you get together -- you know, where kids
23 get together and just have a free-for-all because the
24 parents aren't around. No. That's not the case at
25 all.

1 Like I said, you know, they talk in school
2 or whatever. You know, they talk in school; they meet
3 up at Burger King. You know, it's the same -- it's
4 the same thing. But there are no -- you know, there
5 are no secret doors or passages in the -- Like I say,
6 I'm going to have seven -- six -- six officers there.

7 So, you know, we all know about the parents
8 drop a child off and, you know, they have on one
9 outfit but then the girl slip on another outfit and
10 leave. But once you get dropped off there, you come
11 inside. Like I said, there's -- there is no -- I have
12 a 14-year-old daughter, myself, so I'm not going to do
13 anything -- I'm not going to put her in jeopardy just
14 like I wouldn't put anyone else's daughter in any type
15 of jeopardy.

16 MAYOR PITTMAN: I do want to say, though,
17 they are in school together but the schools are -- I
18 have two teenagers, and they are broken down. At
19 Peachtree it's one floor is sixth grade, the next
20 floor is seventh grade, the next floor is eighth
21 grade; at Dunwoody it's the same thing. So they are
22 separated because of, you know, not mixing the ages.

23 MR. GASKINS: All right. Thank you.

24 MAYOR PITTMAN: Ms. Fleming?

25 COUNCILMEMBER FLEMING: Mr. Gaskins, I

1 appreciate your effort in trying to do a teen center
2 in Doraville. I would really prefer you looking into
3 our arena and getting with our parks & rec. director,
4 Rip Robertson. We have a gymnasium over there that
5 you could rent either on Friday or Saturday night. It
6 has a capacity of 632 people. It's already sound-
7 deflected. We had dances for years and years and
8 years and years either on a Friday night or a Saturday
9 night after football games, and we didn't allow --
10 once the kids were in, they weren't allowed back out.

11 We didn't go beyond 15, and the reason why
12 we didn't go beyond 15 is you've got 16-year-olds
13 driving, and we don't want a 16-year-old there that
14 can drive 10- or 11- or 12- or even 13-year-olds home.
15 Okay? So my preference would be for you to --

16 And they also have classrooms there. They
17 have individual rooms at the arena for the tutoring
18 purposes if you wish to utilize that area for tutoring
19 purposes. I think it would be more secure for the
20 children.

21 Also, the idea of you not being -- yes, you
22 are a responsible parent, but when you made the
23 statement that if the parents didn't show up -- coming
24 from a mother that has done this for 25 years over at
25 North Dekalb Youth Association, we sat there until the

1 parents came. We weren't going to take any children
2 over to the Doraville Police station and just drop
3 them off.

4 So you may want to rethink that, because, as
5 a parent, I wouldn't want my child being entertained
6 at your facility if that might be the policy if I were
7 late, so I just want to let you know.

8 But I really would like for you to -- I
9 would really like to suggest to you, though I don't
10 want it singled out necessarily, a teen center in
11 Doraville, you know, in Plaza I, I think it's a better
12 location for you at the arena; and you need to get
13 with our Parks & Rec. department, Rip Robertson, and
14 check with him.

15 MAYOR PITTMAN: Ms. Dean?

16 COUNCILMEMBER DEAN: Okay. I just want to
17 be clear on your business plan. So it's my
18 understanding you want to open this facility, this
19 teen night club, and have dancing or whatever Friday
20 and Saturday, and then with the revenue that this
21 generated from that business, to implement programs on
22 tutoring, nutrition and health.

23 Walk me through that. How would you do that
24 exactly?

25 MR. GASKINS: Well, that's -- that's pretty

1 simple. I have relationships with various business --
2 you know, business people, and I've talked to them
3 about, you know, coming in and speaking about -- you
4 know, educating people, so that's not a problem. I
5 spoke with a Microsoft representative; I'll have an
6 insurance agent -- you know, I have an insurance agent
7 lined up. So that's not --

8 COUNCILMEMBER DEAN: Lined up for what?

9 MR. GASKINS: I'm saying to come in, you
10 know, for -- like I said, I was going in, trying to --
11 You know, with setting up my insurance policy for this
12 facility, I was completely lost with filling out the
13 -- you know, filling out the paperwork, so I spoke
14 with him about, you know, would he be fine with if
15 people came in with their policies, not a sales pitch,
16 but to explain insurance. Do you understand what --
17 to explain insurance, so it was just the educational
18 type of things.

19 But like I said, anything that would be of
20 benefit to anyone; that's all.

21 COUNCILMEMBER DEAN: Okay. So there's no
22 clear plan here?

23 Well, here's my biggest: Is this a -- is
24 this a for-profit company --

25 MR. GASKINS: Yes, ma'am.

1 sure I'm again echoing others' concerns, because it's
2 not clear on how you would do these things.

3 MR. GASKINS: I'm doing, you know, this --
4 I'm doing this whole process by myself, you know. I
5 don't have a staff to kind of do, you know, so I'm
6 doing the best that I can with kind of maneuvering
7 through these waters, you know.

8 As far as -- you know, as far as the
9 business plan goes, you know, I think -- I think I'm
10 going to be successful. Well, I know, you know, if I
11 get the opportunity, I will be successful. If it
12 falls flat, so be it; I tried. I tried. Businesses
13 fail, but I tried.

14 But you know, I apologize that, you know, it
15 wasn't, you know, that the finances aren't up to, you
16 know, something to where it's kind of where you can
17 see. You know, I could give you my word that it's --
18 that's my plan. You know, that is what --

19 COUNCILMEMBER DEAN: I'm sure it's your
20 plan.

21 MR. GASKINS: -- I'm going to do. That is
22 what I'm going to do. It's not that I'm just saying
23 this is why I need to get passionate about what I'm
24 trying to -- If I wasn't, I wouldn't be going through
25 all of this headache to try and get this thing -- you

1 COUNCILMEMBER DEAN: -- or not?

2 MR. GASKINS: It's for profit.

3 COUNCILMEMBER DEAN: Okay. So first of all,
4 the facility that you're taking about has a capacity
5 of 180 -- not 250; 180. So even if you charged \$10.00
6 per head, I mean that is going to give you \$7,200 if
7 it was just open on Saturday, which was the original
8 plan, or \$14,400 for both nights, a month.

9 Now, if you take into consideration the rent
10 -- and I'm sure it's not cheap -- and then everything
11 else that goes into operating that business, I think
12 that you are going to be hard pressed to even cut even
13 with just the dance club, all right, I mean, and so I
14 don't see a lot of extra money going into the
15 education/community-service part. Do you see what I'm
16 saying?

17 MR. GASKINS: Well --

18 COUNCILMEMBER DEAN: I mean have you sat
19 down with a piece of paper and actually written out a
20 business plan?

21 MR. GASKINS: Yes. Yes, ma'am.

22 COUNCILMEMBER DEAN: I ask, because it's
23 very unclear on this, on what we were given. And I'm
24 sure that there's a lot more information that you have
25 that we've not been privy to, but this is -- And I'm

1 know, to try to get this open, so --

2 COUNCILMEMBER DEAN: Okay. Here is -- here
3 is -- I too am a parent, and a big red flag went off
4 when you said, Yes, I want to open this facility for
5 kids and there will be six police officers there.

6 Wow. Six police officers for 180 kids? I
7 mean that seems quite -- I would not send -- I would
8 not let my child go to a place where there was a need
9 for six law enforcement people.

10 MR. GASKINS: There's not a need. There's
11 not a need. But that's what we call -- that's just
12 officer presence. That's all. That's so that when
13 you drop your child --

14 You can look at it the way that you're
15 looking at it or you can look at it where you drop
16 your kid: Oh, okay. This is a pretty safe place.
17 It's just the way that -- you know, just how you
18 choose to look -- you know, just how you choose to
19 look at it.

20 Like I said, I am not trying to be -- you
21 know, I'm not in business to try and -- I'm not --
22 you know, I'm not -- I'm not trying to open up a
23 business for a place for kids just to run rampant and
24 wild and I sit back there in the back counting money.
25 That's not the -- the whole purpose of having the

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1 heavy law enforcement, I would much rather be
2 proactive than reactive.
3 I know that Doraville once had a high gang
4 problem, so I want to -- if they think about coming up
5 in there, they'll think twice or at least they will
6 pretend as if they have some sense when they come to
7 the area.
8 COUNCILMEMBER DEAN: Well, I will say that I
9 teach and counsel at-risk youth, and I guarantee you
10 they will try their best to have a free-for-all.
11 That's just the nature of the beast: they absolutely
12 will try their best.
13 And I have in my hand a copy of a news -- of
14 an article from Channel 2 where there was a sting
15 operation, and they had a lot of issues because kids
16 will be very, very sneaky, and I don't think the
17 presence of six officers will prevent some of the
18 things that could potentially happen that would be
19 quite harmful.
20 The location is -- is quite surprising
21 because it is next to a strip club, a massage parlor,
22 a pill mill, and these kids are there at night, late
23 hours of the night. And the businesses are legal, but
24 it's not the businesses but perhaps the patrons of
25 those businesses that might have ill intent. And

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1 again, you have a facility full of children in a very,
2 very dangerous or at least
3 at-risk/high risk area. That's number one.
4 Number two: Have you spoken with the
5 Doraville Police Department to ask them if they would
6 be willing to station two police officers outside in
7 the parking lot?
8 MR. GASKINS: I spoke with a few Doraville
9 -- nobody in the chain of -- you know, nobody in the
10 chain of command. You know, nobody high up in the
11 chain of command, because, like I said, right now, you
12 know, I'm still kind of in the infancy stages of --
13 You know, I'm trying to get this thing off the ground.
14 When I spoke with the Doraville officers that were
15 stationed outside of the -- the flea market, you know
16 the --
17 COUNCILMEMBER DEAN: The farmer's market?
18 MR. GASKINS: Yes, ma'am, the farmer's
19 market as well as my building there.
20 They both had -- you know, they had both
21 told me that, yeah, you know, because in my
22 department, all you have to have is just you speak to
23 an officer directly and we fill out the paperwork at
24 the department saying that this is where we're going
25 to be doing a part-time job at.

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1 But I could speak with those Doraville
2 officers. They had told me that you have to put in --
3 you know, you have to go through at the police station
4 and request the officers to be there. Then they sign
5 up for it. So that was -- you know, that was --
6 But they said that they were on -- you know,
7 they said they were on board with it.
8 COUNCILMEMBER DEAN: Okay. I'm surprised
9 that you didn't know there was a curfew for minors.
10 You're with the sheriff's department; right?
11 MR. GASKINS: Yes, ma'am.
12 COUNCILMEMBER DEAN: And there's also a
13 State law: right --
14 MR. GASKINS: Right.
15 COUNCILMEMBER DEAN: -- regarding a curfew
16 for minors and you said you did not know there --
17 MR. GASKINS: Well, like I said --
18 COUNCILMEMBER DEAN: -- was a curfew?
19 MR. GASKINS: -- initially when I came, I
20 went through the initial --
21 I'm with the sheriff's department. I don't
22 do policing. You know, I don't do -- you know, the
23 Georgia law book is that thick (indicating). I'm
24 sorry, I don't know it all.
25 But even out where I live at, there were --

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1 you know, I mean some cities had curfews. But even
2 outside at my community, sometimes, you know, during
3 football season, there'll be kids at the McDonald's at
4 one -- you know, one o'clock in the morning.
5 So quite honestly, yeah, I was ignorant. I
6 did not know that there was a curfew. But once it was
7 brought to my attention, you know, I -- you know, I
8 did what I could to -- you know, to try to satisfy
9 that.
10 COUNCILMEMBER DEAN: Right. Well, it's also
11 a State law; right? The State also has a curfew?
12 MR. GASKINS: I mean but even still -- but
13 where I live at is still in the state. I'm not trying
14 to be snappy or snippy, but it's just really like I --
15 You know, they were outside past curfew out where I
16 live at and no one never did anything about that. So
17 that's why I really wasn't, you know, really aware
18 of -- You know, that's where my ignorance came from.
19 COUNCILMEMBER DEAN: Well, here is just a
20 scenario: Some kids act up or they're caught drinking
21 or they're doing something, and they have to be
22 arrested and processed in Doraville. so the Police
23 Department, our Doraville Police Department has to
24 pick up these kids.
25 And Chief, do you process juveniles in

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1 Doraville the same place that you process --
 2 CHIEF JOHN KING: No, ma'am. We have to
 3 take them to the YDC down in Patterson.
 4 COUNCILMEMBER DEAN: Okay. And so that --
 5 that would be quite time consuming for the officers
 6 working if they had to go, I mean, because it's not
 7 like, Oh, we'll just take them down the street.
 8 So I think -- I applaud your efforts, and I
 9 agree with Ms. Fleming. I think that it's very
 10 laudable for you to want to help these kids in this
 11 way. Like I said, that's my business; that's what I
 12 do. But I think that connecting those dots and
 13 thinking these things through and coming up with a
 14 business plan on paper that makes this make sense to
 15 all of us would be -- would be to your benefit,
 16 because right now, I am not seeing it.
 17 MR. GASKINS: So question: so if you can
 18 approve -- so if I came up with financials the way
 19 you -- I mean so your concern is how I'm going to keep
 20 open or how am I going to support the extracurricu-
 21 lars?
 22 COUNCILMEMBER DEAN: Well, I have -- I have
 23 a lot of concerns, the biggest one being the location
 24 and the type of facility, because I just don't see --
 25 I mean I think -- like I said, I haven't

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1 seen a business plan, so I can't -- I can't even
 2 answer that question, because I'm basing it on -- on
 3 the very light material that we have.
 4 And so all I am seeing is, Teen dance club,
 5 and with the revenues, we're going to have tutoring
 6 and health and nutrition and all of that. But there's
 7 no how-are-you-going-to-do- this, and that's -- I'm a
 8 real "how-to-do-this" kind of person.
 9 And so if it's your plan -- I'm sure it's
 10 your plan, because you want to make money, right? and
 11 you want to help the community. But I don't see how
 12 this is going to facilitate your plan, especially with
 13 just what we have, so that's -- that's my feeling.
 14 MAYOR PITTMAN: Is this your first one?
 15 MR. GASKINS: Yes, ma'am.
 16 MAYOR PITTMAN: And have you had any other
 17 locations you had in mind other than just here? I'm
 18 just curious in the past?
 19 MR. GASKINS: I had -- you know, I have
 20 tried, you know. It's been -- quite honestly, it's
 21 difficult putting the two together: teen/dance hall,
 22 you know. So when I find a place, then, you know,
 23 it's just really -- you know, it's extremely difficult
 24 trying to find a place that will accommodate --
 25 MAYOR PITTMAN: Right. And I think --

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1 MR. GASKINS: -- something like that.
 2 MAYOR PITTMAN: -- your thoughts might be in
 3 the right place, and I'm all about the tutoring and
 4 the helping. But you know as well as I do, whether
 5 it's after school, after football games or after
 6 whatever, the location's a huge issue for me. What
 7 occurs is after the fact, after they leave that
 8 facility and what happens in the surrounding areas,
 9 you know. That's the biggest problem. Maybe not
 10 what's in there, but what happens when they disperse
 11 and they leave and they're meeting up in the parking
 12 lots? And even the location does concern me greatly.
 13 You know, again, I applaud the tutoring, I
 14 think that's great, but the location is just really --
 15 I'm concerned about that.
 16 MR. GASKINS: Understood.
 17 COUNCILMEMBER DEAN: And the other -- one
 18 more question is, Why did you choose Doraville? Why
 19 did you choose that location?
 20 MR. GASKINS: Because initially I was trying
 21 to -- there was a -- on Peachtree Industrial, there
 22 was a old movie theater, so I was trying to get that.
 23 Then, you know, that didn't get anywhere. So as I
 24 was, you know, just riding around, looking, I saw the
 25 place next to Marshall's; I saw the place next to

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1 Marshall's and also Plaza I.
 2 So that was -- I mean I apologize if it's
 3 kind of like, you know, me trying to do -- it's like a
 4 nuisance, like, Why do you pick Doraville in the whole
 5 city of Atlanta? But I initially -- I liked the
 6 proximity, where it was in relation to 285 to where
 7 like it wasn't somewhere where people would have to
 8 get off the expressway, drive one mile here and make a
 9 left turn there, you know. So it was just kind of
 10 good proximity as it relates to the highway.
 11 COUNCILMEMBER DEAN: Would you drop your 14-
 12 year-old daughter off at any kind of facility like
 13 that and pick her up at 11 o'clock at night?
 14 MR. GASKINS: Excuse me? Would you drop my
 15 what, now?
 16 COUNCILMEMBER DEAN: Your 14-year-old
 17 daughter off at a place like that and pick her up at
 18 11 o'clock at night?
 19 MR. GASKINS: Well, like I said, but she
 20 doesn't have to stay there until 11. I mean if she
 21 wanted to go, I wouldn't have a problem with it. You
 22 know, I could come and get her at 9:00 or 9:30. I
 23 don't -- you know, she don't -- you don't have to stay
 24 until the club closes.
 25 COUNCILMEMBER DEAN: Okay. Thank you.

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1 MAYOR PITTMAN: Okay. Mr. Bates?
2 COUNCILMEMBER BATES: Yes. I've got one
3 more question.
4 What's your staffing plan for the inside
5 outside of the six officers on the outside?
6 MR. GASKINS: Well, in terms of the -- well,
7 as far as you mean --
8 COUNCILMEMBER BATES: How many employees are
9 you going to have inside the facility?
10 MR. GASKINS: Six.
11 COUNCILMEMBER BATES: So six officers
12 outside and six employees inside.
13 MR. GASKINS: Yes.
14 COUNCILMEMBER BATES: Thank you.
15 MAYOR PITTMAN: Okay. Anything else from up
16 here?
17 ---
18 (No response)
19 ---
20 MAYOR PITTMAN: Okay, sir. Thank you, and
21 we're going to open the public hearing portion now.
22 All right. At this time, we're going to
23 open the public hearing portion of this. Those
24 wishing to speak for, I need you to come forward,
25 state your name for the court clerk, please. There's

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1 10 minutes; that's 10 minutes total. So if you speak
2 for 10 minutes, no one else will be allowed to speak.
3 So anyone wishing to speak for, please come forward.
4 ---
5 (No response)
6 ---
7 MAYOR PITTMAN: Okay. Anyone wishing to
8 speak against, please come forward and state your name
9 for the clerk, please.
10 MS. CRAWFORD: Susan Crawford, Oakcliff.
11 Really I think their heart is in the right
12 place and I think that this isn't something we don't
13 need. I think that we could really use a place to --
14 to get teens together and to give them educational
15 boosts and socialization.
16 However, as I said the other night, this
17 particular location is right near our neighborhood,
18 and the sound really does carry. There was a place
19 called the International Ballroom which was quite a
20 ways up Buford Highway from there, and we heard that
21 music on the weekends; and as I said, it wasn't nearly
22 as close.
23 Also I myself am in education. And I looked
24 into renting a very tiny closet-size space in that
25 building, and it was astronomically high. I think it

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1 was \$2,500 for a little tiny place. So the rent is
2 exorbitant unless you have some kind of special deal
3 that I certainly didn't.
4 Also, you know, the safety for the kids
5 there. I just think there's a massage parlor, a foot-
6 massage parlor that people have to be buzzed into
7 right there. And you know, these cute little 14-year-
8 old girls dressed up and wandering around, I just -- I
9 don't think it's a terribly safe place.
10 But I think you should listen to what Ms.
11 Fleming suggested about the arena. I'd forgotten
12 about that. But I too have three daughters, and when
13 they were little, they used to go there on the
14 weekends to these dances, and it was great and they
15 were -- you know, it drew in a lot of people, And it
16 would be a great starting-off place for these other
17 things that you have in mind, so --
18 MS. CINDY BRADFORD: Cindy Bradford,
19 Northwoods.
20 I pretty much think everything's been said.
21 The noise -- I know for a fact how noise carries. I
22 lived a mile and a half from Amigo night club, and I
23 heard their music every weekend.
24 Mr. Gaskins at the Planning Commission
25 meeting also mentioned he was going to have live

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1 music. That's going to be even louder, so I'm pretty
2 sure that the residents in Oakcliff will be affected
3 by this.
4 And I hope that all of you read the article
5 that I sent from WSB. That was one of many. I didn't
6 send the one -- the ones that talked about three
7 people shot and -- and things like that.
8 The teen nightclub that was referenced in
9 the article that I sent was in Sandy Springs. They
10 too had police officers on site. Persons were
11 searched. Nobody had to have a room to change
12 clothes; the girls took their shirts off and danced in
13 their bras. People were hauled off in ambulances
14 because they had had too much to drink. And that's
15 just the reputation that these places have and there's
16 many, many, many stories about it.
17 Thank you. I'm against it.
18 MAYOR PITTMAN: Anyone else wishing to speak
19 against?
20 ---
21 (No response)
22 ---
23 MAYOR PITTMAN: Okay. We're going to close
24 the public hearing portion and bring it back up.
25 Mr. Cooley, did you have anything you wanted

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1 to add?
 2 MR. COOLEY: No, ma'am. I'd be happy to
 3 answer any questions.
 4 MAYOR PITTMAN: Okay. Ms. Alexander?
 5 COUNCILMEMBER ALEXANDER: No, ma'am.
 6 MAYOR PITTMAN: Mr. Bates?
 7 COUNCILMEMBER BATES: No.
 8 COMMISSIONER GILMAN: (Gesturing)
 9 MAYOR PITTMAN: Certainly.
 10 COMMISSIONER GILMAN: Thank you.
 11 MAYOR PITTMAN: Sure.
 12 COMMISSIONER GILMAN: The vote from the
 13 Planning Commission was split. By the same token,
 14 subsequent to the meeting, one of the planning
 15 commissioners had changed her mind, evaluated it
 16 further, and even spoke this evening, voicing no.
 17 MAYOR PITTMAN: Mr. Bates?
 18 COUNCILMEMBER BATES: No, ma'am.
 19 MAYOR PITTMAN: Ms. Pachuta?
 20 COUNCILMEMBER PACHUTA: No.
 21 COUNCILMEMBER FLEMING: No.
 22 COUNCILMEMBER DEAN: No.
 23 COUNCILMEMBER PATRICK: No.
 24 MAYOR PITTMAN: Okay. Does anyone wish to
 25 entertain a motion at this time?

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1 COUNCILMEMBER BATES: Yeah. I'll make a
 2 motion to deny the conditional use permit -- permit
 3 application based upon concerns related to public
 4 safety, transportation, noise, and some of the
 5 after-hour unforeseen effects that may result from
 6 100, 200-plus underage individuals exiting a premise
 7 at the same time.
 8 COUNCILMEMBER DEAN: Second.
 9 MAYOR PITTMAN: Discussion?
 10 ---
 11 (No response)
 12 ---
 13 MAYOR PITTMAN: Call the roll.
 14 CLERK BRYANT: Councilmember Alexander?
 15 COUNCILMEMBER ALEXANDER: Yes.
 16 CLERK BRYANT: Councilmember Bates?
 17 COUNCILMEMBER BATES: Yes.
 18 CLERK BRYANT: Councilmember Dean?
 19 COUNCILMEMBER DEAN: Yes.
 20 CLERK BRYANT: Councilmember Fleming?
 21 COUNCILMEMBER FLEMING: Yes.
 22 CLERK BRYANT: Councilmember Pachuta?
 23 COUNCILMEMBER PACHUTA: Yes.
 24 CLERK BRYANT: Councilmember Patrick?
 25 COUNCILMEMBER PATRICK: Yes.

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1 MAYOR PITTMAN: Okay. Thank you.
 2 [To the applicant] It was denied. Thank
 3 you.
 4 MAYOR PITTMAN: Next on the agenda is the
 5 Urban Redevelopment Plan Amendment for 5999 New
 6 Peachtree Road.
 7 MR. HOWE: Thank you, Mayor.
 8 This is a -- an Opportunity Zone 1 -- I'm
 9 sorry. The Redevelopment Area 1 amendment and
 10 proposed Opportunity Zone application for a single
 11 parcel. As the Mayor said, it's 5999 New Peachtree
 12 Road. That's the former post office facility.
 13 We have -- in this case, we have a potential
 14 business owner who specifically requested this, this
 15 action. So I'll take any questions if you have any.
 16 MAYOR PITTMAN: Ms. Alexander?
 17 COUNCILMEMBER ALEXANDER: Has the building
 18 already been sold?
 19 MR. HOWE: No, ma'am; it's under contract.
 20 COUNCILMEMBER ALEXANDER: Thank you.
 21 MAYOR PITTMAN: Mr. Bates?
 22 COUNCILMEMBER BATES: No questions.
 23 MAYOR PITTMAN: Ms. Pachuta?
 24 COUNCILMEMBER PACHUTA: Is the contract
 25 contingent on getting the Opportunity Zone or anything

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1 like that?
 2 MR. HOWE: No, ma'am.
 3 COUNCILMEMBER PACHUTA: How is it effected?
 4 Does the Opportunity Zone need to be approved before a
 5 business goes in there, and the business go in there
 6 and then retroactively get credits?
 7 MR. HOWE: Yes, ma'am. It'll be retroactive
 8 to January 1st, 2013.
 9 MAYOR PITTMAN: And the audience is asking
 10 everyone to speak up, please.
 11 MR. HOWE: Okay.
 12 COUNCILMEMBER PATRICK: I have no questions.
 13 MAYOR PITTMAN: Ms. Fleming?
 14 COUNCILMEMBER FLEMING: I have no questions.
 15 MAYOR PITTMAN: Ms. Dean?
 16 COUNCILMEMBER DEAN: Okay. This is a --
 17 every time we do this, it seems to be kind of -- we're
 18 spotting this, we're doing this in bits and pieces;
 19 and that's something that -- Is this the way this is
 20 meant to be?
 21 MR. HOWE: This is an inefficient way of
 22 doing it. I would rather do, you know, big chunks;
 23 but in this case, the prospective business is
 24 specifically requesting it. It moves a little quicker
 25 through the DCA process when there is just one

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1 property and you do have a business waiting on it.
2 COUNCILMEMBER DEAN: Uh-huh.
3 MR. HOWE: So that's why we're just doing
4 this one at a time, but ideally, we'd like to include
5 other businesses in that New Peachtree Road corridor.
6 COUNCILMEMBER DEAN: Okay. And the
7 interested parties, are they here?
8 MR. HOWE: No, ma'am.
9 COUNCILMEMBER DEAN: Okay. Well, here is --
10 here is my concern: because, Oh, we have to designate
11 this an Opportunity Zone and do this quickly; other-
12 wise, we're going to lose the deal.
13 And we did this back in January, I think,
14 with the UAW building, and nothing happened with that.
15 And so this is -- I mean these are brought before us
16 because in order to sell this property -- I mean I
17 thought it was supposed to be the other way around:
18 we designate these areas Opportunity Zones to attract
19 people to the sites; right? But what we seem to be
20 doing is we get someone interested in it and they say,
21 Okay, hey. You know what we're going to do? We're
22 going to designate this an Opportunity Zone.
23 And I'm not sure why. Why do we do it that
24 way? And that's a question.
25 MR. HOWE: Well, it's not the way that --

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1 that -- You are right. I mean it's not the way we
2 should be doing it. We shouldn't be doing it
3 reactively. But these plans are time-intensive; they
4 take a lot of time. Plus there's been some resistance
5 in the community, and I totally understand that; that
6 is, Doraville is not unique. So I think, you know, as
7 people warm up to it, we're going to do more and more.
8 Everything that we're going to do, we plan
9 to do this fall, if that -- hopefully, that answers
10 your question.
11 COUNCILMEMBER BATES: Just to jump in,
12 Mr. Howe presented to us a much larger URP, and we
13 told him no and we restricted it specifically to the
14 General Motors plant --
15 COUNCILMEMBER DEAN: Right.
16 COUNCILMEMBER BATES: -- and I think
17 Seaboard. So the responsibility of an expansive --
18 not doing this piecemeal, that responsibility lies
19 with us, because --
20 COUNCILMEMBER DEAN: Right.
21 COUNCILMEMBER BATES: -- we directed his
22 actions and we told him --
23 COUNCILMEMBER DEAN: Right.
24 COUNCILMEMBER BATES: -- no, too big, too
25 fast. So that -- it is not Luke's fault.

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1 COUNCILMEMBER DEAN: Oh, no, no. I mean I
2 understand.
3 And I'm not putting this on you at all, but
4 that it's just like because of that, it's -- You know,
5 like once a month, we have, Oh, here's something else;
6 Whoop, here's something else.
7 And my biggest concern is that we're asked
8 to do this but I still haven't seen anything to say,
9 Wow, you see; this was a good idea.
10 COUNCILMEMBER BATES: Well, I mean those
11 take time. It's like a farmer planting a seed. You
12 don't plant a pumpkin and get a pumpkin the next day.
13 It takes time to germinate and grow and develop.
14 And I apologize; I meant to forward this to
15 Council. But in the Georgia Trend magazine, I think
16 it was from March or April, there was a half-page ad
17 from the City of Roswell; first bullet point: We're
18 excited to announce we've expanded our Opportunity
19 Zone.
20 COUNCILMEMBER DEAN: Uh-huh.
21 COUNCILMEMBER BATES: So it is -- it is a
22 tool that our neighboring cities are utilizing. I'm
23 assuming that Roswell thinks it's very effective, for
24 them to have advocated that they're expanding it.
25 You know, the concern that we had on the

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1 front end was the --
2 MAYOR PITTMAN: [To the audience] Shh.
3 COUNCILMEMBER BATES: -- terminology that
4 was associated with a URP and wanting to see some --
5 some results. But we were so narrow and restrictive
6 on it from the beginning, we're not going to see any
7 results. You know, the GM plant is -- is a long way
8 away from --
9 COUNCILMEMBER DEAN: I'm not talking about
10 the GM plant. When we're told we have to do this
11 immediately, otherwise, nothing will happen, and then
12 months later, nothing has happened.
13 COUNCILMEMBER PACHUTA: But I think the UAW
14 building, I mean there are negotiations ongoing. So I
15 mean I think it has worked whether -- maybe contracts
16 haven't been signed as quickly as we want, but I know
17 that there's active negotiations. So I think to that
18 effect, it has worked, maybe not as quickly as
19 anyone -- You know, things don't happen the next day.
20 COUNCILMEMBER DEAN: Well, no, but it's been
21 six months.
22 COUNCILMEMBER PACHUTA: And in real estate,
23 I don't know that -- that's not unreasonable.
24 COUNCILMEMBER DEAN: All right. That's all.
25 And again, you understand, this is -- this

1 is not the -- I mean I appreciate you being here, I
2 appreciate your efforts, and that's just I just -- I'm
3 not understanding why we do it this way rather than
4 the other.

5 And Brian, I appreciate your point, and I'm
6 good.

7 MAYOR PITTMAN: All right. So I guess we
8 need to open the public hearing portion at this time.

9 And it's, Cecil, a for-or-against, or is
10 this one of those that's, you know, public comment?

11 ATTORNEY McLENDON: Actually, it's a minor
12 amendment so it's really just a public comment
13 process.

14 MAYOR PITTMAN: Okay. If you wish to make a
15 comment, please come forward. Again, this is 10
16 minutes, so if you speak for 10 minutes, no one else
17 will get to speak. Anyone wishing to make a comment
18 at all about this. And please state your name for the
19 court reporter.

20 MR. TOM HART: Tom Hart, Gordon Heights.
21 This kind of reminds me of the old saying,
22 You throw enough stuff against the wall, some of it
23 might stick.

24 We have more planners and more nonsense
25 going on on New Peachtree Road right now. We have got

1 LCI stuff, we've got the LCI repeated again; we have
2 this form-based zoning and we have -- we're redoing
3 everything. We've got everybody working on it.

4 And here we have a deal where the guy's made
5 a contract on the building, and after he's made the
6 contract -- The whole purpose of doing this is to
7 attract somebody to move in the building and do some-
8 thing, okay. You don't play poker by after you -- and
9 then, By the way, here's a bunch of government money
10 that we're just dying to give you the taxpayers'
11 money. Because that's what you're doing: you're
12 giving them taxpayers' money.

13 You're also blighting New Peachtree Road,
14 which is the main thoroughfare for Doraville just like
15 it is for Chamblee. Their main highway is Peachtree
16 Road, and that is Peachtree Road out there.
17 Underneath that asphalt, it is Peachtree Road that's
18 been there for thousands of years.

19 And you want to do something there that's
20 important. Okay? You had a post office there. When
21 that post office moved, Tommy Galloway lost 50 percent
22 of his business because he had no longer eyes and
23 traffic.

24 If you're going to build a retail in the
25 downtown, you need eyes and traffic. A key to that is

1 a retail location. This is an office usage of some
2 use, which is not eyes and traffic.

3 The problem is the staff here -- and it's
4 been in the past as well as the present -- hasn't gone
5 out and sought those businesses that put a core
6 together in the apple. This is not the core of the
7 apple, and handing out these freebies and handing out
8 blighted areas -- We've got DDAs; we've got everything
9 going on here.

10 So you know, who went down to the post
11 office and tried to entice the post office back to the
12 downtown? The former mayor worked for the Post
13 Office; he didn't like that idea. But it would bring
14 eyeballs and feet to the downtown.

15 So this is a terrible idea. Once more,
16 Doraville has to lay on the ground and reduce any
17 standards we may have to the bare necessities, hoping
18 and praying somebody's going to put a sideways
19 McDonald's in. This is not how you put the town
20 together.

21 And this street right here is the downtown
22 center. You don't need to blight it; you don't have
23 to change things from C-2 to CT. You don't have to
24 keep on doing this, because the developers are not
25 going to respect this city. Why should they? It's

1 the dollar motel right here. This is not the Hilton.
2 Thank you.

3 MAYOR PITTMAN: Anyone else wishing to
4 speak?
5 - - -
6 (No response)
7 - - -

8 MAYOR PITTMAN: Okay. We're going to close
9 the public hearing portion at this time.

10 Anything else from Council?
11 COUNCILMEMBER FLEMING: I have a question
12 for Mr. Cooley.

13 MAYOR PITTMAN: Sure.
14 Mr. Cooley?

15 COUNCILMEMBER FLEMING: In regards to the
16 business that is under contract with the property
17 for that particular location, is that use a permitted
18 use for that location?

19 MR. COOLEY: Yes, ma'am, it is, but
20 basically it's a software developer, educational
21 software, and they also do a lot of government work.

22 COUNCILMEMBER FLEMING: All right, and --
23 MR. COOLEY: But I think part of things also
24 is the space is larger than they need, and they --
25 where they're at currently, they act as kind of an

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1 incubator. They have offices of the similar type
2 individuals that turn into businesses. That's why
3 part of the reason, I think, of their interest in
4 having the Opportunity Zone is to attract more
5 businesses. They grow from it. That's what they've
6 done --
7 COUNCILMEMBER FLEMING: Okay. Let me --
8 MR. COOLEY: -- in their former location.
9 COUNCILMEMBER FLEMING: Let me continue that
10 thought pattern. Help me understand subleasing in the
11 city of Doraville, you know, because it appears that
12 they're going to lease the entire building or they're
13 going to purchase the entire building, this Games That
14 Work.
15 MR. COOLEY: Yes, ma'am.
16 COUNCILMEMBER FLEMING: They're only going
17 to use a portion of it but they're going to sub-
18 lease --
19 MR. COOLEY: Right.
20 COUNCILMEMBER FLEMING: -- the balance of
21 the building.
22 Now, do those sub-lessees have to come to
23 the City of Doraville for usage purposes?
24 MR. COOLEY: Yes, ma'am. They are required
25 to get an occupational tax certificate just like any

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1 business would. Their space has to be up to code
2 requirements. So yes, it's basically the same
3 process. It's just, you know, they're taking a
4 sublease from the person -- well, actually they're
5 leasing it from the person that would be -- in this
6 case, own the building just like any other business
7 building would.
8 COUNCILMEMBER FLEMING: So they do have --
9 so the individual that's in that building --
10 MR. COOLEY: Correct.
11 COUNCILMEMBER FLEMING: -- has to have --
12 Because for instance, this little hair place -- and I
13 realize we're talking about this one, but the little
14 hair place right here on New Peachtree, it made the
15 comment "spaces for rent" or whatever.
16 So an operator -- a hair operator has to
17 come in and get a business --
18 MR. COOLEY: I think that's a little
19 different. I think they would probably -- And the
20 Clerk can correct me if I'm wrong. I believe anybody
21 that came in as a contractor like that would be
22 required to get an occupational tax certificate
23 because their income is separate from the people that
24 they're actually leasing the chairs from. I know a
25 lot of barbers and things like that that actually

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1 lease chairs. But my understanding is that they would
2 be required to come in and get an occupational tax
3 certificate; otherwise, there would be no collection
4 of income.
5 COUNCILMEMBER FLEMING: Okay. I just wanted
6 to be sure that we had some handle on subleasing in
7 the city, because --
8 MR. COOLEY: It's required.
9 COUNCILMEMBER FLEMING: Okay.
10 MR. COOLEY: We've had that discussion with
11 others, too, that were looking to --
12 COUNCILMEMBER BATES: Well --
13 MR. COOLEY: -- bring in other things and
14 just had one major lease on it and said: No, each is
15 an individual business; they're required to have a
16 long-term lease and they're required to get the
17 occupational tax certificate.
18 COUNCILMEMBER BATES: Well, an example --
19 and correct if I'm wrong -- would be the farmers'
20 market where they've got sub businesses with the
21 farmers' market on the front side.
22 MR. COOLEY: Correct.
23 COUNCILMEMBER BATES: Okay.
24 MR. COOLEY: Each one of those is an
25 individual business that has to go through an inspec-

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1 tion process application; if they're under any con-
2 struction, they have to have the necessary building
3 permits.
4 COUNCILMEMBER BATES: Got you. Thank you.
5 MR. COOLEY: Thank you.
6 COUNCILMEMBER FLEMING: Thank you.
7 MR. COOLEY: Sure.
8 MAYOR PITTMAN: All right. Would anyone
9 wish to entertain a motion?
10 COUNCILMEMBER PACHUTA: I'll make a motion
11 to approve the resolution adopting the amended
12 Doraville Urban Redevelopment Plan I, and I don't
13 think we have attachment A.
14 MR. HOWE: It's --
15 COUNCILMEMBER FLEMING: Are you going to
16 give the address or the parcel number?
17 COUNCILMEMBER PACHUTA: Well, that's what
18 I'm looking for.
19 COUNCILMEMBER FLEMING: The parcel --
20 COUNCILMEMBER PACHUTA: I'm sorry.
21 COUNCILMEMBER FLEMING: Parcel is
22 18 311 01 008; address is 5999 New Peachtree Road.
23 COUNCILMEMBER PACHUTA: With that, and then
24 also to approve the application for the Opportunity
25 Zone designation.

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1 MAYOR PITTMAN: Okay. Do I get a second?
 2 COUNCILMEMBER BATES: Second.
 3 MAYOR PITTMAN: Discussion?
 4 COUNCILMEMBER DEAN: I'd just like to say
 5 that -- that I am going to vote no. But I think that
 6 we should doing things the way they are supposed to be
 7 done, I think that we should start doing things
 8 properly, and that is the reason I am going to vote
 9 the way I vote.
 10 COUNCILMEMBER FLEMING: I have a question
 11 for Ms. --
 12 What was the balance of your motion?
 13 COUNCILMEMBER PACHUTA: To then also approve
 14 the Opportunity Zone application.
 15 COUNCILMEMBER FLEMING: Okay. Thank you.
 16 MAYOR PITTMAN: Okay. Call the roll,
 17 please.
 18 CLERK BRYANT: Councilmember Alexander?
 19 COUNCILMEMBER ALEXANDER: Yes.
 20 CLERK BRYANT: Councilmember Bates?
 21 COUNCILMEMBER BATES: Yes.
 22 CLERK BRYANT: Councilmember Dean?
 23 COUNCILMEMBER DEAN: No.
 24 CLERK BRYANT: Councilmember Fleming?
 25 COUNCILMEMBER FLEMING: Yes.

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1 CLERK BRYANT: Councilmember Pachuta?
 2 COUNCILMEMBER PACHUTA: Yes.
 3 CLERK BRYANT: Councilmember Patrick?
 4 COUNCILMEMBER PATRICK: Yes.
 5 MAYOR PITTMAN: Okay. Thank you.
 6 Thank you, Mr. Howe
 7 MR. HOWE: Thank you.
 8 MAYOR PITTMAN: All right. We are going to
 9 take a five-minute break.
 10 ---
 11 (Brief recess)
 12 ---
 13 MAYOR PITTMAN: Meeting come back to order.
 14 We're going to go into Old Business. The
 15 next will be the Discussion of Proposed Rules and
 16 Procedures for City Council Meetings, Dr. Gillen.
 17 DR. GILLEN: Yes. You have received a copy
 18 of the revised Rules and Procedures. That's per our
 19 discussion at the last Council meeting. This revision
 20 incorporates all of the changes you requested at that
 21 meeting.
 22 And we are looking for adoption this evening
 23 along with the other item on revising the agenda --
 24 revising the ordinance; but looking for adoption of
 25 the Rules and Procedures as written, and we think --

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1 we're pretty sure we've captured all the changes you
 2 were seeking as a council.
 3 If there's any questions, I can answer them.
 4 MAYOR PITTMAN: Okay. Ms. Alexander?
 5 COUNCILMEMBER ALEXANDER: No, ma'am.
 6 MAYOR PITTMAN: Mr. Bates?
 7 COUNCILMEMBER BATES: No, ma'am.
 8 MAYOR PITTMAN: Ms. Pachuta?
 9 COUNCILMEMBER PACHUTA: No.
 10 MAYOR PITTMAN: Mr. Patrick? Ms. Fleming?
 11 COUNCILMEMBER FLEMING: Comments again. On
 12 the minutes, I am very much opposed to eliminating
 13 verbatim minutes. I think there are other suggestions
 14 that can be made. I believe our court reporter has
 15 offered some additional examples of things that we may
 16 be able to use instead of the possibility of going --
 17 streamlining with a video, and I think that we should
 18 be looking into that as well. But there's been too
 19 many times when we have all had to fall back on the
 20 verbatim minutes to do research, and I am highly
 21 opposed to eliminating that process.
 22 MAYOR PITTMAN: Okay. Ms. Dean?
 23 COUNCILMEMBER DEAN: I agree with Ms.
 24 Fleming. I've used the verbatim minutes several
 25 times, and more importantly, I have -- I have wanted

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1 to find information and was unable to get it because
 2 of equipment failure, particularly with some of the
 3 meetings -- some of the other meetings where I was
 4 told, oh, the camera wasn't working or whatever; and
 5 so I was left without having any information
 6 whatsoever. Had that happened at a Council meeting
 7 where something that I wanted to refer to later for
 8 something new that was going to be heard before
 9 Council, then that would be a pretty devastating thing
 10 for me.
 11 Again, I would like to say that I think that
 12 this whole thing was a misplaced priority. I think
 13 that there are a lot of things in the city that need
 14 to be addressed, and this is not one of them.
 15 But now that it is here, I have a question
 16 on page 7 of 9, and I missed this the first time, but
 17 it says on Section 1 - Public Participation and then
 18 under Public Comments, it's the section that says
 19 "provided, however, that if the applicants of rezoning
 20 actions or individuals who wish to oppose a rezoning
 21 action have contributed more than \$250 to the campaign
 22 of a Council member, the individual shall . . . "
 23 \$250.00. Why would we set that amount as
 24 anything?
 25 ATTORNEY McLENDON: That is the amount in

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1 state law --
2 COUNCILMEMBER DEAN: Okay.
3 ATTORNEY McLENDON: -- the Zoning Procedures
4 Act.
5 COUNCILMEMBER DEAN: Okay. And again, it
6 was clear in this meeting that the -- the fluid
7 discourse of Council members I think is important to
8 maintain the conversation, and I do not like, under
9 Section --
10 Where is it?
11 COUNCILMEMBER BATES: 16.
12 COUNCILMEMBER DEAN: -- 16 Decorum, "A
13 Council Member may not speak at a meeting until he or
14 she has been recognized by the Mayor."
15 I absolutely am opposed to that sentence
16 still being in there because I think that it will
17 upset continuity and I think that it would not be a
18 good thing.
19 MAYOR PITTMAN: Okay. All right. Does
20 anyone wish to entertain a motion?
21 COUNCILMEMBER PACHUTA: Make a motion to
22 approve the new Rules and Procedures for City Council
23 Meetings and Public Hearings.
24 MAYOR PITTMAN: Okay.
25 COUNCILMEMBER ALEXANDER: Second.

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1 MAYOR PITTMAN: Discussion?
2 - - -
3 (No response)
4 - - -
5 MAYOR PITTMAN: Call the roll, please.
6 CLERK BRYANT: Councilmember Alexander?
7 COUNCILMEMBER ALEXANDER: Yes.
8 CLERK BRYANT: Councilmember Bates?
9 COUNCILMEMBER BATES: Yes.
10 CLERK BRYANT: Councilmember Dean?
11 COUNCILMEMBER DEAN: No.
12 CLERK BRYANT: Councilmember Fleming?
13 COUNCILMEMBER FLEMING: No.
14 CLERK BRYANT: Councilmember Pachuta?
15 COUNCILMEMBER PACHUTA: Yes.
16 CLERK BRYANT: Councilmember Patrick?
17 COUNCILMEMBER PATRICK: Yes.
18 MAYOR PITTMAN: Thank you. Motion carries.
19 Okay. The next is the Second Read of
20 Ordinance to Revise Agenda Procedures.
21 DR. GILLEN: Thank you, Mayor, Council.
22 What this does is revise the ordinance to
23 reflect the new Rules and Procedures you just adopted.
24 MAYOR PITTMAN: Okay.
25 COUNCILMEMBER PACHUTA: Make a motion to

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1 pass a new Ordinance Revising the Agenda Procedures.
2 MAYOR PITTMAN: Second?
3 COUNCILMEMBER ALEXANDER: Second.
4 MAYOR PITTMAN: Discussion?
5 COUNCILMEMBER FLEMING: Yes. I have one
6 comment.
7 By eliminating Robert's Rules of Order,
8 Section 2-35 if I'm reading this correctly, I am
9 totally opposed to that.
10 MAYOR PITTMAN: Okay. Call the roll,
11 please.
12 CLERK BRYANT: Councilmember Alexander?
13 COUNCILMEMBER ALEXANDER: Yes.
14 CLERK BRYANT: Councilmember Bates?
15 COUNCILMEMBER BATES: Yes.
16 CLERK BRYANT: Councilmember Dean?
17 COUNCILMEMBER DEAN: No.
18 CLERK BRYANT: Councilmember Fleming?
19 COUNCILMEMBER FLEMING: No.
20 CLERK BRYANT: Councilmember Pachuta?
21 COUNCILMEMBER PACHUTA: Yes.
22 CLERK BRYANT: Councilmember Patrick?
23 COUNCILMEMBER PATRICK: Yes.
24 MAYOR PITTMAN: Thank you. Motion carries.
25 Okay. Next is the Second Read Amending

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1 Chapter 2 to remove Purchasing and Bidding Procedures;
2 Mr. McLendon.
3 ATTORNEY McLENDON: Mayor and Council, I
4 think this is the second read of an ordinance that has
5 been coming forward based upon your adoption of the
6 purchasing policies, and all this ordinance does is it
7 deletes the current ordinance regarding purchasing
8 policies and incorporates by reference the new
9 policies that you have adopted.
10 So this will be a second read, and basically
11 all it's going to do is say, Our ordinance shall be
12 per the policies adopted by the Council.
13 MAYOR PITTMAN: Okay. Ms. Alexander, any
14 questions?
15 COUNCILMEMBER ALEXANDER: No, ma'am.
16 COUNCILMEMBER BATES: No, ma'am.
17 MAYOR PITTMAN: Ms. Pachuta?
18 COUNCILMEMBER PACHUTA: Huh-uh.
19 MAYOR PITTMAN: Mr. Patrick?
20 COUNCILMEMBER PATRICK: Just a question
21 again. If something should happen and staff were to
22 do something less than legal, what's the catch? What
23 do we do to? What's the stick?
24 ATTORNEY McLENDON: Well, there would be a
25 lot of sticks in that situation dependent upon what

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1 was done. I mean criminal law would be one. You
 2 would have all of your employment-law issues, all the
 3 issues of your personnel manual and all the recourse
 4 through, you know, basically being someone that works
 5 for the City and potential discipline, etc. There are
 6 an awful lot of ways.
 7 And having those rules in your ordinance do
 8 not give you really an extra tool that you didn't
 9 already have now. I mean that's whether it's a policy
 10 or it's in the ordinances, the tools are still the
 11 tools if staff doesn't do something correct; and those
 12 either flow from their direct supervisor implementing
 13 discipline to potentially criminal law if somebody was
 14 doing something that was that serious.
 15 MAYOR PITTMAN: Ms. Fleming?
 16 COUNCILMEMBER FLEMING: I just have a
 17 question whether our policies are going to be listed
 18 on our web site or through MuniCode.
 19 ATTORNEY McLENDON: The policies are
 20 generally not going to be incorporated in MuniCode but
 21 they do have to be maintained by the Clerk. The web
 22 site issue, I would not know but I'm sure that would
 23 be something that y'all could . . .
 24 DR. GILLEN: Yes, something we can do.
 25 COUNCILMEMBER FLEMING: Yes, they will be?

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1 DR. GILLEN: Yes.
 2 COUNCILMEMBER FLEMING: Okay. Thank you.
 3 MAYOR PITTMAN: Ms. Dean?
 4 COUNCILMEMBER DEAN: And based on what this
 5 is, this is taking this out of our ordinance and
 6 turning it into a policy, so if Council changes the
 7 next election and they want to change the policy, they
 8 can do so without going through everything. Okay.
 9 ATTORNEY McLENDON: Absolutely. Easier to
 10 change, more flexible; usually the preferred way to do
 11 it.
 12 MAYOR PITTMAN: Does anyone wish to
 13 entertain a motion?
 14 COUNCILMEMBER ALEXANDER: Make a motion to
 15 accept the ordinance removing the conflicts between
 16 the purchasing policy and the previous ordinance.
 17 MAYOR PITTMAN: Second?
 18 COUNCILMEMBER PACHUTA: Second.
 19 MAYOR PITTMAN: Discussion?
 20 - - -
 21 (No response)
 22 - - -
 23 MAYOR PITTMAN: Call the roll, please.
 24 CLERK BRYANT: Councilmember Alexander?
 25 COUNCILMEMBER ALEXANDER: Yes.

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1 CLERK BRYANT: Councilmember Bates?
 2 COUNCILMEMBER BATES: Yes.
 3 CLERK BRYANT: Councilmember Dean?
 4 COUNCILMEMBER DEAN: Yes.
 5 CLERK BRYANT: Councilmember Fleming?
 6 COUNCILMEMBER FLEMING: No.
 7 CLERK BRYANT: Councilmember Pachuta?
 8 COUNCILMEMBER PACHUTA: Yes.
 9 CLERK BRYANT: Councilmember Patrick?
 10 COUNCILMEMBER PATRICK: Yes.
 11 MAYOR PITTMAN: Thank you. Motion carries.
 12 All right. Next on the agenda is the
 13 Building Department Permits Manager, Building
 14 Inspections, Plan Review and Code Enforcement
 15 Services; Dr. Gillen.
 16 DR. GILLEN: Thank you, Mayor, Council
 17 Members.
 18 As you know, an RFP was done and bids were
 19 opened for contracts, a contract for building services
 20 and code enforcement otherwise known as Quality of
 21 Life in Doraville.
 22 There's no new information to add this week.
 23 The information was presented at the last Council
 24 meeting; it is the same. You have the information in
 25 front of you.

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1 The low bidder was Clark Patterson Lee, and
 2 the net savings to the City is approximately \$55,000.
 3 MAYOR PITTMAN: Thank you.
 4 Ms. Alexander?
 5 COUNCILMEMBER ALEXANDER: No, ma'am.
 6 MAYOR PITTMAN: Mr. Bates?
 7 COUNCILMEMBER BATES: No, ma'am.
 8 MAYOR PITTMAN: Ms. Pachuta?
 9 COUNCILMEMBER PACHUTA: No.
 10 MAYOR PITTMAN: Mr. Patrick?
 11 COUNCILMEMBER PATRICK: Do we know who is
 12 going to be our representative from whichever service
 13 we pick?
 14 DR. GILLEN: Who the actual staff that
 15 they'll pla- -- No, I do not know at this time.
 16 COUNCILMEMBER PATRICK: Do you know who, I
 17 guess, the project manager or project leader is going
 18 to be?
 19 DR. GILLEN: A representative of Clark
 20 Patterson Lee is here and he can answer that question.
 21 MAYOR PITTMAN: Would you like to come
 22 forward, sir.
 23 MR. RICH ETTINGER: My name is Rich
 24 Ettinger. I'm a principal with Clark Patterson Lee.
 25 I'll be the project manager and so if there's -- You

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1 know, I'll be selecting the people and making sure
2 that they are following the policies and procedures.
3 COUNCILMEMBER PATRICK: Ultimately if
4 there's a problem, staff can -- Shawn can go directly
5 to you and --
6 MR. ETTINGER: Absolutely.
7 COUNCILMEMBER PATRICK: -- you would be the
8 point of -- Okay.
9 MR. ETTINGER: Yes.
10 MAYOR PITTMAN: Ms. Fleming?
11 COUNCILMEMBER FLEMING: Dr. Gillen --
12 DR. GILLEN: Yes, ma'am.
13 COUNCILMEMBER FLEMING: -- at the last
14 meeting, I may have confused you or maybe I wasn't
15 articulating myself very well. I was talking about
16 our permitting software that we had -- that you had
17 originally referred to purchasing in our budget
18 reviews as part of our budget.
19 We presently have a contracted service that
20 we have been utilizing for the past four -- four or
21 five months now, and as I understand it, we've been
22 using their software in our computers here. Is that
23 correct?
24 DR. GILLEN: I believe so, yes.
25 COUNCILMEMBER FLEMING: Okay. The next

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1 contracted service that we may begin with, will they
2 be downloading their software into our computers for
3 permitting purposes and will those permits be the City
4 of Doraville formatted or are they going to be a
5 format of the selected contractor?
6 DR. GILLEN: Couple of questions, I want to
7 take the first one first.
8 As far as any computers that they might put
9 software on, there may be a few units in the Clerk's
10 office that they would put the software on. For the
11 most part, I'm assuming that Clark Patterson Lee's
12 people have their own equipment including computers;
13 they'd be using their own, but there may be a few
14 units in our offices that they may want to use or our
15 staff could access to gain access to the data.
16 COUNCILMEMBER FLEMING: Okay. In reading
17 extensively the materials provided by all of the
18 applicants, and particularly --
19 DR. GILLEN: Uh-huh.
20 COUNCILMEMBER FLEMING: -- since Clark
21 Patterson Lee was the low bid, based on the cost
22 proposal, it indicates fee structure for permit
23 coordination and management services, but yet in their
24 outline of their scope of services for us, that
25 particular item or items were not listed as to what

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1 they were going to do for us. On permit coordination
2 and management services --
3 DR. GILLEN: Okay.
4 COUNCILMEMBER FLEMING: -- it was not within
5 their proposal to us, so I'd like a little under-
6 standing of what \$57.81 an hourly rate is going to get
7 us.
8 DR. GILLEN: For the code enforcement or for
9 the building services portion?
10 COUNCILMEMBER FLEMING: Fee structure for
11 permit on page 19 of your documents --
12 DR. GILLEN: Okay.
13 COUNCILMEMBER FLEMING: -- it says fee
14 structure for permit coordination and management --
15 DR. GILLEN: Uh-huh.
16 COUNCILMEMBER FLEMING: -- at \$57.81 hourly
17 rate.
18 That is not what's delineated or --
19 DR. GILLEN: Okay.
20 COUNCILMEMBER FLEMING: -- itemized within
21 their proposal of services that they're going to
22 provide for us, so I didn't know what this -- what
23 we're going to get for this cost.
24 DR. GILLEN: Okay. I don't have their
25 document in front of me right now.

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1 Joe, do you have a copy that you could --
2 MR. COOLEY: (Presenting)
3 DR. GILLEN: -- go on up with? Thank you.
4 MR. COOLEY: And actually the scope of
5 services was actually -- was actually defined within
6 the RFP, which was all the responses, which ties the
7 -- The prices and everything are tied to our scope of
8 services.
9 What we did request was approaches that they
10 would take through the different ways that they would
11 handle things. Each of those was a little bit
12 different.
13 But they are tied to the responsibilities
14 that we have within the scope of the project, and it's
15 spelled out under -- starts in 3.1 Scope of Services,
16 Plan Review; 3.12 Building Inspector; 3.13 In-House
17 Plan Review, and 3.14 Code Interpretation. I do have
18 a copy of all the RFPs here if you'd like to see them.
19 COUNCILMEMBER FLEMING: In any of those 3.1s
20 that you just read out, I didn't hear anything about
21 permitting.
22 MR. COOLEY: Yes, ma'am. It's in the scope
23 of services, and I'll pull it back up.
24 COUNCILMEMBER FLEMING: Okay. I have ours
25 here. I did not read our RFP. I read the three

1 respondents' copies.
 2 MR. COOLEY: Yes, ma'am.
 3 COUNCILMEMBER FLEMING: Okay, but I did not
 4 read our RFP that went out.
 5 MR. COOLEY: Right. The RFP is actually
 6 what we requested the services for and the fees are
 7 associated with. It's actually part of the RFP where
 8 they fill out the form for the services that we
 9 requested in the scope of services.
 10 COUNCILMEMBER FLEMING: Okay.
 11 MR. COOLEY: What we've also asked for is
 12 ideas that they've got or we wanted to know, okay.
 13 how would you handle this on a -- you know, a --
 14 COUNCILMEMBER FLEMING: Correct. You --
 15 MR. COOLEY: Give us a description.
 16 COUNCILMEMBER FLEMING: -- asked them
 17 specific questions for them to answer. I saw those.
 18 MR. COOLEY: Right.
 19 COUNCILMEMBER FLEMING: But when you just
 20 read the 3.1s -- and I won't belabor this -- I did not
 21 hear you say anything about permitting services.
 22 MR. COOLEY: Let me pull that back up.
 23 Actually it's under 3.1.4 Code
 24 Interpretation and Revisions. Consultant shall make
 25 available code official who will be available for

1 COUNCILMEMBER FLEMING: Okay.
 2 MR. COOLEY: -- issuing the permits, etc.
 3 COUNCILMEMBER FLEMING: I have another
 4 question if you don't mind on the permitting services
 5 provided. Will we have an on-site person in the city
 6 of Doraville eight hours a day, you know, our time
 7 schedule, or will we have someone here for three hours
 8 per day or just an on-call "come and we'll give you
 9 all of the ones that have been requested?"
 10 DR. GILLEN: It's a Monday-through-Friday
 11 service at this point that we priced out for you.
 12 Eight hours a day --
 13 MR. COOLEY: If there was --
 14 DR. GILLEN: -- there would be a person
 15 there.
 16 MR. COOLEY: -- some reason --
 17 DR. GILLEN: Right. Say if there's some
 18 reason that that wasn't necessary, they could back it
 19 off, but they also could ramp it up when we are
 20 extremely busy, so --
 21 MR. COOLEY: The pricing is a 40-hour week,
 22 eight hours a day during our schedule.
 23 COUNCILMEMBER FLEMING: So that person will
 24 be located where?
 25 DR. GILLEN: Right in here in the Clerk's

1 public or for code interpretation and explanation.
 2 Building official is expected to respond to all
 3 inquiries during normal business hours within one
 4 business day. Additionally, the building official
 5 should maintain legal and process of both adoptions
 6 and revisions.
 7 The building official should also develop
 8 and continuously update the program and disseminate
 9 the information from the City personnel contractor's
 10 notices and to keep them aware of any and all code
 11 changes or relevant processing changes and basis for
 12 those changes. That's 3.1.4.
 13 COUNCILMEMBER FLEMING: Okay. I'm going to
 14 bypass it. Quote/unquote, I still didn't hear the
 15 word permitting, but that's -- that's all right.
 16 COUNCILMEMBER BATES: All right, Ms.
 17 Fleming. Are you -- are you trying to determine if
 18 there's going to be someone that actually issues the
 19 building permits?
 20 COUNCILMEMBER FLEMING: Absolutely.
 21 MR. COOLEY: Yes.
 22 DR. GILLEN: Yes. That is the basis of the
 23 section he was reading.
 24 MR. COOLEY: It's a turnkey customer
 25 service --

1 office.
 2 COUNCILMEMBER FLEMING: Okay. All right.
 3 For eight hours a day at \$57.81 per hour.
 4 Say yes. It's on page 19.
 5 DR. GILLEN: Yeah.
 6 COUNCILMEMBER FLEMING: Next question. Are
 7 we providing the automobile services for these people?
 8 DR. GILLEN: No, we are not. They'll
 9 provide their own vehicles. That's included in the
 10 cost.
 11 COUNCILMEMBER FLEMING: And how will they go
 12 about -- And maybe this is something that maybe Chief
 13 King will have to let me know, or Legal. How are the
 14 people that are assigned to code enforcement or code
 15 compliance, as they would prefer being called, how are
 16 they going to be appointed or installed as members
 17 of --
 18 You know, I'm unfamiliar with is that an
 19 appointed position of law where they're allowed --
 20 that the City is going to appoint them to be able to
 21 write a citation is what I'm trying to get at.
 22 DR. GILLEN: Yes.
 23 COUNCILMEMBER FLEMING: Okay. So there's
 24 going to be specific people doing that.
 25 DR. GILLEN: Correct; and those people will

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1 be assigned by the project manager. And again, if
2 we're not pleased with the services provided by that
3 individual, we can ask that that person be replaced.
4 COUNCILMEMBER FLEMING: Okay. And then the
5 last comment I want to make is that with the savings
6 that we are -- Mr. Patrick and I had spoken, and his
7 suggestion is that we be able to notify our residents
8 on this -- we need to be able to allow them -- to give
9 them an update of what the city is doing.
10 I mean they may see somebody coming onto
11 their property and pull out a gun and shoot it, okay,
12 because they don't know that they're hiring a
13 contracted service. They're used to seeing City of
14 Doraville and our people in their uniforms.
15 So I am in favor of using Mr. Patrick's
16 suggestion of putting out a newsletter of what the
17 residents can expect. I don't think we should just
18 rely on our web site to inform our residents.
19 DR. GILLEN: I agree, Council Member, Mayor.
20 Thank you for that comment. It is something I think
21 is very wise. And when we negotiate the contract or
22 finalize the contract for this, I'll make sure that is
23 a provision: for an initial piece of educational
24 material to go out but also ongoing updates.
25 And I also want to talk -- and we've already

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1 spoken in the interview with Clark Patterson Lee about
2 what they look like when they pull up to a property.
3 And they are willing to put a City of Doraville sign
4 on the side of their vehicles, wear City of Doraville
5 shirts with the city logo and name on it so people
6 know it's a city of Doraville person coming, not some
7 contractor you may not remember; or you don't even
8 know, you'd never heard of this; your first contact
9 with a City official is some company. We want it to
10 be a pleasant experience; we want them to know what's
11 going on. So I think --
12 COUNCILMEMBER FLEMING: Well --
13 DR. GILLEN: -- through those, we'll --
14 COUNCILMEMBER FLEMING: -- even if we don't
15 use, you know, actual attire for them to wear, a
16 police department name badge or something that the
17 police department has provided with their picture on
18 that they must wear at all times within the city. I
19 think that's something that must be done --
20 DR. GILLEN: I think so too.
21 COUNCILMEMBER FLEMING: -- to try to
22 identify themselves.
23 Thank you very much.
24 MAYOR PITTMAN: Okay. Ms. Dean?
25 COUNCILMEMBER DEAN: Okay. First, because

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1 this is related, we had a code enforcement officer
2 turn in her resignation, and she was given a two-week
3 administrative leave. And I'm very sorry to hear
4 that, because I thought she provided good services to
5 the city.
6 And I'd also like to say that I think this
7 decision has already been made. But again, to
8 reiterate, we the City -- the City is paying the City
9 Manager \$120,000 a year to manage the city.
10 And this whole -- this whole concept of
11 contracting everything out, part of the charm of a
12 small city is having the citizens be able to go up to
13 city hall and to talk to staff and to know staff and
14 for staff to have an interest -- in how the community
15 develops and the people in the community. so that I
16 just -- I wanted --
17 This was not what I had envisioned, and --
18 and I understand that people have said, Oh, we're
19 doing things incorrectly; and nothing is changing but
20 we keep -- We've had a couple of plans, one being the
21 30/30/30 plan: Well, let's try this one. Clearly,
22 that didn't work.
23 And there's one big, big, big issue that's
24 still hanging out there, and that's enforcement. Our
25 streets are ugly. There are -- there are things that

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1 are violating our ordinance that you could see just
2 driving down the street without even looking for them.
3 I try not to look for them, and now I can't help but
4 see them everywhere I look. And it's solely due to
5 lack of enforcement, and I think that that is --
6 that's going to remain.
7 I don't care if we contract out people or if
8 we continue with a 30/30/30 plan or whatever we do.
9 If we don't enforce the ordinances that we have in
10 place, it's not going to be cleaned up. Our city is
11 still going to be trashy, and that's --
12 And it is: it's trashy. I'm embarrassed to
13 live here sometimes. I'm embarrassed when I have my
14 friends come in from other cities, and they drive
15 through. Now the property on Jess Norman and Stewart
16 Road, and there's all this dead-tree debris. And
17 there are flags; little used- car flags hanging off
18 the buildings. It's an embarrassment.
19 And so however we go here, I hope that we
20 could start cleaning up what we have. Again, I think
21 that a lack of loyalty is going to be something that
22 we will be facing if we contract this out.
23 Lack of employee control. It would be the
24 employees will not report to us; they may report to
25 their manager, who will report to the City. But still

1 there's an extra layer there that I don't think that
2 we need. There's a higher turnover rate for contract
3 employees. If a contractor leaves, the knowledge that
4 that employee has also leaves, because there's no
5 guarantee that he or she will be obligated to provide
6 those services to us.

7 And I just think that -- I think that it's
8 -- I think it's a mistake to do this. I think that we
9 need a building official, a certified building
10 official who is able to inspect buildings and is able
11 to put together all those other systems that we have
12 lacked for some time.

13 And yeah, I am adamantly opposed to this.
14 The Quality of Life, again, it's enforcement. I think
15 this a mistake. I hope that I am proven wrong, but
16 those are my thoughts on this.

17 MAYOR PITTMAN: Okay. Mr. Patrick?

18 COUNCILMEMBER PATRICK: I just have a couple
19 more items.

20 With the idea of a newsletter detailing, I
21 guess, the new people that are in the city, could they
22 also put together a list of some of the more common
23 items that they catch people on for code enforcement,
24 businesses or residences? And again this is just to
25 give them, our residents, time to adjust to -- to --

1 to the changes that are being proposed.

2 DR. GILLEN: Sure.

3 COUNCILMEMBER PATRICK: That'll be it.

4 DR. GILLEN: Thank you.

5 MAYOR PITTMAN: Okay.

6 COUNCILMEMBER PACHUTA: I'll go ahead and
7 make a motion to authorize the City Manager to enter
8 into a contract, with Legal's approval, with Clark
9 Patterson & Lee for building department services and
10 code enforcement services.

11 MAYOR PITTMAN: Okay. Second?

12 COUNCILMEMBER ALEXANDER: Second.

13 MAYOR PITTMAN: Discussion?

14 ---
15 (No response)

16 ---
17 MAYOR PITTMAN: Call the roll, please.

18 CLERK BRYANT: Councilmember Alexander?

19 COUNCILMEMBER ALEXANDER: Yes.

20 CLERK BRYANT: Councilmember Bates?

21 COUNCILMEMBER BATES: Yes.

22 CLERK BRYANT: Councilmember Dean?

23 COUNCILMEMBER DEAN: No.

24 CLERK BRYANT: Councilmember Fleming?

25 COUNCILMEMBER FLEMING: No.

1 CLERK BRYANT: Councilmember Pachuta?

2 COUNCILMEMBER PACHUTA: Yes.

3 CLERK BRYANT: Councilmember Patrick?

4 COUNCILMEMBER PATRICK: Yes.

5 MAYOR PITTMAN: And thank you. Motion
6 carries.

7 DR. GILLEN: Thank you.

8 MAYOR PITTMAN: All right. And we're going
9 to go into Public Comments.

10 I do want to say to SAFEbuilt, thank you
11 very much. You have served our city well in what
12 you've done, and we appreciate it very much.

13 If you have public comments, please line up
14 at the podium and limit your comments to three
15 minutes, state your name for the court reporter.

16 MR. STEVEN DEAN: Steven Dean.

17 You know, I voted for each and every one of
18 you, especially you, and you do not represent the city
19 at all. You especially don't represent your
20 community. So how can you make this decision to take
21 away the power of checks and balances from a contract
22 employee, which is essentially what he is, okay -- how
23 can you take that power away from yourselves? Why
24 would you do that?

25 Second thing is I sent a lengthy email out,

1 and clearly there is collusion on this on this dais.

2 It seems to me, based on what I inferred from my --
3 you know, what I inferred, you guys have already made
4 the decision. When did you vote on this? When you
5 were playing Trivial Pursuit? I am just -- I can't
6 believe that you guys sit up there, elected officials,
7 and don't care about your community. You just don't.

8 MR. HART: Tom Hart, Gordon Heights. Or it
9 used to be. I don't know what it is now. We're going
10 to subcontract it out.

11 I'm amazed. I am just amazed. You know,
12 it's Doraville, though. From the CT zoning, we do
13 that, and then we turn down the teen club and then we
14 -- then we have to blight New Peachtree Road, which is
15 the main street, for somebody that's already bought a
16 building, to get them -- to entice them to buy the
17 building.

18 You can't make this stuff up. It's called
19 Crazy Town. It's always been. Internationally, it's
20 called Crazy Town. You only have to attend one of
21 these meetings and you go, Where'd you get these
22 people? Who voted for them? That's the big question.

23 He's talking about, you know, we're going to
24 get rid of two employees in the city hall. Oh, by
25 the way, the police department, I like the six new

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1 cars that you told everybody about that I saw driving
2 around the streets. Well, the fact that you're moving
3 all the people out of the upper building down to City
4 Hall; see, we know all these things now because this
5 is an open government.
6 And my favorite thing tonight is \$250.00
7 donations; if you're against a project, you have to
8 report it. But if you look in the law, if you're for
9 a project, you can give the guys five grand and you
10 don't have to report it. It's in the law. I love our
11 legal services here. I like the counsel who reads
12 everything.
13 It's a joke to sub these ser- -- you don't
14 have a building official on site so you can walk in
15 City Hall and find out what's going on. What are the
16 taxpayers paying for?
17 We're going to be down to two employees, a
18 mayor sitting at home, and we're going to have a
19 professional manager with two employees sitting in
20 City Hall. If you want to make -- if you want to put
21 a hot water heater in, Ah, well, like wait a couple
22 weeks till somebody shows up.
23 We've got two trained code enforcement
24 officials. They only have two cars. One of their
25 cars is sitting in a shop over at the Toyota

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1 dealership. They only got one car to drive. We've
2 got two code enforcement people with one car to drive.
3 That's because they won't fix the other one because
4 they have planned to do this all along.
5 This is called a closed government. The
6 bidding process tonight: make sure everything is done
7 behind closed doors, make sure all the purchases and
8 sales are done behind closed doors.
9 Make sure that you keep your phony baloney
10 jobs by controlling the message. This is truly the
11 most corrupt city in Georgia. There is no equal.
12 Thank you.
13 MR. BOB KELLY: I hate following him.
14 Too often we're told that -- we send emails
15 to you people, we talk to you, and a lot of times
16 we're told, We'll get back to you, we'll get back to
17 you; and we never hear back.
18 My question or comment is for Dr. Gillen.
19 At the last meeting you deflected concerns
20 and comments regarding the tree-cutting situation over
21 on Stewart Road, you assured us the matter would be
22 investigated and reported back to us the results of
23 that investigation. Do you have such an update or can
24 you give us a time frame for when we'll hear back on
25 this?

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1 MS. BRADFORD: Cindy Bradford, Northwoods.
2 Bob kind of said what I wanted to say.
3 Enforcement's the problem. It's not -- it wasn't the
4 Quality of Life people; it's the lack of
5 enforcement.
6 I sent an email over the weekend too asking
7 about the trees. Maybe I'm used to working for myself
8 and in the corporate world, but investigation? 15
9 minutes: Bam, no permit, trees were cut down,
10 thousands of dollars in fines, and this mess has to be
11 cleaned up. And I can't even get an answer.
12 I was told on the record, with verbatim
13 minutes being taken and that camera rolling, that we
14 would be kept in the loop on this. But I had to do my
15 own investigation to find out that a citation was
16 issued, and I am waiting for my copy of that citation
17 now to see -- to make sure that at least 11 trees were
18 deemed worthy of the thousand-dollar-per-tree fine.
19 And I will be in court the day that this is going to
20 be presented, which is August the 8th if anybody else
21 wants to come.
22 But I don't like being told that I'm going
23 to be kept in the loop, that government is going to be
24 open, and to continually feel like I'm shut out
25 anyway.

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1 On a positive note, thank you for turning
2 down the teen club, but that was kind of a no-brainer,
3 you know. I mean that guy was -- it was a no-brainer.
4 Thank you.
5 MS. CRAWFORD: Well, maybe not such a no-
6 brainer. Susan Crawford, Oakcliff.
7 I wonder, with the verbatim minutes --
8 And by the way, I also would feel more
9 secure without that other layer in between me and
10 things I have to say or people I want to talk to.
11 But with the verbatim minutes, suppose I
12 want to look up something like CT zoning. Am I going
13 to be able to do that now with -- with the videos, or
14 do I go through every video? Now we can just -- you
15 know, it's -- And maybe I'm more of a written kind of
16 person, but aren't we making things a little more
17 complicated for ourselves to look up a particular
18 thing?
19 Also, does that mean that our loyal,
20 wonderful court reporter is going? And if so, do we
21 do it just like that? Is there no loyalty, or am I an
22 anomaly like the people who live in the apartment
23 complex?
24 And -- and I just want to say there are
25 probably what? a hundred, 50 or so people living

1 there. If each one of those people lived in nice
2 houses, that would be 150 people living in nice houses
3 abutting what you just down-zoned, and I'm wondering
4 if they would be a little more important and that
5 zoning would have been given a little more thought had
6 that been the case. And I'm sure that each of you
7 carefully considered the Steinberg laws before you
8 made your decision. Thank you.

9 MR. ANDERSON: Stuart Anderson.
10 Complain, complain. The verbatim minutes
11 and some of the outsourcing, I'm very concerned about.

12 I don't -- I hate in my -- well, I hate that
13 I would have to agree with Tom Hart in much of
14 anything, but some of what he said was spot on. Not
15 the hyperbolic stuff, but a lot of this is not -- not
16 good. Thank you.

17 MAYOR PITTMAN: Okay.

18 COUNCILMEMBER ALEXANDER: Motion to adjourn.

19 MAYOR PITTMAN: Second?

20 COUNCILMEMBER PACHUTA: Second.

21 MAYOR PITTMAN: Discussion?

22 ---

23 (No response)

24 ---

25 MAYOR PITTMAN: Call the roll, please.

1 CLERK BRYANT: Councilmember Alexander?

2 COUNCILMEMBER ALEXANDER: Yes.

3 CLERK BRYANT: Councilmember Bates?

4 COUNCILMEMBER BATES: Yes.

5 CLERK BRYANT: Councilmember Dean?

6 COUNCILMEMBER DEAN: Yes.

7 CLERK BRYANT: Councilmember Fleming?

8 COUNCILMEMBER FLEMING: Yes.

9 CLERK BRYANT: Councilmember Pachuta?

10 COUNCILMEMBER PACHUTA: Yes.

11 CLERK BRYANT: Councilmember Patrick?

12 COUNCILMEMBER PATRICK: Yes.

13 ---

14 (Meeting adjourned at approximately 8:45 p.m.)

15 -o0o-

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C E R T I F I C A T E

2 STATE OF GEORGIA]

3 COUNTY OF DEKALB]

4 I hereby certify that the above and foregoing
5 consisting of pages 1 through 119 is a true and
6 correct transcription of my stenographic notes taken
7 at the hereinabove set out time and place and was
8 reduced to typewriting by me.

9 I further certify that I am neither a relative
10 or employee or attorney or counsel to any of the
11 parties, nor financially or otherwise interested in
12 this matter.

13 This the 24th day of July 2013.

16 Theresa Bretch, CCR

17 Permit No. B-755

19 [SEAL]

	51:14	29:11		117:3
\$	11:00 (3) 40:25;42:12;44:9	200-plus (1) 70:6	5	academic (1) 41:14
\$10.00 (2) 45:3;54:5	11:59 (1) 42:10	2010 (1) 29:13	50 (5) 3:21;27:19;39:17; 78:21;116:25	academically (1) 43:2
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\$57.81 (3) 99:6,16;104:3	14-year-olds (2) 49:8,9	285 (1) 64:6	632 (1) 51:6	acres (1) 15:15
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