

In The Matter Of:

*City Council Meeting
City of Doraville, State of Georgia*

*Mayor Ray Jenkins Presiding
February 4, 2008*

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CITY COUNCIL MEETING
CITY OF DORAVILLE
STATE OF GEORGIA
* * *

Transcript of the proceedings held in
the City Council Room at Doraville City
Hall, 3725 Park Avenue, Doraville, Georgia,
Mayor Ray Jenkins presiding, before Theresa
Bretch, Certified Court Reporter, commencing
at 6:30 p.m. on Monday, February 4, 2008.
* * *

[1] PROCEEDINGS
[2] **MAYOR JENKINS:** Meeting come to order.
[3] We welcome everyone tonight. Do we have any
[4] celebrities with us? So we'll move right along.
[5] We're going to move a couple items up,
[6] but I'd like to get Priscilla to call the roll.
[7] **MS. MURPHY:** Councilwoman Alexander?
[8] **COUNCILWOMAN ALEXANDER:** Here.
[9] **MS. MURPHY:** Councilman Bates?
[10] **COUNCILMAN BATES:** Here.
[11] **MS. MURPHY:** Councilman Spangler?
[12] **COUNCILMAN SPANGLER:** Here.
[13] **MS. MURPHY:** Councilwoman Pittman?
[14] **COUNCILWOMAN PITTMAN:** Here.
[15] **MS. MURPHY:** Councilman Roche?
[16] **COUNCILMAN ROCHE:** Here.
[17] **MS. MURPHY:** Councilwoman Fleming is
[18] not here yet, Mayor.
[19] (Brief discussion at council table.)
[20] **MAYOR JENKINS:** We got one council-
[21] member . . .
[22] I'm going to request an update, City
[23] Clerk update. We supposedly hired a City Clerk
[24] as of today, but it'll be three weeks before
[25] she'll come on duty. Her name is Priscilla

[1] **APPEARANCES:**
[2] Doraville City Council:
[3] Hon. Ray Jenkins, Mayor
[4] Councilwoman Maria Alexander
[5] Councilman Brian Bates
[6] Councilman Robert Spangler
[7] Councilwoman Donna Pittman
[8] Councilman Bob Roche
[9] Councilwoman Pam Fleming
[10]
[11] Hugh "Rick" Powell, City Attorney
[12]
[13] Ms. Priscilla Murphy, Consultant
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[1] Walker, and she is a fully-certified city clerk.
[2] So we're looking forward to get her on board so
[3] we can go ahead with some of the things we've
[4] been putting off for quite a while.
[5] The newsletter. Rick, have you got the
[6] letter on the newsletter?
[7] **ATTORNEY POWELL:** The memo that I sent?
[8] **MAYOR JENKINS:** Yeah, the one you sent.
[9] **ATTORNEY POWELL:** Yeah.
[10] **MAYOR JENKINS:** We've been asked to
[11] allow advertising on our little newsletter we
[12] put out each month, and I asked Rick to give me
[13] some input into that, and it is legal. However,
[14] the City newsletter is a public forum and it
[15] would be difficult to restrict certain ads,
[16] which some might find offensive. We can discuss
[17] this matter more in detail at the next work
[18] session.
[19] But can you get us an ordinance or
[20] whatever to what can go in the newsletter?
[21] **ATTORNEY POWELL:** That's the point,
[22] Mayor. It's a public forum, and under free
[23] speech, people are going to be able to advertise
[24] anything that's legal.
[25] **COUNCILMAN BATES:** I've checked with

[1] the City of Decatur because they do allow
[2] advertising, and they do have some restrictions
[3] on the content that can go in. So I've got
[4] information coming from them specific to who can
[5] advertise in their publication along with sample
[6] newsletters, so I'll have that for the work
[7] session. Decatur Focus.

[8] **MAYOR JENKINS:** So we'll kindly
[9] postpone that and put it on the work session for
[10] the mid-month meeting?

[11] **COUNCILMAN BATES:** Yes, sir.

[12] **MAYOR JENKINS:** Is that all right?
[13] Follow up on questions/answers

[14] concerning citizens comments. We have citizens
[15] comment at the end of the meeting, and the
[16] Commissioners want to be -- follow through on
[17] that and bring it up at the next meeting.

[18] I don't see any problem with that.
[19] Does anybody have a problem with that? Do we
[20] need a motion on that?

[21] Did you understand what I'm saying?

[22] Well, let's just go ahead and make a
[23] motion on it and get it -- do I get a motion
[24] that we follow through on the questions and
[25] answers at the next meeting?

[1] **MAYOR JENKINS:** Okay. You make that in
[2] the form of a motion.

[3] **COUNCILMAN BATES:** Move that we begin
[4] to advertise the position of City Planner based
[5] upon the job summary that was presented to
[6] Council at the February -- or the January 22nd
[7] mid-month work session.

[8] **COUNCILMAN ROCHE:** Can I see copies of
[9] that? It's the one that I didn't bring with me.

[10] **MAYOR JENKINS:** Excuse me?

[11] **COUNCILMAN ROCHE:** I just would like to
[12] see a copy of that. That's the one thing I
[13] managed to not bring with me.

[14] **COUNCILMAN BATES:** (Presenting)

[15] **COUNCILMAN ROCHE:** I second the motion.

[16] **MAYOR JENKINS:** Anymore discussion?

[17] **MS. MURPHY:** Councilwoman Alexander?

[18] **COUNCILWOMAN ALEXANDER:** Yes.

[19] **MS. MURPHY:** Councilman Bates?

[20] **COUNCILMAN BATES:** Yes.

[21] **MS. MURPHY:** Councilwoman Pittman?

[22] **COUNCILWOMAN PITTMAN:** Yes.

[23] **MS. MURPHY:** Councilman Roche?

[24] **COUNCILMAN ROCHE:** Yes.

[25] **MS. MURPHY:** Councilman Spangler?

[1] **COUNCILMAN SPANGLER:** Motion.

[2] **MAYOR JENKINS:** Second?

[3] **COUNCILMAN BATES:** Second.

[4] **MS. MURPHY:** Councilwoman Alexander?

[5] **COUNCILWOMAN ALEXANDER:** Yes.

[6] **MS. MURPHY:** Councilman Bates?

[7] **COUNCILMAN BATES:** Yes.

[8] **MS. MURPHY:** Councilwoman Pittman?

[9] **COUNCILWOMAN PITTMAN:** Yes.

[10] **MS. MURPHY:** Councilman Roche?

[11] **COUNCILMAN ROCHE:** Yes.

[12] **MS. MURPHY:** Councilman Spangler?

[13] **COUNCILMAN SPANGLER:** Yes.

[14] **MAYOR JENKINS:** Let's get an update on
[15] the City Planner. Does anybody have an update?

[16] I haven't set up any meetings on that
[17] yet, but we need to go ahead and do that if we
[18] want to get together and set up some meetings on
[19] it.

[20] **COUNCILMAN BATES:** What I would like to
[21] do, Mr. Mayor, is make a motion that we begin to
[22] advertise the position of City Planner based
[23] upon the job summary and description that was
[24] presented to Council at the mid-month work
[25] session.

[1] **COUNCILMAN SPANGLER:** Yes.

[2] **MAYOR JENKINS:** Thank you. Okay.

[3] Let's go to 14 which is Zoning Ordinance. We
[4] need to be setting up some dates on this.

[5] Do you remember what the deadline was,
[6] Brian, on getting started on the Zoning
[7] Ordinance?

[8] **COUNCILMAN BATES:** Well, the deadline
[9] for comments was January 31st. That was just to
[10] create the file for when and if the new planner
[11] came on board, we would have a file of
[12] recommendations for them to review.

[13] **MAYOR JENKINS:** I make a suggestion
[14] that we have numerous meetings between now and
[15] the time that we get a city planner.

[16] **COUNCILMAN BATES:** I would actually
[17] respectfully disagree. That would be a role
[18] that the city planner could coordinate and
[19] manage and ask appropriate questions and answer
[20] appropriate questions.

[21] To have a meeting without the city
[22] planner on board would be exactly what we're
[23] doing the last -- last year. So I would request
[24] that we hold off the town meetings until we
[25] actually have someone on board.

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[1] **MAYOR JENKINS:** Do I get a motion that
[2] we reschedule the Zoning Ordinance until we get
[3] a new city planner? Is that -- do you want to
[4] make a motion?
[5] **COUNCILMAN BATES:** I don't think we
[6] need one.
[7] **MAYOR JENKINS:** We may not.
[8] **COUNCILMAN BATES:** We've got a
[9] moratorium on the zoning variances now, so I
[10] don't think we need to do anything.
[11] **MAYOR JENKINS:** Okay. That's good.
[12] **ATTORNEY POWELL:** Mr. Bates, how long
[13] is that moratorium?
[14] **COUNCILMAN BATES:** It was three months
[15] from December 4th, so it'll expire March 4th, I
[16] believe.
[17] **MAYOR JENKINS:** Okay.
[18] - - -
[19] (Councilwoman Fleming entered the meeting
[20] room.)
[21] - - -
[22] **COUNCILWOMAN FLEMING:** My apologies.
[23] **MAYOR JENKINS:** No problem.
[24] **COUNCILMAN ROCHE:** We're all set?
[25] **COUNCILWOMAN FLEMING:** Yeah.

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[1] **MAYOR JENKINS:** Okay. Put it in the
[2] minutes that Ms. --
[3] **MS. MURPHY:** Ms. Fleming is present.
[4] **MAYOR JENKINS:** Okay. I'm going to
[5] move the alcohol, number 11, up, and we're going
[6] to go ahead and bring that up now.
[7] **ATTORNEY POWELL:** You need to approve
[8] the minutes of the prior meeting.
[9] **MAYOR JENKINS:** Okay. Approve the
[10] minutes, January the 7th, 2008.
[11] **COUNCILWOMAN PITTMAN:** Motion.
[12] **MAYOR JENKINS:** Second?
[13] **COUNCILWOMAN ALEXANDER:** Second.
[14] **MS. MURPHY:** Councilwoman Alexander?
[15] **COUNCILWOMAN ALEXANDER:** Yes.
[16] **MS. MURPHY:** Councilman Bates?
[17] **COUNCILMAN BATES:** Yes.
[18] **MS. MURPHY:** Councilwoman Fleming?
[19] **COUNCILWOMAN FLEMING:** Yes.
[20] **MS. MURPHY:** Councilwoman Pittman?
[21] **COUNCILWOMAN PITTMAN:** Yes.
[22] **MS. MURPHY:** Councilman Roche?
[23] **COUNCILMAN ROCHE:** Yes.
[24] **MS. MURPHY:** Councilman Spangler?
[25] **COUNCILMAN SPANGLER:** Yes.

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[1] **MAYOR JENKINS:** Okay. On the -- like I
[2] say, I'm going to move the alcohol thing up. Is
[3] anybody going to speak for the people? Do you
[4] have your attorney here or are you going to
[5] speak on your own?
[6] Okay. I think there was a lot of
[7] misunderstanding of about -- what this was all
[8] about, and I'm going to say this: that actually
[9] there was no proposal to change the alcohol
[10] pouring ordinance.
[11] The alcohol pouring ordinance is at 2
[12] o'clock. They have a clearing-out period of 30
[13] minutes. All the business people asked was to
[14] have another 30 minutes of clearing out, not
[15] selling alcohol. It's been in e-mails and all
[16] over town. I just wanted to clarify that. And
[17] then if the Council wants to say anything about
[18] it, that's fine. We never intended to change
[19] any alcohol pouring times.
[20] Do you have anything to say, anybody in
[21] the audience, on alcohol?
[22] At the table?
[23] **COUNCILMAN BATES:** I'd turn it over to
[24] the Chief to see if we've seen any decrease in
[25] behavior.

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[1] (Inaudible)
[2] **COUNCILMAN BATES:** Never mind. There's
[3] nothing to discuss, then.
[4] **MAYOR JENKINS:** Nothing to discuss; is
[5] that correct?
[6] **CHIEF KING:** I didn't know, Mayor, if
[7] you wanted me to translate for some of the folks
[8] that English might not be their first language.
[9] They might not understand you. I can offer to
[10] do that.
[11] **MAYOR JENKINS:** Okay.
[12] - - -
[13] (Chief King translates from English into
[14] Spanish.)
[15] - - -
[16] **CHIEF KING:** Basically, Mayor, the law
[17] is very clear: 2 o'clock is closing time of the
[18] last alcohol served, 2:30 is where the people
[19] have to exit.
[20] There's been a lot of discussion with
[21] some of the owners of the bars of coming before
[22] the City Council and asking for consideration
[23] for 30 additional minutes to ask the patrons to
[24] leave the clubs, but no decision -- right now
[25] the law stands where it is and that the City

[1] Council will listen to any comments based on
[2] that.

[3] **MAYOR JENKINS:** That's right. See if
[4] they have any more comments.

[5] - - -

[6] (Chef King translates from English into
[7] Spanish.)

[8] - - -

[9] **MAYOR JENKINS:** Speak now or forever
[10] hold your peace.

[11] Come on up, sir. Come on up to the
[12] microphone.

[13] John? Interpret for him.

[14] - - -

[15] (Mr. Sanchez' statements below were
[16] translated from Spanish into English by Chief
[17] King.)

[18] - - -

[19] **MR. SANCHEZ:** Franklin Sanchez.

[20] What we want -- the persons that work
[21] in the clubs, we spoke to the attorney, and
[22] basically what we wanted to come and ask the
[23] Council for an extension of time.

[24] Currently we have till 2:30 in the
[25] morning for everybody to leave the clubs. We

[1] people would return to the clubs. We can
[2] recover more money. And not the 60 percent that
[3] we've lost; at least we could recover 25 percent
[4] or more we've lost.

[5] Right now, all the clubs are losing
[6] money every week. We're losing between 40 to 50
[7] percent. We don't have silver to pay all the
[8] cost.

[9] We would like, then, if you could give
[10] us the extension of additional time so we can
[11] work with our clients that we had before.

[12] **MAYOR JENKINS:** Thank you.

[13] John, I've got a question. I think we
[14] got -- the proposal that I understood was till 3
[15] o'clock. In other words, an additional 30
[16] minutes.

[17] **MR. SANCHEZ:** We want to know how is
[18] the law formed. We have 30 minutes so that
[19] people leave the club, so all the clients and
[20] all the employees leave the club. Because right
[21] now, we're closing at 2 o'clock in the morning,
[22] and all the employees and all the customers are
[23] leaving by 2:15 in the morning.

[24] **CHIEF KING:** Do you want me to explain
[25] the law?

[1] wanted to ask the Council if they would consider
[2] letting us have till 3:30 in the afternoon.

[3] **UNIDENTIFIED SPEAKER:** Morning.

[4] **CHIEF KING:** I'm sorry. 3:30 in the
[5] morning. I apologize.

[6] **MR. SANCHEZ:** No sale of alcohol beyond
[7] 2 o'clock, but to allow us to basically have all
[8] the people leave at 3:30.

[9] When we have a little bit more time, so
[10] the people can enjoy their dancing, they're
[11] going to come more to the clubs in Doraville, as
[12] they can dance.

[13] We've lost about 50 to 60 percent of
[14] our clients that used to come to our facilities.
[15] They go to other clubs that close at 4 o'clock
[16] in the morning. They're not coming to the clubs
[17] in Doraville because then they have to pay for
[18] another cost going to another club.

[19] If you give us the extension, then our
[20] clients will come to our businesses, even though
[21] they won't be drinking alcohol beyond 2 o'clock
[22] but at least they'll enjoy their time and dance.

[23] We work at year to develop our clients,
[24] and our clients are asking us why are we closing
[25] so early. If we had that extra hour, then

[1] **MAYOR JENKINS:** Yes.

[2] **COUNCILMAN BATES:** Well, the ordinance
[3] clearly stipulates that the public shall clear
[4] the establishment within 30 minutes.

[5] **MR. SANCHEZ:** Not the employees? Does
[6] the law say that the employees can stay there
[7] beyond 2:30?

[8] **COUNCILMAN BATES:** It doesn't say that
[9] they have to leave.

[10] **MR. SANCHEZ:** What time do we have to
[11] stop the music?

[12] **COUNCILMAN BATES:** It doesn't stipulate
[13] that, does it?

[14] **MR. SANCHEZ:** Basically, the law does
[15] not say what time specifically the music will
[16] stop but it just say that all the clients must
[17] be out of the establishment by 2:30.

[18] Originally, we asked for 30 additional
[19] minutes.

[20] **CHIEF KING:** He's asking if you can --
[21] I asked him to clarify because he's asking me,
[22] "Well, can you give us 15 minutes and then an
[23] additional 30 minutes?" So basically he's
[24] asking, can you give an extension to 3:15?

[25] **MR. SANCHEZ:** (In English) 3 o'clock?

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[1] **MAYOR JENKINS:** The alcohol is still at
[2] 2:00.
[3] **MR. SANCHEZ:** Yes. We will stop the
[4] sale of alcohol at 2:00, but if the customers
[5] can remain inside the club till 3:00/3:15 and
[6] then everybody will leave at that moment.
[7] **MAYOR JENKINS:** Thank you.
[8] **MR. SANCHEZ:** Thank you.
[9] **MAYOR JENKINS:** You want to bring it up
[10] to the table? Any discussion?
[11] Do I hear a motion?
[12] I don't get a motion? In other words,
[13] what you're saying is you want it to stay as it
[14] is?
[15] **COUNCILWOMAN PITTMAN:** Yes.
[16] **MAYOR JENKINS:** Okay. It's turned down
[17] by the lack of a motion. No. Sorry.
[18] That's all. Thank you.
[19] **COUNCILWOMAN ALEXANDER:** Does Sandra
[20] need to translate for him?
[21] **MAYOR JENKINS:** Does Sandra need to
[22] translate that for them?
[23] **COUNCILWOMAN PITTMAN:** She can
[24] translate.
[25] **MAYOR JENKINS:** We turned the request

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[1] down.
[2] **MS. BRYANT:** (Translating from English
[3] into Spanish.)
[4] Can they stop the music at 2:25?
[5] **UNIDENTIFIED SPEAKER:** The music is at
[6] 2:30.
[7] **COUNCILWOMAN FLEMING:** That's not the
[8] issue.
[9] **MAYOR JENKINS:** In other words, it
[10] stays the same. We did not change any time.
[11] That's it. Thank you. We appreciate
[12] you coming.
[13] Thank you, Sandra.
[14] Y'all can stay or you can take a little
[15] time to leave if you care to.
[16] I'm going to move item number 11 --
[17] excuse me -- we're going to take the Chief's
[18] contract, item number 9, and move it up now.
[19] And I want to ask the Council if they
[20] care to go into Executive Session.
[21] **COUNCILMAN ROCHE:** I'd like to make a
[22] motion to go into Executive Session.
[23] **COUNCILWOMAN ALEXANDER:** Second.
[24] **MAYOR JENKINS:** Priscilla?
[25] **MS. MURPHY:** Councilwoman Alexander?

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[1] **COUNCILWOMAN ALEXANDER:** Yes.
[2] **MS. MURPHY:** Councilman Bates?
[3] **COUNCILMAN BATES:** Yes.
[4] **MS. MURPHY:** Councilwoman Fleming?
[5] **COUNCILWOMAN FLEMING:** Yes.
[6] **MS. MURPHY:** Councilwoman Pittman?
[7] **COUNCILWOMAN PITTMAN:** Yes.
[8] **MS. MURPHY:** Councilman Roche?
[9] **COUNCILMAN ROCHE:** Yes.
[10] **MS. MURPHY:** Councilman Spangler?
[11] **COUNCILMAN SPANGLER:** Yes.
[12] **MS. MURPHY:** That's unanimous, Mayor.
[13] - - -
[14] (Whereupon, the Council met in Executive
[15] Session from 7:00 p.m. until approximately
[16] 8:00 p.m.)
[17] - - -
[18] **MAYOR JENKINS:** I'll bring the meeting
[19] back to order.
[20] We went into Executive Session. We
[21] took no action. So we will be setting a special
[22] meeting for the 11th of February at 6:00 p.m.
[23] Now, this will be a -- it'll be an opening
[24] meeting but it'll be a work session.
[25] **UNIDENTIFIED SPEAKER:** No.

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[1] **UNIDENTIFIED SPEAKER:** No.
[2] **MAYOR JENKINS:** It won't be a work
[3] session.
[4] **ATTORNEY POWELL:** No. A special call
[5] meeting with the possibility of going into
[6] Executive Session.
[7] **MAYOR JENKINS:** Okay. Well, I'm
[8] warning the people that it could go into
[9] Executive Session --
[10] **ATTORNEY POWELL:** Yes, sir.
[11] **MAYOR JENKINS:** -- and they may have to
[12] sit here an hour --
[13] **ATTORNEY POWELL:** Right.
[14] **MAYOR JENKINS:** -- to two hours. You
[15] understand what I'm saying: it could go into
[16] Executive Session.
[17] **UNIDENTIFIED SPEAKER:** Could I ask a
[18] question, Ray?
[19] **MAYOR JENKINS:** Yes, sir.
[20] **UNIDENTIFIED SPEAKER:** Why is it you
[21] can't have Executive Sessions at the end of the
[22] meeting instead of the first of the meeting?
[23] There's a lot of people who made a special
[24] effort to get up here to the meeting.
[25] **MAYOR JENKINS:** Sir, I didn't -- that's

[1] what I'm trying to save on the next meeting. I
[2] did not know we was going into Executive Session
[3] when I moved it to the head of the -- it was
[4] down at the lower end of the meeting. Okay? I
[5] agree with you. Thank you.
[6] **COUNCILWOMAN FLEMING:** What time
[7] Monday?
[8] **COUNCILMAN BATES:** 6:00 p.m.
[9] **MAYOR JENKINS:** 6:00 p.m., Monday the
[10] 11th. You're welcome, but you may have to do
[11] the same thing we did tonight.
[12] Okay, Rick. Contracts for the judges.
[13] **ATTORNEY POWELL:** Y'all have the -- I
[14] have the originals in a file here, but you have
[15] the resolution and with the attached contract
[16] for the judges and the solicitor. I just drew
[17] it as one resolution, and it's the ones that you
[18] have used at the last work session.
[19] **MAYOR JENKINS:** Okay. This is just on
[20] the judges.
[21] **ATTORNEY POWELL:** No. This is the
[22] judges and the solicitors.
[23] **MAYOR JENKINS:** Well, I mean do it
[24] separate.
[25] **ATTORNEY POWELL:** Well, the resolution

[1] at \$350.
[2] **MAYOR JENKINS:** Okay. That takes care
[3] of the judges and the solicitors. Okay.
[4] Do I have a motion on the judges and
[5] the solicitors?
[6] **COUNCILMAN ROCHE:** With Judge Carter,
[7] unless we're paying him employee benefits, which
[8] would make him basically an employee, and I know
[9] we just went through this, but I prefer to have
[10] employees to employees without contracts because
[11] I think we open the possibility of having to
[12] make a contract for everybody and then we got to
[13] pay for them all, et cetera, et cetera.
[14] So I'm wondering if we couldn't just
[15] have him continue as he is here. We just
[16] wouldn't sign a contract.
[17] **MAYOR JENKINS:** Is this a contract as
[18] you say? It's not necessarily a contract.
[19] **ATTORNEY POWELL:** It does work as a
[20] contract.
[21] And I'm not representing him, but in
[22] discussing with him, he asked where we stood,
[23] obviously, and he is fine with just remaining an
[24] employee if you want to do it in that fashion.
[25] **MAYOR JENKINS:** In other words, you'd

[1] adopts the -- if you want to do it separate with
[2] judges first, the resolution will adopt the
[3] attached letter agreements for the three judges.
[4] **MAYOR JENKINS:** Okay. Do you want to
[5] start with Scott Carter or the others?
[6] **ATTORNEY POWELL:** Well, I don't know
[7] what detail --
[8] **MAYOR JENKINS:** Start with Scott. His
[9] is the same; is that correct?
[10] **ATTORNEY POWELL:** Yes.
[11] **MAYOR JENKINS:** Okay. Then the --
[12] **ATTORNEY POWELL:** Then the other two
[13] judges' salaries have been increased per session
[14] from \$350 to \$400.
[15] **MAYOR JENKINS:** Okay. We got two of
[16] those; is that correct?
[17] **ATTORNEY POWELL:** That's Judge Duncan
[18] and --
[19] **MAYOR JENKINS:** Duncan and Cuadra.
[20] **ATTORNEY POWELL:** -- Judge Cuadra.
[21] **MAYOR JENKINS:** And on the solicitors,
[22] will be raised to \$500 rather than \$400?
[23] **ATTORNEY POWELL:** The solicitor will be
[24] raised to \$500 from \$400 and the other solicitor
[25] that fills in on a part-time basis, his remained

[1] say don't sign the contract, just leave him as
[2] an employee.
[3] **ATTORNEY POWELL:** Just continue him on.
[4] **COUNCILMAN ROCHE:** Well, I'd like to
[5] make a motion that as far as Judge Carter, we
[6] just keep him as an employee and not execute a
[7] contract.
[8] **COUNCILMAN SPANGLER:** Second.
[9] **MAYOR JENKINS:** Okay.
[10] **COUNCILMAN BATES:** So --
[11] **MAYOR JENKINS:** Any discussion?
[12] **COUNCILMAN BATES:** So what would
[13] provide the description of his roles,
[14] responsibilities, work hours and compensation?
[15] **COUNCILMAN ROCHE:** What provides
[16] anyone?
[17] **COUNCILMAN BATES:** So we've got an
[18] employment agreement that stipulates that Judge
[19] Carter will serve at the four Tuesday and two
[20] Thursday court sessions of each month, hold
[21] hearings for all jail prisoners within 48 hours,
[22] compensated at a salary of \$50,000 annually.
[23] Your motion is to eliminate this
[24] agreement, so he would be operating without
[25] guidance as to frequency and --

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[1] **ATTORNEY POWELL:** I hadn't thought of
[2] this until just now because I wasn't aware that
[3] it would come up, but you could adopt a job
[4] description as chief judge of the municipal
[5] court.
[6] **COUNCILMAN ROCHE:** Yeah.
[7] **ATTORNEY POWELL:** And I would have that
[8] ready by the next time. It'll be the same.
[9] It's a matter of changing a few words and making
[10] it not a -- it's --
[11] **COUNCILMAN ROCHE:** And you've already
[12] said Judge Carter will be agreeable?
[13] **ATTORNEY POWELL:** He's fine with just
[14] continuing on as an employee.
[15] **COUNCILMAN BATES:** As long as we've got
[16] specific understanding of what his roles and
[17] responsibilities --
[18] **ATTORNEY POWELL:** Yes.
[19] **COUNCILMAN BATES:** -- and
[20] responsibilities are.
[21] **ATTORNEY POWELL:** Well, that certainly
[22] makes sense.
[23] **MAYOR JENKINS:** You can make that up in
[24] an ordinance or resolution?
[25] **ATTORNEY POWELL:** It'll just be a job

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[1] description on his position.
[2] **MAYOR JENKINS:** Okay. Well, we got a
[3] motion on the table.
[4] **COUNCILMAN SPANGLER:** And a second.
[5] **MAYOR JENKINS:** And a second.
[6] Call the roll.
[7] **COUNCILWOMAN PITTMAN:** Could we add to
[8] that motion a little bit, we were going to be --
[9] **COUNCILMAN BATES:** Put in the job
[10] description?
[11] **COUNCILWOMAN PITTMAN:** Right.
[12] **MAYOR JENKINS:** Well, he -- that's what
[13] you put on your motion, wasn't it, Bob?
[14] **COUNCILWOMAN PITTMAN:** No, he didn't.
[15] **COUNCILMAN ROCHE:** No, but that's fine.
[16] **ATTORNEY POWELL:** You could make it
[17] that the duties set out in here will be
[18] incorporated into a job description if that's
[19] what --
[20] **COUNCILMAN ROCHE:** Okay.
[21] **ATTORNEY POWELL:** -- you want to do.
[22] **COUNCILMAN ROCHE:** (Inaudible) in a
[23] motion. That's fine.
[24] **MAYOR JENKINS:** Okay. We already got a
[25] second.

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[1] **MS. MURPHY:** Councilwoman Alexander?
[2] **COUNCILWOMAN ALEXANDER:** Yes.
[3] **MS. MURPHY:** Councilman Bates?
[4] **COUNCILMAN BATES:** Yes.
[5] **MS. MURPHY:** Councilwoman Fleming?
[6] **COUNCILWOMAN FLEMING:** Yes.
[7] **MS. MURPHY:** Councilwoman Pittman?
[8] **COUNCILWOMAN PITTMAN:** Yes.
[9] **MS. MURPHY:** Councilman Roche?
[10] **COUNCILMAN ROCHE:** Yes.
[11] **MS. MURPHY:** Councilman Spangler?
[12] **COUNCILMAN SPANGLER:** Yes.
[13] **MAYOR JENKINS:** Okay. City Attorney
[14] contract.
[15] **ATTORNEY POWELL:** No. You need to do a
[16] resolution to adopt these that I just read.
[17] **MAYOR JENKINS:** Don't necessarily have
[18] a resolution.
[19] **ATTORNEY POWELL:** You have to approve,
[20] the contract, so we did it in -- in the past,
[21] have done it in resolution form, but you can
[22] just make a motion if you want to --
[23] **COUNCILMAN ROCHE:** Yeah. I make --
[24] **ATTORNEY POWELL:** -- to approve these.
[25] **COUNCILMAN ROCHE:** -- a motion that we

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[1] approve all the other contracts here, for Angela
[2] Duncan, Norman Cuadra, Lee Perkins and Cliff
[3] Howard.
[4] **MAYOR JENKINS:** Okay. You're going to
[5] have to take Carter out of that, then.
[6] **COUNCILMAN ROCHE:** Right. I did.
[7] **COUNCILWOMAN PITTMAN:** He did.
[8] **COUNCILMAN ROCHE:** I didn't say his
[9] name.
[10] **MAYOR JENKINS:** Okay. I got a motion.
[11] A second?
[12] **COUNCILMAN BATES:** Second.
[13] **MS. MURPHY:** Councilwoman Alexander?
[14] **COUNCILWOMAN ALEXANDER:** Yes.
[15] **MS. MURPHY:** Councilman Bates?
[16] **COUNCILMAN BATES:** Yes.
[17] **MS. MURPHY:** Councilwoman Fleming?
[18] **COUNCILWOMAN FLEMING:** Yes.
[19] **MS. MURPHY:** Councilwoman Pittman?
[20] **COUNCILWOMAN PITTMAN:** Yes.
[21] **MS. MURPHY:** Councilman Roche?
[22] **COUNCILMAN ROCHE:** Yes.
[23] **MS. MURPHY:** Councilman Spangler?
[24] **COUNCILMAN SPANGLER:** Yes.
[25] **MAYOR JENKINS:** Okay. Are we ready for

[1] the next one?
[2] **COUNCILMAN BATES:** Yes.
[3] **MAYOR JENKINS:** Thank you.
[4] City Attorney contract.
[5] **COUNCILWOMAN ALEXANDER:** Well, it had
[6] been I guess expressed in opinion by various
[7] Council members and you, Mayor, that we would
[8] like to see the City Attorney services go out
[9] for RFP.
[10] And like I mentioned at the last
[11] meeting, I have done some research, and some
[12] municipalities contract with a firm and not a
[13] specific attorney.
[14] I've enclosed an RFP from a neighboring
[15] municipality. This was just executed. They
[16] just hired their new city attorney last Monday.
[17] I think it's a pretty good RFP, good scope of
[18] services. I would suggest that would be a
[19] starting point for us to send out an RFP.
[20] There are also two examples that
[21] Mr. Bates got from another attorney. These
[22] particular examples are from California, and
[23] California is sort of a legal icon of its own,
[24] so I don't know how much of it would appeal to
[25] us or not.

[1] **COUNCILWOMAN ALEXANDER:** -- we can
[2] search for others if you would like.
[3] **MAYOR JENKINS:** Yeah.
[4] **COUNCILWOMAN ALEXANDER:** This is just a
[5] starting point.
[6] **MAYOR JENKINS:** Not just these, no.
[7] **COUNCILMAN ROCHE:** Yeah. We're not
[8] going to be limited to just law firms. We could
[9] --
[10] **MAYOR JENKINS:** We could take --
[11] **COUNCILMAN ROCHE:** -- extend an RFP to
[12] individuals; right?
[13] **COUNCILWOMAN ALEXANDER:** Uh-huh.
[14] **MAYOR JENKINS:** Is that correct? Good.
[15] Good.
[16] **COUNCILMAN ROCHE:** Excellent.
[17] **COUNCILMAN BATES:** Do we --
[18] **MAYOR JENKINS:** I don't think we need a
[19] motion on that, do we?
[20] **COUNCILWOMAN ALEXANDER:** I think we
[21] need to --
[22] **COUNCILMAN BATES:** Okay. So we're
[23] going to sit on this?
[24] **COUNCILWOMAN ALEXANDER:** -- probably
[25] take it up at the next work session?

[1] There are six firms in here that I've
[2] got various profiles on that do handle municipi-
[3] palities. Some of them have listed the municipi-
[4] palities they currently represent and various
[5] bios of the attorneys and things of that nature.
[6] **COUNCILMAN SPANGLER:** So what you're
[7] suggesting is that we send out RFPs to these --
[8] **COUNCILWOMAN ALEXANDER:** Those are six
[9] firms that have municipal qualities.
[10] **COUNCILMAN SPANGLER:** And these are the
[11] ones that Snellville --
[12] **COUNCILWOMAN ALEXANDER:** Yes.
[13] **COUNCILMAN SPANGLER:** (Inaudible)
[14] **THE REPORTER:** I'm sorry. I couldn't
[15] hear you.
[16] **COUNCILMAN SPANGLER:** I'm sorry. I was
[17] just asking Ms. Alexander if these were the
[18] firms that we would choose to send out the RFPs
[19] to and if these are the ones that Snellville,
[20] the City of Snellville had already researched.
[21] **MAYOR JENKINS:** But these are not the
[22] only ones we can let --
[23] **COUNCILWOMAN ALEXANDER:** No, sir. We
[24] can --
[25] **MAYOR JENKINS:** -- put out an RFP.

[1] **COUNCILMAN SPANGLER:** Let's ask for any
[2] additions to be made by next work session where
[3] we can go ahead and put the RFPs out.
[4] At the next Council meeting, we can
[5] make the motion to --
[6] **COUNCILWOMAN ALEXANDER:** Yes.
[7] **COUNCILMAN BATES:** Perfect.
[8] **COUNCILMAN SPANGLER:** Are you agreeable
[9] with that?
[10] **MAYOR JENKINS:** Yes. Well, we're going
[11] to need a motion, but we're agreeable to all of
[12] that; is that correct? Okay.
[13] Eight and nine we've already taken care
[14] of.
[15] Number 10?
[16] **COUNCILMAN BATES:** We've already taken
[17] care of.
[18] **MAYOR JENKINS:** Eleven?
[19] **COUNCILWOMAN PITTMAN:** It's done.
[20] **MAYOR JENKINS:** Twelve?
[21] Okay. Zoning, we did that. Recycling
[22] is not on this agenda.
[23] John King.
[24] **COUNCILMAN BATES:** What about --
[25] **COUNCILWOMAN ALEXANDER:** We've got the

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[1] parks.
[2] **COUNCILMAN BATES:** -- the parks,
[3] English Oak and Autumn?
[4] **COUNCILMAN ROCHE:** Yeah. English Oak
[5] and Autumn.
[6] **MAYOR JENKINS:** We didn't do those?
[7] **COUNCILMAN BATES:** I'm sorry?
[8] **MAYOR JENKINS:** We didn't do those?
[9] **COUNCILMAN BATES:** No.
[10] **COUNCILWOMAN FLEMING:** Or the zoning
[11] ordinance.
[12] **MAYOR JENKINS:** Okay, John.
[13] **CHIEF KING:** Do you want me to go
[14] forward, sir, or do you want me to stand by?
[15] **MAYOR JENKINS:** No. Just wait a
[16] minute.
[17] **CHIEF KING:** That sounds good, sir.
[18] **MAYOR JENKINS:** All we need is a motion
[19] to go through with the first phase on Autumn
[20] Park.
[21] **COUNCILWOMAN ALEXANDER:** Right. But
[22] Mr. Spangler and I had been talking over the
[23] weekend, and we want to meet with --
[24] **COUNCILMAN SPANGLER:** Carol.
[25] **COUNCILWOMAN ALEXANDER:** -- Ms. Stevens

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[1] and go over the budget that we had been given
[2] line item by line item and try to do better on
[3] this because --
[4] **MAYOR JENKINS:** Oh. You're talking
[5] about on Autumn Park?
[6] **COUNCILWOMAN ALEXANDER:** English Oak.
[7] **MAYOR JENKINS:** English Oak. Okay.
[8] **COUNCILWOMAN ALEXANDER:** Because in the
[9] original minutes from April the 2nd, there was
[10] \$500,000 spoken for, shall we say, for three
[11] parks.
[12] **COUNCILWOMAN ALEXANDER:** We should be
[13] able to have something at the work session.
[14] **COUNCILWOMAN ALEXANDER:** Right. I
[15] think so.
[16] **COUNCILMAN SPANGLER:** Okay.
[17] **MAYOR JENKINS:** English Oak, the city
[18] can do a lot of that work.
[19] **COUNCILWOMAN ALEXANDER:** Yeah. We're
[20] going to talk about that, uh-huh.
[21] **MAYOR JENKINS:** Okay.
[22] **COUNCILWOMAN ALEXANDER:** So we'll --
[23] **MAYOR JENKINS:** In other words, what
[24] you want to talk about, English Oak at the work
[25] session.

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[1] **COUNCILWOMAN ALEXANDER:** Yes.
[2] **COUNCILMAN SPANGLER:** Yes.
[3] **MAYOR JENKINS:** Okay.
[4] **COUNCILMAN SPANGLER:** It'll be on the
[5] work session for that.
[6] **MAYOR JENKINS:** Okay. We'll go to
[7] Autumn, then. Now, do we want to go ahead and
[8] just --
[9] **MR. KOONTZ:** Has the plan already been
[10] voted on as saying that this is the plan we're
[11] going to use?
[12] **MAYOR JENKINS:** Excuse me.
[13] **MR. KOONTZ:** For the park.
[14] **MAYOR JENKINS:** We have, but there's
[15] some of that stuff'll be done by the City.
[16] That's what they're referring to.
[17] **MR. KOONTZ:** The plan up there isn't
[18] any -- doesn't look anything like what we talked
[19] about wanting in the park. I don't know where
[20] this plan came from.
[21] **MS. CRAWFORD:** They keep redoing it.
[22] **MR. KOONTZ:** It doesn't look anything
[23] like what the citizens discussed at the meeting.
[24] You were there, Ray.
[25] **MAYOR JENKINS:** Yes, sir. I agree with

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[1] you.
[2] **MR. KOONTZ:** And you were too, Bob.
[3] **MAYOR JENKINS:** They had pavilions and
[4] they had everything in there.
[5] **MR. KOONTZ:** This plan doesn't look
[6] like anything we've talked about.
[7] **MS. FRAYSSE:** It hasn't been voted on.
[8] **MR. KOONTZ:** That's what I was asking:
[9] if it had been voted on --
[10] **COUNCILMAN SPANGLER:** No, we have not.
[11] **MR. KOONTZ:** -- because you-all were
[12] talking about spending the money.
[13] **COUNCILMAN SPANGLER:** We have not voted
[14] on this, Steve. What Maria and I were going to
[15] do is meet with Carol to see what we really
[16] needed to do first in the park, and then we're
[17] going to come back before the Council with Carol
[18] and possibly somebody from the planning company.
[19] **MR. KOONTZ:** Well, I'm just confused
[20] because the plan --
[21] **MS. CRAWFORD:** How did it get like
[22] that?
[23] **MR. KOONTZ:** Yeah. The plan doesn't
[24] represent what we talked about. The children's
[25] playground equipment's gone.

[1] **MAYOR JENKINS:** I agree with that a
 [2] hundred percent.
 [3] **MR. KOONTZ:** And it doesn't look
 [4] anything like what we discussed and what the
 [5] citizens agreed to. That's what my question is.
 [6] Who came up with this plan? It doesn't
 [7] represent what we wanted?
 [8] **MS. CRAWFORD:** That's right.
 [9] **COUNCILMAN SPANGLER:** That's what Maria
 [10] and I were going to meet with Carol and go over,
 [11] Steve, because there was some suggestions, some
 [12] comments and some changes made that we're not in
 [13] agreement with. Okay? So this is what we are
 [14] going to do sometime this week is to meet with
 [15] Carol and find out what, how and when as well as
 [16] discuss some of the prices for some of the
 [17] things that we had agreed on.
 [18] **MR. KOONTZ:** Okay.
 [19] **MS. CRAWFORD:** I think what Steve is
 [20] wondering is how it moved from A to X.
 [21] **COUNCILMAN SPANGLER:** I have no idea.
 [22] **COUNCILMAN ROCHE:** Yeah. I would think
 [23] we'd want to stick with -- I mean first, I would
 [24] think we'd want to stick with what was agreed to
 [25] during the English Oak Park meeting --

[1] doesn't have to happen, Steve.
 [2] **COUNCILWOMAN ALEXANDER:** That's what
 [3] we're saying. We're trying to meet with her.
 [4] And there are suggestions in that plan that she
 [5] herself does not like, such as they suggested a
 [6] crushed granite for a walking trail. And she
 [7] personally has gone out and seen that, and she
 [8] did not like it, so she's looking at other
 [9] avenues.
 [10] I mean that's what we're saying. We've
 [11] got to -- I mean I came down and I think Brian
 [12] and I only spent like 20 minutes with her to go
 [13] over 15 pages of engineering drawings. They're
 [14] supposed to be e-mailing me PDFs so I can plot
 [15] large copies to give to the various neighborhood
 [16] associations or whomever so you people can
 [17] review them on your own time and take your time.
 [18] This is not -- I don't want to use "in
 [19] stone" since we were just talking about crushed
 [20] granite, but there are other things, and we're
 [21] looking at different surfaces around the
 [22] playground equipment and we want to add
 [23] playground equipment. Mr. Spangler and I and
 [24] Ms. Fleming and I have discussed perhaps
 [25] different types of avenues to take to add

[1] **MS. CRAWFORD:** Right.
 [2] **COUNCILMAN ROCHE:** -- that everybody --
 [3] **MR. KOONTZ:** Right, because that was --
 [4] **COUNCILMAN ROCHE:** -- voted on.
 [5] **MR. KOONTZ:** -- supposed to be for
 [6] small children, and now all the children's
 [7] playground equipment is being removed.
 [8] **COUNCILMAN ROCHE:** Right.
 [9] **COUNCILMAN SPANGLER:** No, I don't
 [10] foresee that happening. As a matter of fact,
 [11] Ms. Alexander and I have already spoken to
 [12] Carol, not together but at different times,
 [13] requesting more playground equipment, okay? Not
 [14] taking away the approved.
 [15] **MR. KOONTZ:** I guess the thing, too,
 [16] I'm worried about is they show they're cutting
 [17] down a bunch of trees. And the trees, once
 [18] somebody goes in there and cuts down these nice
 [19] big trees that have been there for 40 trees, you
 [20] can't put them back.
 [21] **COUNCILWOMAN ALEXANDER:** It is three
 [22] trees is what she told us.
 [23] **MR. KOONTZ:** Well, there's four on the
 [24] plan they're cutting down.
 [25] **COUNCILMAN SPANGLER:** Well, this

[1] equipment without costing the City any money.
 [2] **MS. CRAWFORD:** Well, do you have the
 [3] original understanding where we all had our
 [4] input and --
 [5] **COUNCILWOMAN ALEXANDER:** I was not
 [6] there.
 [7] **MS. CRAWFORD:** -- and we had a --
 [8] **COUNCILMAN ROCHE:** You know, this -- I
 [9] think what you're talking about has a list of
 [10] like final vote on vehicular parking was no;
 [11] bicycle stands, yes.
 [12] **COUNCILWOMAN ALEXANDER:** I do not have
 [13] that.
 [14] **MR. KOONTZ:** Well, we all agreed to
 [15] like put the little cookout pavilion over where
 [16] we set up the tents, and they're putting it
 [17] somewhere else and taking out the playground
 [18] equipment where we said --
 [19] **COUNCILMAN ROCHE:** Right.
 [20] **MR. KOONTZ:** -- we were going to add.
 [21] Everybody said we want to keep all the trees,
 [22] and they're cutting a bunch of them down.
 [23] It's like I don't understand. We're
 [24] paying this company to have -- I guess my
 [25] frustration is I've seen this in several city

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[1] things. They have these citizen input meetings
[2] and all these people show up and give citizen
[3] input, and then later on, it's like -- it seems
[4] like that input just disappears and some other
[5] total plan comes about. And this -- you know,
[6] somebody spent a lot of money making up these
[7] drawings that don't reflect anything that
[8] happened at this meetings. It looks like just
[9] money thrown away. It's just frustrating.
[10] **COUNCILMAN SPANGLER:** And it looks like
[11] there's potentially a lot more money to be
[12] thrown away if we go through with these plans.
[13] **MR. KOONTZ:** Right; exactly.
[14] **MR. FYTE:** Could a plain old citizen
[15] out here have a say on this right now?
[16] **MAYOR JENKINS:** Go ahead, sir.
[17] **MR. FYTE:** My name's Giles Fyte.
[18] We got a new Council in here. None of
[19] 'em agrees. If they agree, they turn around and
[20] there's one or two that changes things and
[21] nobody else knows anything about it.
[22] Like the Chief of Police here. They
[23] agreed on something but now it's all changed,
[24] and then nobody knows anything about why it was
[25] changed or who changed it.

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[1] And I'm tired of this. You've got a
[2] Council, but they don't work together.
[3] **MAYOR JENKINS:** Okay. That's enough,
[4] sir.
[5] **MR. FYTE:** That's enough. Thank you.
[6] **MAYOR JENKINS:** Okay. We got it
[7] straight that you're going to meet with --
[8] **COUNCILWOMAN ALEXANDER:** Yes. Bob's --
[9] **MAYOR JENKINS:** -- (inaudible).
[10] **COUNCILMAN SPANGLER:** Yes.
[11] **COUNCILWOMAN ALEXANDER:** -- going to
[12] let me know when he has some time, then we're
[13] going to meet with her.
[14] **MAYOR JENKINS:** Okay. Autumn Park.
[15] **COUNCILMAN BATES:** Yes, Mr. Mayor.
[16] We've got two items regarding Autumn Park. The
[17] first is a proposal from Precision Planning to
[18] do bid management, construction overview and
[19] administration of the stream restoration, at
[20] least Phase I of the Autumn Park plan.
[21] I would recommend to the Council that
[22] we authorize Precision Planning to do that, that
[23] management side, so that we've got the experts
[24] out there reviewing it. So I will make a motion
[25] that we approve the Precision Planning proposal

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[1] --
[2] **MAYOR JENKINS:** The first page.
[3] **COUNCILMAN BATES:** Well, that's part
[4] two.
[5] We need to -- we need to have them --
[6] we need them to do this first. We need to
[7] authorize Precision Planning --
[8] **MAYOR JENKINS:** Yeah.
[9] **COUNCILMAN BATES:** -- to manage it.
[10] **MAYOR JENKINS:** The contract, yes.
[11] **COUNCILMAN BATES:** Right.
[12] And then the second motion would be to
[13] begin Phase I of the Autumn Park stream bank
[14] restoration project.
[15] **COUNCILMAN SPANGLER:** Now, that --
[16] **MAYOR JENKINS:** Go ahead with your
[17] first motion.
[18] **COUNCILMAN BATES:** First motion is to
[19] authorize or to approve the contract from
[20] Precision Planning for bid management.
[21] **COUNCILWOMAN ALEXANDER:** And how much
[22] was that dollar --
[23] **COUNCILMAN BATES:** The bid management
[24] phase is \$4,300, the construction observation
[25] phase is \$3,600, and the construction

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[1] administration phase is \$3,100, for a total of
[2] right at \$10,000.
[3] **COUNCILWOMAN ALEXANDER:** I got 13,000,
[4] 14,000.
[5] **MAYOR JENKINS:** Do I get a second?
[6] **COUNCILMAN SPANGLER:** I second, because
[7] we're going to have -- we're going to have to
[8] get this done. It's -- the more we put it off,
[9] the worse it's going to get.
[10] **MAYOR JENKINS:** Call the roll,
[11] Priscilla.
[12] **MS. MURPHY:** Councilwoman Alexander?
[13] **COUNCILWOMAN ALEXANDER:** Yes.
[14] **COUNCILMAN ROCHE:** Can we have
[15] discussion on it? Did we approve the plan? Did
[16] we approve the plans that they said they were
[17] (inaudible)?
[18] **COUNCILMAN BATES:** As far as I know, we
[19] have not yet approved the actual plans.
[20] **COUNCILMAN ROCHE:** I guess I mean I
[21] really like the approach that Councilwoman
[22] Alexander and Councilman Spangler is taking, to
[23] sit down and try to figure out what could we be
[24] doing, what could be done by the maintenance
[25] department.

[1] **COUNCILMAN BATES:** Well, because it's
[2] streambank and mandated by the Corps of
[3] Engineers and EPA, there are limited things that
[4] the maintenance department can do without having
[5] a certified firm working in the streambank.

[6] **COUNCILMAN ROCHE:** I understand.

[7] **COUNCILMAN BATES:** So we -- you and I
[8] sat here with the firms and listened to what
[9] they talked about with Ms. Stevens, and I
[10] thought we were in agreement that this was an
[11] appropriate direction to go in having them
[12] manage --

[13] **MAYOR JENKINS:** Okay.

[14] **COUNCILMAN BATES:** -- the project.

[15] **MAYOR JENKINS:** Come on up here, sir.

[16] **MR. HART:** There's a couple of things
[17] on these parks.

[18] I thought we agreed that English Oak
[19] Park would be done first before we started on
[20] another park. I mean we've been talking about
[21] this for two years. Myself, I called the
[22] meeting. Spangler came to the park. All the
[23] Council members, the Mayor, everybody showed up.
[24] Everybody voted. I went through a list of
[25] items. So people agreed. Some -- you know,

[1] we get out of there, and we haven't even hit a
[2] lick over in English Oak Park. They got a
[3] festival they have in English Oak Park every
[4] spring. Okay? And this'll be the third year in
[5] a row where they've not been able to have this
[6] without sitting in a mud pile over there.

[7] Now, I would say that the number one
[8] priority of the City Council is to take one step
[9] at a time and finish something before they start
[10] on something else. I mean we have this huge
[11] discussion over a million and a half dollars
[12] worth of spending here, and we have not
[13] demonstrated one item that you've finished yet,
[14] started yet or completed. I mean English Oak
[15] Park, when you finish that, then you can go
[16] running around the rest of the city and start
[17] building a million dollars here and a million
[18] dollars there.

[19] So need to fix the -- the water problem
[20] in English Oak Park has been going on for two
[21] years now. Then build the park with the trails
[22] and all the things that we talked about a
[23] million times. And now we're not going to go
[24] through another two meetings and talk about it
[25] again. It's supposed to have a peripheral

[1] there was a big debate that came up, with a
[2] resolution we're going to start construction in
[3] the park. And now we're back fooling around
[4] with that, and now we're over here in Autumn
[5] Park again and we haven't even started on
[6] English Oak Park.

[7] We're having an engineering oversight,
[8] but we don't have plans for the park yet. I
[9] mean we seem to be doing everything absolutely
[10] backwards.

[11] **COUNCILMAN BATES:** There are plans for
[12] Autumn Park.

[13] **MR. HART:** They haven't been approved
[14] yet.

[15] **COUNCILMAN BATES:** They are -- they are
[16] engineered plans that have been submitted.

[17] **MR. HART:** But they haven't been
[18] approved yet.

[19] **COUNCILMAN BATES:** By the Council?

[20] **UNIDENTIFIED SPEAKER:** Huh-uh.

[21] **MR. HART:** Apparently not. I mean I
[22] don't know what they are. I haven't seen them.

[23] So what we're doing is we're over in
[24] English Oak Park [sic] going to spend four or
[25] five hundred thousand dollars over there before

[1] trail. It's supposed to have a little -- it's
[2] supposed to have a little cookout area right
[3] there. We're not supposed to cut the trees
[4] down. We're supposed to have children's
[5] playsets down there.

[6] We talked about it, we talked about it
[7] and we talked about it. So before we move on to
[8] another park, let's finish the park number one.
[9] It's English Oak Park. Thank you.

[10] **COUNCILMAN ROCHE:** As far as Autumn
[11] Park, I just want to say I'm just a little
[12] concerned. Obviously, it's a lot of money. And
[13] believe it or not, I do agree with Mr. Hart on
[14] this one as far as I think we should at least
[15] make a good earnest start on English Oak Park
[16] before we start looking at this.

[17] **MAYOR JENKINS:** The only reason that
[18] Autumn Park has progressed as it is is because
[19] it has to be -- it is a stream buffer. It has
[20] to be done by professionals.

[21] **COUNCILMAN ROCHE:** No. I understand
[22] that.

[23] **MAYOR JENKINS:** Most of the work
[24] that'll be done in English Oak Park, most of it
[25] can be done by our City employees.

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[1] **COUNCILMAN ROCHE:** Okay.
[2] **MAYOR JENKINS:** That's the difference.
[3] We're not jumping ahead on English Oak
[4] Park versus Autumn.
[5] **COUNCILMAN BATES:** I don't think you'll
[6] find any objection to moving forward with work
[7] on English Oak Park. That is certainly an item
[8] that we need to address and move forward.
[9] We've received the permits from the
[10] Army Corps of Engineers and from the EPA to
[11] proceed with the restoration, at least part of
[12] the phase -- phasing of Autumn Park, and would
[13] ask the Council to move forward with at least
[14] Phase I.
[15] **COUNCILMAN SPANGLER:** And it was to my
[16] understanding that we had to do this. Okay?
[17] It's not something that we have a choice of
[18] doing or not doing, letting it go. We have to
[19] do it, okay, since --
[20] **COUNCILWOMAN FLEMING:** It's a safety
[21] issue. The things I saw and the damage that's
[22] being caused, it is a safety issue for the
[23] residents of the Autumn Park area.
[24] I agree that we should go forward
[25] definitely on English Oak, but if we've got some

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[1] safety problems at Autumn, those need to be
[2] addressed.
[3] **COUNCILMAN BATES:** We'll advise the
[4] audience that if the streambank project begins
[5] on Autumn Park, Autumn Park will lose a hundred
[6] percent of its playground equipment, and there
[7] are no plans for replacement of that at this
[8] time. So the Northwoods residential side will
[9] be down to one park with outdated playground
[10] equipment. So we are sacrificing in order to
[11] get this project moving for the safety of the
[12] people around and for the future of the park.
[13] **COUNCILMAN SPANGLER:** And I will say
[14] this: Ms. Alexander and myself have not
[15] excluded anything that was talked about for
[16] English Oak Park. We just had a question as to
[17] the amount of moneys that we are being charged
[18] for these projects.
[19] **MS. CRAWFORD:** May I ask just one more
[20] question? It's about safety issues.
[21] Since maybe a fourth of English Oak
[22] Park is a huge gaping hole in the earth, has
[23] anything been done about that? because that is a
[24] real safety issue. I haven't been there lately.
[25] Has it been, you know --

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[1] **MAYOR JENKINS:** There's a big --
[2] **MS. CRAWFORD:** -- fenced off --
[3] **MAYOR JENKINS:** -- hole there, you say?
[4] **MS. CRAWFORD:** -- filled in?
[5] **MAYOR JENKINS:** You're talking about in
[6] the front part of the -- way in the back?
[7] **MS. CRAWFORD:** It's pretty noticeable,
[8] that big hole in the earth.
[9] **COUNCILWOMAN FLEMING:** From that
[10] drainage or where --
[11] **MS. CRAWFORD:** It's towards the back --
[12] **COUNCILMAN ROCHE:** The sinkholes and
[13] the --
[14] **UNIDENTIFIED SPEAKER:** You're talking
[15] about the opening in the pipe?
[16] **COUNCILMAN SPANGLER:** I think those
[17] were going to be addressed with the drainage,
[18] which was going to be one of the first things
[19] that we worked on.
[20] **MAYOR JENKINS:** We're doing -- we will
[21] do the drainage first, which will be a drainage
[22] pipe down the middle of that whole park. We can
[23] do it in a flood plain if we pipe it.
[24] **COUNCILMAN ROCHE:** I mean I'm inclined
[25] to support the Autumn Park motion as long as we

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[1] make certain that we are going posthaste with
[2] the English Oak thing, too.
[3] **MAYOR JENKINS:** Right.
[4] **COUNCILMAN ROCHE:** They're both, you
[5] know, dangerous places I wouldn't want any kids
[6] to play in.
[7] **MAYOR JENKINS:** Okay. One more
[8] discussion on it. Come on up to the microphone.
[9] **MS. FRAYSSE:** Well, I can say it in 30
[10] seconds. One other short item is that lighting
[11] was discussed at all of our meetings, and that
[12] does not appear to be on any of the plans that I
[13] saw. And I've talked to several Council people
[14] about that, but that's another important thing
[15] as far as English Oak Park.
[16] **COUNCILMAN BATES:** I'll repeat my
[17] motion for you?
[18] **MAYOR JENKINS:** Okay.
[19] **COUNCILMAN BATES:** That we approve the
[20] proposal from Precision Planning for the bid
[21] management of Autumn Park.
[22] **COUNCILWOMAN FLEMING:** For the first
[23] phase?
[24] **COUNCILMAN BATES:** That will be a
[25] second motion.

[1] **MAYOR JENKINS:** Second?

[2] **COUNCILMAN SPANGLER:** Mr. Hart, did you

[3] have a plan for Autumn?

[4] **MR. HART:** Again, I have to object.

[5] We're talking about all the playground equipment

[6] could be washed away in Autumn Park. That's

[7] false.

[8] **COUNCILMAN BATES:** No, sir. The --

[9] **COUNCILMAN SPANGLER:** No.

[10] **MR. HART:** It's on the edge of where

[11] the erosion is, and in order -- are we using

[12] stormwater to repair that section of the --

[13] **COUNCILMAN ROCHE:** No. The playground

[14] equipment is going to be removed as part of the

[15] construction that they have to do. They have to

[16] take it out to get in there and do the repairs.

[17] **MR. HART:** They're going to repair from

[18] Raymond Drive all the way down to McClave?

[19] **COUNCILMAN BATES:** There -- it is a

[20] three-phase project with the first phase

[21] including the Raymond access off of the stream

[22] that stops about -- what would you say? -- 30

[23] feet in, and then it picks up down where the

[24] large corrugated pipe enters off of Allen Drive,

[25] to McClave. That would be the first phase.

[1] Drive portion is an intake that has -- it's a --

[2] it's a water-calming project beginning

[3] underneath -- from the underneath of Raymond

[4] Drive to the first 30 or 40 feet or so.

[5] The second part of Phase I is where the

[6] erosion is occurring from the corrugated pipe to

[7] McClave. That is Phase I.

[8] Phase II begins within the body of the

[9] stream along with Phase III, in two different

[10] sections. There is nothing that is indicating

[11] that we are required to do Phase II or Phase

[12] III, but we do need to do Phase I.

[13] **MR. HART:** Okay. And the estimated

[14] cost on Phase I is? Why is it we pay -- I know

[15] on my tax bill, I get like a 48 or 50 dollar fee

[16] for stormwater, and GM's probably paying

[17] \$600,000, \$800,000 for their stormwater. What

[18] -- are we using stormwater money or general fund

[19] money to pay for this? This is basically

[20] stormwater erosion. So are we using stormwater

[21] money to pay for this or -- I mean what plans?

[22] You know, we looked at probably 10 different

[23] parks in the city of Atlanta and Dekalb County

[24] for how they dealt with streams, and anywhere

[25] from check dams to park equipment around the

[1] **MR. HART:** Okay. So it's going to go

[2] from Raymond Drive all the way down to where the

[3] corrugated pipe is.

[4] **COUNCILMAN BATES:** Over all three

[5] phases, yes, sir.

[6] No. The first phase, it is right at

[7] Raymond Drive, right at Raymond Drive, and then

[8] it picks up again at the corrugated pipe all the

[9] way to McClave.

[10] **MR. HART:** I thought we were going to

[11] repair a 250-foot section of (inaudible) --

[12] **COUNCILMAN BATES:** Yes. It is phased

[13] to restore the most immediate problems and then

[14] to prevent further erosion by installing riprap

[15] and other -- other items.

[16] **MR. HART:** And how much is this going

[17] to -- there's a 220 foot section that's eroded.

[18] **COUNCILMAN BATES:** Yes, sir. This is

[19] proposed for --

[20] **MR. HART:** That is not anywhere on

[21] Raymond Drive, because the springhead starts

[22] somewhere around Raymond Drive.

[23] **COUNCILMAN BATES:** Yes, sir, but the --

[24] **MR. HART:** Okay. So there's no --

[25] **COUNCILMAN BATES:** Sir, the Raymond

[1] stream beds. I mean all those things were

[2] discussed and looked at.

[3] We're now bidding for or you're okaying

[4] someone to overlook the construction of this

[5] project, but what is the project? I mean what

[6] is the goal here?

[7] **COUNCILMAN BATES:** The first part, sir,

[8] is to release the bid documents out for bidding

[9] so that the --

[10] **MR. HART:** Well, releasing bid

[11] documents. That means that you have a plan that

[12] you want to resolve through a company coming in

[13] and doing the construction.

[14] **COUNCILMAN BATES:** That is correct.

[15] **MR. HART:** So, then, you must have a

[16] plan. So what is the plan?

[17] **COUNCILMAN BATES:** That is correct. We

[18] received plans from Precision Planning.

[19] **MAYOR JENKINS:** There's a three-stage

[20] plan.

[21] **MR. HART:** Yeah, but you're --

[22] **MAYOR JENKINS:** To answer your question

[23] on the money part, we originally had a KaBoom

[24] grant.

[25] **MR. HART:** That was for playsets.

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[1] **MAYOR JENKINS:** Okay.

[2] **MR. HART:** Okay.

[3] **MAYOR JENKINS:** We lost that, right?

[4] **MR. HART:** Right.

[5] **MAYOR JENKINS:** Okay. This will I'm

[6] sure go through stormwater.

[7] **MR. HART:** Well, then, that begs the

[8] question. If it's going through the stormwater

[9] department, why is not Ronald here tonight? And

[10] he's in charge of the stormwater department.

[11] Why is he not --

[12] **MAYOR JENKINS:** I didn't ask him --

[13] **MR. HART:** -- overseeing this project?

[14] **MAYOR JENKINS:** -- to stay. That's

[15] why.

[16] **COUNCILMAN BATES:** Ronald was involved

[17] with the meeting with Precision Planning, and

[18] along with Mr. Entsminger, there were -- so

[19] Ronald is very familiar with this project.

[20] **MR. HART:** Okay. Well, I mean the

[21] money -- sorry.

[22] **MS. MURPHY:** Mayor, can I ask a

[23] question? Since Ronald was involved -- and

[24] Mr. Hart's right; we do have a contract with

[25] Dekalb County for our stormwater -- it should be

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[1] on the priority list that Ronald has that we've

[2] given to Dekalb County, because the previous

[3] council voted for the list of our projects and

[4] the order to do them in.

[5] **COUNCILMAN BATES:** Uh-huh.

[6] **MS. MURPHY:** So it may be on that list

[7] with a certain priority. And if it goes the way

[8] that English Oak Park went, then Dekalb County

[9] decided or helped get the bids or whatever. Do

[10] you know if it is on the priority list?

[11] **COUNCILMAN BATES:** I was not aware of

[12] that information.

[13] **MS. MURPHY:** Okay.

[14] **MAYOR JENKINS:** That priority is

[15] Straight Street.

[16] **MS. MURPHY:** Yeah. I remember the

[17] first priority is Straight Street on the list,

[18] but if Ronald didn't mention it, then it may not

[19] be on the priority --

[20] **MAYOR JENKINS:** It may not be.

[21] **MS. MURPHY:** -- list. And it doesn't

[22] have to be done during this year's priority list

[23] with Dekalb County. If we choose to do it

[24] ourselves and pay for ourselves, it would be

[25] fine, but it may mean that we need to rearrange

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[1] our priority list with the County if -- if it's

[2] on there.

[3] **COUNCILMAN BATES:** Mr. Mayor, do you

[4] know if this is on Dekalb County's stormwater --

[5] **MAYOR JENKINS:** No. No, I don't. I

[6] don't think it is.

[7] **COUNCILMAN SPANGLER:** Well, it wouldn't

[8] hurt to wait.

[9] **COUNCILMAN BATES:** I will -- I will

[10] withdraw the motion, and we will investigate

[11] that option.

[12] **MS. MURPHY:** And I'll get the -- I may

[13] have the list that Ronald has, too.

[14] **COUNCILMAN BATES:** Okay.

[15] **MR. HART:** And also there's a senior

[16] engineer from Dekalb County that his specialty

[17] is restoration of streams, and he should also be

[18] involved too.

[19] **MAYOR JENKINS:** Excellent.

[20] **COUNCILMAN SPANGLER:** Priscilla, could

[21] you get that information, Mr. Hart, as far as

[22] who that senior engineer is?

[23] **MAYOR JENKINS:** You're going to

[24] withdraw the motion?

[25] **COUNCILMAN SPANGLER:** Yes, he withdrew.

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[1] **COUNCILMAN BATES:** I withdrew the

[2] motion.

[3] **MAYOR JENKINS:** You don't want to bring

[4] up the first phase, either.

[5] **COUNCILMAN SPANGLER:** No.

[6] **COUNCILMAN BATES:** No, sir.

[7] **MAYOR JENKINS:** Okay.

[8] **CHIEF KING:** Sir, just kind of want to

[9] go through these notes relatively quickly, and,

[10] please, if anything comes up, please don't

[11] hesitate to stop me and ask me questions.

[12] In the month of January, the Doraville

[13] Police Department has handled 2,473 calls for

[14] service, and the following are the highlights of

[15] these calls. And I'm going to hand this

[16] information so it becomes part of the record

[17] with the clerk.

[18] But we've handled over -- 1,097 traffic

[19] stops in one month. We've handled 22 theft

[20] calls, 7 thefts from an auto, 7 auto thefts, 15

[21] domestic disputes. And January is a rough month

[22] because of the holidays. We've had 6 armed

[23] robberies, 6 burglaries and 121 auto accidents,

[24] and we arrested 192 persons in the month of

[25] January.

[1] I will now pass a zone breakdown, and
[2] if y'all can -- each one of these, it's pretty
[3] much an extensive -- pick out your district
[4] because it's divided by the districts. And then
[5] if you don't mind, at the end of the meeting, if
[6] you can pass it on to the Clerk so this becomes
[7] part of the record.

[8] But it's got the zone breakdown of --
[9] in each one of your neighborhoods. So if you'd
[10] pass on the other neighborhoods that are not
[11] yours, and that way, the rest of the Council
[12] gets a chance to look at those.

[13] I would like to highlight the record of
[14] the Quality of Life by neighborhoods. It's also
[15] -- the Quality of Life is in each one of those
[16] packets by neighborhood. And they've handled
[17] 357 violations and issued 40 citations in the
[18] month of January.

[19] The unit has shifted some of the
[20] priorities to the business community, actually
[21] closing down a business in Asian Square shopping
[22] center where they were operating with all kinds
[23] of multiple violations of that business.

[24] And also, with the assistance of the
[25] community, were able to stop a demolition of a

[1] And we've currently since -- for the
[2] last year, bought \$8,373 -- and -79 dollars have
[3] been used to purchase equipment for the 911
[4] Center. So we have the opportunity to get
[5] reimbursement for the City for those monies, but
[6] the City needs to open account so electronically
[7] we can get those monies.

[8] And I would respectfully ask that the
[9] City Council consider a motion to direct the
[10] treasurer to open a City bank account -- not the
[11] Police Department, because I know that's one of
[12] the concerns that some of y'all have, is that if
[13] the City treasurer will open an account, that
[14] way, the Department of Justice can directly send
[15] electronically that money so then the City can
[16] get reimbursement for the expenditures that the
[17] City has taken in.

[18] That would help me close the grant,
[19] because currently the grant is open, and without
[20] an account for the Department of Justice to send
[21] that money to, we can't get reimbursement. So I
[22] would respectfully request that City Council
[23] consider a motion to direct the treasurer to
[24] open an account so the Department of Justice --
[25] and we'll provide the treasurer with the forms

[1] house in Brook Park, and thanks to the community
[2] that called us and were able to action us on
[3] that. Without the citizens, would not probably
[4] have been able to stop that demolition of that
[5] home. They did not have a permit.

[6] Additionally, a massage parlor. As you
[7] notice, the meeting today was kind of
[8] disjointed. You had a -- you were going to hear
[9] a show-cause hearing for a massage parlor to
[10] give up their business license. And the
[11] business voluntarily gave up their permit to
[12] operate in the city of Doraville. And that was
[13] conducted by our detectives. The City
[14] Attorney's got a copy of that business license
[15] that was turned in.

[16] We currently have been granted a grant
[17] from the Department of Justice for the amount of
[18] \$11,496 to support the purchasing of equipment
[19] for our 911 Center. To take advantage of this
[20] grant, the City -- not the Police Department,
[21] but the City must open a bank account so the
[22] Department of Justice can then deposit
[23] electronically these monies so then we can get
[24] reimbursement for some of the equipment that has
[25] been purchased.

[1] needed.

[2] **ATTORNEY POWELL:** How quickly do you
[3] need it?

[4] And the reason I say is that under our
[5] Charter, the treasurer is the City Clerk, so if
[6] the motion -- you could just authorize the Mayor
[7] to.

[8] **CHIEF KING:** I probably would recommend
[9] that if -- if perhaps the Mayor and one of the
[10] members of the Council or several members of the
[11] Council be on the signature cards for that
[12] account, then you don't have to deal with --
[13] just as long as somebody can sign for the reim-
[14] bursement.

[15] But this is -- it's \$11,000 -- eleven
[16] thousand five hundred -- almost five hundred
[17] dollars that is available to the City --

[18] **COUNCILMAN ROCHE:** Right.

[19] **CHIEF KING:** -- that is waiting.

[20] **COUNCILMAN ROCHE:** Do we need a motion?

[21] **MS. MURPHY:** Mr. Mayor, can I ask the
[22] Chief a question? When did we get a grant?
[23] because I didn't know that we were getting a
[24] grant.

[25] **CHIEF KING:** We got it at the end of

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[1] 2005. Because we haven't have an account, the
[2] Department of Justice --
[3] **MS. MURPHY:** I didn't know --
[4] **CHIEF KING:** -- won't give it to us.
[5] **MS. MURPHY:** -- that we needed an
[6] account, and when I was finding out about grants
[7] for our audit, it wasn't mentioned that we had
[8] any other grants.
[9] **CHIEF KING:** Department of Justice sent
[10] us the notification. They sent us a copy of the
[11] notification that came to the City.
[12] And the problem is it's an account that
[13] we can -- that can be opened, and at the end of
[14] the grant, it can be closed.
[15] **MS. MURPHY:** And they're specifying --
[16] **CHIEF KING:** But it's got to be --
[17] **MS. MURPHY:** -- a separate account?
[18] because we can --
[19] **CHIEF KING:** Yes.
[20] **MS. MURPHY:** -- take money into our
[21] account but keep it separate for grants.
[22] **CHIEF KING:** It's got to be separate
[23] because it's 911, really, as the -- as the law
[24] requires.
[25] **COUNCILWOMAN PITTMAN:** Okay. So we

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[1] need a motion, is that correct, to have the
[2] Mayor open a separate account?
[3] **CHIEF KING:** Just want to make it very
[4] clear that it has nothing to do with the control
[5] of -- you know, because I know this is a
[6] sensitive issue. It's for the City to open the
[7] account that'll be controlled by the City for
[8] 911 reimbursements.
[9] **COUNCILWOMAN FLEMING:** You received --
[10] **COUNCILWOMAN PITTMAN:** Okay. So --
[11] Go ahead.
[12] **COUNCILMAN FLEMING:** You received the
[13] grant in 2005?
[14] **CHIEF KING:** Yes, ma'am. According to
[15] the -- if you see the grant -- the form there,
[16] the grant is 2005, and I got the --
[17] **MS. MURPHY:** So some of the things that
[18] we're going to get reimbursed for --
[19] **CHIEF KING:** We'd already --
[20] **MS. MURPHY:** -- date back --
[21] **CHIEF KING:** We already --
[22] **MS. MURPHY:** -- to 2005, 2006 --
[23] **CHIEF KING:** Yes, ma'am.
[24] **MS. MURPHY:** -- 2007?
[25] **CHIEF KING:** That is correct.

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[1] **COUNCILWOMAN FLEMING:** Out of the
[2] \$11,496, you've already spent \$8,379 --
[3] **CHIEF KING:** Over the years.
[4] **COUNCILWOMAN FLEMING:** -- for the 911.
[5] **CHIEF KING:** Yes, ma'am. Over the
[6] years, we've spent \$8,379. We have the
[7] capability of recovering that and additional
[8] monies for the 911 Center, not for any other --
[9] not for anything else --
[10] **COUNCILWOMAN FLEMING:** Right.
[11] **CHIEF KING:** -- dealing with the Police
[12] Department. It has to be used for the 911.
[13] **COUNCILWOMAN PITTMAN:** Okay. So make a
[14] motion for the Mayor to open an account? Would
[15] that be appropriate for the Mayor since we do
[16] not have a city clerk? Or what's the wording,
[17] for the 911?
[18] **CHIEF KING:** For the grant, ma'am, the
[19] grant is -- the grant number is 2005 Delta
[20] Juliet Bravo X-ray 1592. That's the grant
[21] number.
[22] But we've already spent a good portion
[23] of those monies, but this is a way for the City
[24] to recover those funds. Then they could be used
[25] for whatever other activities.

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[1] **COUNCILWOMAN ALEXANDER:** Are these the
[2] only two pages that she needs to be given?
[3] **CHIEF KING:** That's correct. Ma'am,
[4] that is the forms that are used to open the
[5] account.
[6] **COUNCILWOMAN FLEMING:** So the \$8379
[7] that's already been used of this \$11,496 came
[8] from where?
[9] **CHIEF KING:** That came from the general
[10] fund, ma'am.
[11] **COUNCILWOMAN FLEMING:** Okay. Thank
[12] you.
[13] **MAYOR JENKINS:** Second on that?
[14] **COUNCILMAN BATES:** Second.
[15] **COUNCILMAN SPANGLER:** And this will be
[16] going back into the general fund?
[17] **CHIEF KING:** That's correct. It will
[18] be to reimburse the City for the expenditures.
[19] Any -- anything beyond, sir, the
[20] \$8,379, any of those monies above that will have
[21] to still be used for 911, but this is the way --
[22] the Federal Government, they'll give you the
[23] grant and they'll reimburse us, but they won't
[24] give you the money up front. That's the
[25] situation we find ourselves.

[1] **COUNCILMAN BATES:** Second.
 [2] **MS. MURPHY:** Can I ask a question?
 [3] There are several banks here in the city that
 [4] are trying to get our business. Does it matter
 [5] or is it up to the Mayor where to open the
 [6] account?
 [7] (Brief, inaudible discussion at Council
 [8] table.)
 [9] **MAYOR JENKINS:** Call the roll.
 [10] **MS. MURPHY:** Councilwoman Alexander?
 [11] **COUNCILWOMAN ALEXANDER:** Yes.
 [12] **MS. MURPHY:** Councilman Bates?
 [13] **COUNCILMAN BATES:** Yes.
 [14] **MS. MURPHY:** Councilwoman Fleming?
 [15] **COUNCILWOMAN FLEMING:** Yes.
 [16] **MS. MURPHY:** Councilwoman Pittman?
 [17] **COUNCILWOMAN PITTMAN:** Yes.
 [18] **MS. MURPHY:** Councilman Roche?
 [19] **COUNCILMAN ROCHE:** Yes.
 [20] **MS. MURPHY:** Councilman Spangler?
 [21] **COUNCILMAN SPANGLER:** Yes.
 [22] **MAYOR JENKINS:** Okay.
 [23] **CHIEF KING:** Thank you very much.
 [24] Sir, under the jail contract, for the
 [25] month of January, the City of Sandy Springs owes

[1] I would respectfully request that if you can
 [2] open the bids and make the decision to authorize
 [3] me to buy those patrol cars, I would appreciate
 [4] it.
 [5] **MAYOR JENKINS:** We're going to get
 [6] those, John.
 [7] **CHIEF KING:** All right, sir. I can go
 [8] on. There's a couple other things that --
 [9] **MAYOR JENKINS:** All right. Go ahead
 [10] with those.
 [11] **CHIEF KING:** Not a problem, sir.
 [12] **COUNCILMAN ROCHE:** We didn't accept the
 [13] lowest bid because?
 [14] **CHIEF KING:** The lowest bid was the
 [15] Department of Administrative Services and they
 [16] did not include their 5 percent surcharge --
 [17] **COUNCILMAN ROCHE:** Right.
 [18] **CHIEF KING:** -- that they charge cities
 [19] for negotiating for that. And if you added that
 [20] 5 percent, they were not the lowest bid. So
 [21] that is why they were not selected.
 [22] The option was at the time to either
 [23] take the next bidder or to take -- or to rebid
 [24] it out. And the direction that I thought I got
 [25] from the City is just to send the bids straight

[1] the City of Doraville \$11,331 and the City of
 [2] Johns Creek owes \$399.36 for the month of
 [3] January. I respectfully request that the City
 [4] invoice those two cities so the City can get
 [5] reimbursed for the expenditures that we've had
 [6] in the jail.
 [7] **MAYOR JENKINS:** Have we got the
 [8] invoice?
 [9] **CHIEF KING:** Yes, sir.
 [10] **MAYOR JENKINS:** Okay. We'll get it.
 [11] **COUNCILMAN ROCHE:** Just curious. This
 [12] needs to be brought to the Council just to send
 [13] out an invoice?
 [14] **CHIEF KING:** Sir, I want to put it all
 [15] out on the table just to make sure that there's
 [16] no misconstruing about what's what, because in
 [17] the past there hasn't been straightforward
 [18] communication.
 [19] A couple months ago, we talked about
 [20] the bids for patrol cars. We rebid out because
 [21] there was an issue with one of the con- -- the
 [22] lowest bid ended up being not the price that the
 [23] cars -- and I requested that we recontacted all
 [24] the companies that bid, and we asked them to
 [25] resubmit their bids for patrol cars. And if --

[1] through -- the problem is we received the bids
 [2] at the Police Department, and I was
 [3] uncomfortable with proceeding in that way. I'd
 [4] rather have the bids come to City Hall and the
 [5] City deal with it. That way, it's straight in
 [6] the open.
 [7] In the next 30 days, you will be
 [8] receiving bids for wrecker service contract for
 [9] the city of Doraville. I just kind of want to
 [10] alert you that that's coming, that it's a
 [11] decision that you all need to make.
 [12] There's certain requirements that
 [13] wrecker service have to have. For example, they
 [14] have to be within a certain distance of the city
 [15] of Doraville.
 [16] **ATTORNEY POWELL:** Well, it has to be
 [17] within 10 miles of the city.
 [18] **CHIEF KING:** So there's some very tight
 [19] requirements. So there's not going to be a
 [20] great deal of people competing for that, but
 [21] that is a service that we have not bid in the
 [22] past. I want to bring it to you-all's attention
 [23] to tell you to expect that in the next 30 days,
 [24] a decision -- for you-all to make a decision on
 [25] wrecker service.

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[1] **MAYOR JENKINS:** We use Brown & Brown
[2] now still?
[3] **CHIEF KING:** Yes, sir. Currently we
[4] use Brown & Brown, but we haven't put that out
[5] for bids in the past, and, you know, they give
[6] us good service, but I wanted to bring it up to
[7] you-all's attention so you-all can choose, you
[8] know.
[9] **COUNCILMAN SPANGLER:** How do you notify
[10] the other companies?
[11] **CHIEF KING:** We first, sir -- we
[12] notified them. We looked at where they're based
[13] at based on other -- you know, and where their
[14] lot is located, and basically that became
[15] whether they're eligible to bid for the contract
[16] or not. We took some, for example, other cities
[17] close to us, whose contractor they use and we
[18] tried to use that as a measuring stick. But the
[19] lot restriction, the 10-mile restriction, that
[20] cuts out a lot of people in the metro Atlanta
[21] area.
[22] **ATTORNEY POWELL:** You said that there
[23] were formal -- that RFPs went out?
[24] **CHIEF KING:** Yes.
[25] **COUNCILMAN BATES:** Is that 10 miles a

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[1] city ordinance or --
[2] **CHIEF KING:** No. It's a state law,
[3] sir.
[4] **ATTORNEY POWELL:** It's a state law.
[5] **CHIEF KING:** It's a new thing we've
[6] never done, but, you know, we also felt
[7] uncomfortable with just having a no-bid
[8] contract, you know, going on for on and on, and
[9] we just -- there's no keeping the current
[10] contractor from winning that contract. We were
[11] satisfied with them. But I would rather have
[12] y'all make that decision.
[13] During the last work session, I
[14] mentioned to you-all my request for the Council
[15] to consider using impact fees for certain type
[16] of business.
[17] Don't expect, don't need a decision
[18] tonight, but I kind of wanted to bring this up
[19] to y'all's attention so y'all could start
[20] thinking about how we can make an impact here.
[21] But these businesses, because of their nature,
[22] use a greater amount of services from not only
[23] the Police Department but from other departments
[24] within the city.
[25] And the community as a whole bears the

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[1] costs of these way that these businesses conduct
[2] themselves. And I'd like for the City Council
[3] to consider either putting some type of impact
[4] fee on businesses, for example, like bars, pawn
[5] shops, labor pools, check cashing centers and
[6] other similar type businesses who -- who draw a
[7] bunch of our resources -- manpower, detectives,
[8] police officers answering those calls -- that
[9] the rest of the community ends up being --
[10] suffering. So I would like for you-all to be
[11] considering.
[12] In other cities -- for example,
[13] Ms. Alexander brought some information on, for
[14] example, City of Alpharetta has certain impact
[15] fees by square footage. And obviously, that has
[16] to be incorporated into whatever zoning
[17] decisions you make down the road. But this is a
[18] way to cut down some of the businesses who have
[19] a negative impact in our community, and that's
[20] how we can cut down on the number of massage
[21] parlors and all these other businesses, that we
[22] shut them down, but in a month from now, you'll
[23] have another permit, and the City Inspector will
[24] be forced to issue a permit that we can't keep
[25] them from getting a permit.

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[1] **COUNCILMAN ROCHE:** Can we put that on
[2] the agenda for the next work session?
[3] **COUNCILMAN SPANGLER:** Can you give us
[4] some more information on what the suggested fees
[5] would be?
[6] **CHIEF KING:** I think, sir, you have a
[7] copy of Alpharetta's. I'm going to have to do a
[8] little bit more research to see if other cities
[9] do it, sir.
[10] **COUNCILMAN SPANGLER:** Yeah. Well,
[11] let's get a couple more.
[12] **CHIEF KING:** It's something to think
[13] about.
[14] Another way to do it, sir, and I don't
[15] know legally. I think the legal adviser would
[16] have to give you whether you could put a limit
[17] on how many of type businesses you can have in
[18] the city. We do it with our bonding companies.
[19] We don't allow more than three bonding companies
[20] because it oversaturates the community. That is
[21] another approach to this.
[22] But the key is having an open season
[23] for any massage parlor, labor pool that
[24] generates resources away from the city, and
[25] that's what I wanted you-all to think about.

[1] **COUNCILMAN SPANGLER:** Can you give us
[2] some kind of report, Chief --

[3] **COUNCILMAN ROCHE:** Put it on the
[4] agenda.

[5] **COUNCILMAN SPANGLER:** -- about what
[6] infractions these bars and massage parlors and
[7] that have incurred in the last year?

[8] **CHIEF KING:** Mr. Spangler, we can show
[9] you some of the -- I'm sorry, Mayor, I --

[10] **MAYOR JENKINS:** That's all right.

[11] **CHIEF KING:** We can show you some of
[12] the activity, but that would not be representa-
[13] tive of, for example, massage parlors, the
[14] amount of time that -- that it took to investi-
[15] gate the case.

[16] But the problem is is that the -- for
[17] example, we had one, the one that just closed
[18] down and surrendered their license was a block
[19] away from a church. I need you-all's help to
[20] cut down for the next massage parlor that tries
[21] to open up their business.

[22] So I will get some -- we will get some
[23] research, sir, and we'll provide it for the work
[24] session.

[25] **COUNCILMAN ROCHE:** Right.

[1] is \$21,998. Total amount would be \$43,996 even.

[2] **MAYOR JENKINS:** Okay. Rick?

[3] **COUNCILWOMAN ALEXANDER:** And that's for
[4] two cars?

[5] **COUNCILWOMAN FLEMING:** Yes, ma'am.

[6] **CHIEF KING:** I'm looking at my uniform
[7] commander. Some added on features there.
[8] It's for two cars.

[9] **COUNCILWOMAN ALEXANDER:** This vehicle
[10] is out of town and there are delivery fees
[11] quoted.

[12] **CHIEF KING:** Where is it located,
[13] ma'am?

[14] **COUNCILWOMAN ALEXANDER:** South
[15] Carolina.

[16] **CHIEF KING:** Yes.

[17] **UNIDENTIFIED SPEAKER:** It's two hundred
[18] dollars.

[19] **CHIEF KING:** Usually, we -- if the --

[20] **COUNCILWOMAN ALEXANDER:** It's 280.

[21] **CHIEF KING:** We'll go pick it up,
[22] ma'am.

[23] **COUNCILWOMAN ALEXANDER:** Okay.

[24] **CHIEF KING:** We'll pick it up.

[25] If it's the lowest bid, ma'am, we'll

[1] **CHIEF KING:** But those are along the
[2] lines that I need you-all to help me try to --
[3] try to stop some of these businesses.

[4] **A** check-cashing center, for example,
[5] draws a great deal of our manpower in the
[6] detective division because every time somebody
[7] writes a bad check I have to have a detective
[8] assigned to investigate that, and it just eats
[9] up our manpower. And it's not fair that we're
[10] having to spend our detectives' time
[11] investigating check cashing instead of spending
[12] the time looking at burglaries in our
[13] residential area that we need to spend the meat-
[14] and-potatoes time of trying to resolve it.

[15] **COUNCILMAN ROCHE:** (Inaudible)

[16] **CHIEF KING:** Exactly.

[17] **MAYOR JENKINS:** Okay. Pam?

[18] **COUNCILWOMAN FLEMING:** Yes, sir?

[19] **MAYOR JENKINS:** What is your bid?

[20] **COUNCILWOMAN FLEMING:** Yes, sir. Do
[21] you wish me to read it now?

[22] **MAYOR JENKINS:** Yes.

[23] **COUNCILWOMAN FLEMING:** Okay. This bid
[24] comes from the Georgia state fleet. It is for
[25] two 2008 Dodge Enforcer Pursuits. Quote price

[1] pick it up.

[2] **MAYOR JENKINS:** What is the bid, Maria?

[3] **COUNCILWOMAN ALEXANDER:** 22,840 each.

[4] **MAYOR JENKINS:** 22,840.

[5] **COUNCILWOMAN ALEXANDER:** Uh-huh.

[6] **MAYOR JENKINS:** What's the total?

[7] **COUNCILWOMAN ALEXANDER:** About forty-
[8] five six eighty for two.

[9] **COUNCILMAN BATES:** And this is from
[10] Atkins -- Akins. Akins. \$22,780 per unit,
[11] total of forty-five five sixty.

[12] **COUNCILMAN SPANGLER:** Is there any
[13] additional charges to these, Chief, do you know,
[14] or --

[15] **CHIEF KING:** No, sir. There's a state
[16] contract standard. Some of them give us a
[17] better deal because we bought cars from them in
[18] the past.

[19] **COUNCILMAN SPANGLER:** So the fleet
[20] again is the lowest bidder, I believe.

[21] **CHIEF KING:** Because that's the one
[22] that --

[23] **COUNCILWOMAN FLEMING:** And they're in
[24] Columbus, Georgia, and it was F.O.B. destination
[25] which is here. That price is delivered.

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[1] **COUNCILMAN BATES:** Yeah. This is
[2] F.O.B., too.
[3] **MAYOR JENKINS:** All right. The Georgia
[4] state fleet is the lowest. Do you approve of
[5] that bid, John?
[6] **CHIEF KING:** Again, I recommend that
[7] you go with the lowest bidder because it's the
[8] same car, no difference between the cars.
[9] **COUNCILMAN SPANGLER:** This would be I
[10] mean the same equipment from all three dealers?
[11] **CHIEF KING:** Absolutely, sir. There's
[12] a state contract that the State of Georgia
[13] negotiates, and that's -- and the key is just
[14] which dealer has them in stock.
[15] The reason I've been a little anxious
[16] about this is it usually takes a long period to
[17] deliver the car, and if I don't order them in
[18] time, it goes into the next fiscal year and end
[19] up using -- and it gets Ms. Murphy upset at me
[20] because we're trying to buy cars with last
[21] year's budget and not this year's.
[22] **COUNCILMAN ROCHE:** Do we need a motion?
[23] **MAYOR JENKINS:** Get a motion.
[24] **CHIEF KING:** Does that one there have
[25] the 5 percent tack-on, the Georgia state?

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[1] - - -
[2] (Brief, inaudible discussion.)
[3] - - -
[4] **COUNCILMAN SPANGLER:** I thought that
[5] was the problem you had with them before, they
[6] put some kind of surtax?
[7] **ATTORNEY POWELL:** Five percent charge
[8] for doing it, obtaining it.
[9] **COUNCILMAN SPANGLER:** It's not included
[10] in this price?
[11] **ATTORNEY POWELL:** Well, that's what
[12] he's checking.
[13] **CHIEF KING:** We're trying to make sure
[14] that we're -- that you guys, y'all are picking
[15] apples from apples and oranges from oranges.
[16] The 5 percent is not on this. This is
[17] the one that was selected last time.
[18] **COUNCILMAN ROCHE:** Right.
[19] **CHIEF KING:** And so the 5 percent is
[20] not displayed on it.
[21] **COUNCILMAN SPANGLER:** So will there be
[22] an additional 5 percent?
[23] **MAYOR JENKINS:** Wait just a minute.
[24] **CHIEF KING:** Yes, sir. Five percent on
[25] top of this because their handling fee for

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[1] negotiating that and charging the City is 5
[2] percent.
[3] **MAYOR JENKINS:** It would still be
[4] lower, wouldn't it?
[5] **COUNCILMAN ROCHE:** No. It would make
[6] it 46,000.
[7] **MAYOR JENKINS:** Okay.
[8] **COUNCILWOMAN FLEMING:** Time out. Did
[9] we not call them to find out whether they
[10] possibly have inclusive of the 5 percent in this
[11] since they do not have it as a line item on
[12] here?
[13] **CHIEF KING:** That's probably wise.
[14] **COUNCILMAN ROCHE:** And the other thing
[15] we could do is I think is to say make a motion
[16] to accept this pending --
[17] **CHIEF KING:** If they add the 5 percent,
[18] then I would request --
[19] **COUNCILMAN ROCHE:** Then we take --
[20] **CHIEF KING:** -- that you go --
[21] **COUNCILMAN ROCHE:** -- the next lowest
[22] bid.
[23] **CHIEF KING:** -- to the next bid.
[24] **COUNCILWOMAN FLEMING:** Absolutely.
[25] **CHIEF KING:** That way, you don't have

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[1] to repeat.
[2] **COUNCILWOMAN FLEMING:** Absolutely.
[3] **CHIEF KING:** Yes. Thank you, ma'am. I
[4] appreciate it.
[5] **MAYOR JENKINS:** Priscilla, can you get
[6] that motion?
[7] **COUNCILWOMAN FLEMING:** I'd like to make
[8] a motion to accept the Georgia fleet -- Georgia
[9] state fleet pricing for the quantity of two 2008
[10] Dodge Enforcers for the Police Department,
[11] dependent upon the price, total price of \$43,996
[12] even.
[13] Except the exception --
[14] **COUNCILMAN ROCHE:** There's a 5 percent
[15] additional.
[16] **COUNCILWOMAN FLEMING:** However, on this
[17] motion, we need to confirm that the 5 percent --
[18] **COUNCILMAN SPANGLER:** Is it included?
[19] **COUNCILWOMAN FLEMING:** -- is included
[20] in this pricing.
[21] **COUNCILMAN SPANGLER:** And if not --
[22] **COUNCILWOMAN FLEMING:** If not, we'll
[23] take the next lowest bid.
[24] **COUNCILMAN SPANGLER:** Which would be
[25] Akins?

[1] **CHIEF KING:** That's --
 [2] **COUNCILMAN SPANGLER:** Akin Ford?
 [3] **CHIEF KING:** Thank you, sir. That's
 [4] proof positive that we did not know what's on
 [5] the bids; they're pre-sealed. I --
 [6] **COUNCILMAN ROCHE:** I second it.
 [7] **CHIEF KING:** Thank you.
 [8] **MS. MURPHY:** Councilwoman Alexander?
 [9] **COUNCILWOMAN ALEXANDER:** Yes.
 [10] **MS. MURPHY:** Councilman Bates?
 [11] **COUNCILMAN BATES:** Yes.
 [12] **MS. MURPHY:** Councilwoman Fleming?
 [13] **COUNCILWOMAN FLEMING:** Yes.
 [14] **MS. MURPHY:** Councilwoman Pittman?
 [15] **COUNCILWOMAN PITTMAN:** Yes.
 [16] **MS. MURPHY:** Councilman Roche?
 [17] **COUNCILMAN ROCHE:** Yes.
 [18] **MS. MURPHY:** Councilman Spangler?
 [19] **COUNCILMAN SPANGLER:** Yes.
 [20] **CHIEF KING:** Thank you very much.
 [21] Moving on, sir -- and I'm almost done
 [22] -- violent crime outside our city limits lately
 [23] has been very high. The total numbers of
 [24] homicides just in Dekalb County alone right now
 [25] surpasses the city of Atlanta, and armed robbery

[1] city, you know, being as high as it is.
 [2] You know, we've gotten a lot of people
 [3] that are applying to our department, but the
 [4] problem is that they are usually other employees
 [5] who are sworn officers from other agencies but
 [6] they're not making it past the background
 [7] investigation. They usually are forced to leave
 [8] other agencies or they just have issues in other
 [9] agencies and they want to come to Doraville and
 [10] they're just not making it through the
 [11] background.
 [12] And I need your assistance in
 [13] recruiting quality employees that want to come
 [14] and be Doraville police officers. So this is a
 [15] cry for help, basically what I'm coming to you
 [16] all. I'm not asking for any additional slots.
 [17] I have adequate positions, but I have unfilled
 [18] positions right now, that I'm concerned,
 [19] especially five officers short. The quickest --
 [20] and the Academy is 12 weeks. Well, I have to
 [21] still go through the process of filling out the
 [22] documentation the State requires for us to be
 [23] able to send these kids to the Academy. We're
 [24] dealing with it, but just know that we're having
 [25] some shortcomings.

[1] rates and burglary rates are escalating at a
 [2] pretty alarming rate lately. And there's a
 [3] great deal of concern not only to myself but to
 [4] my supervisors in my department, so we're doing
 [5] some shifting of our personnel to address the
 [6] peak hours where some of these individuals are
 [7] operating.
 [8] We've been lucky in the city that we
 [9] have not been hit with the rash of robberies and
 [10] violent crimes that the rest of -- just around
 [11] the city, but it's obvious that I have to look
 [12] very closely what our neighbor cities and the
 [13] unincorporated Dekalb County are dealing with
 [14] that.
 [15] But then also in all fairness, I have
 [16] to bring to your attention that we currently
 [17] have five uniform officers that we're short. I
 [18] have addressed this shortcoming by conducting a
 [19] physical fitness test and oral interviews of
 [20] other employees that want to become sworn
 [21] officers, and we selected two of our employees
 [22] that work in the jail to attend the next Academy
 [23] class from the Police Department. But with
 [24] these shortages, you know, we face some major
 [25] challenges, especially with crime around the

[1] And the next issue that we're dealing
 [2] with is we're in the process of developing a
 [3] community education program, and if allowed --
 [4] if we are allowed to participate in the
 [5] neighborhood associations and the senior
 [6] luncheons, we would like to participate in some
 [7] community education. Like for example -- you
 [8] know, for example; identity theft training by
 [9] having our detectives come and teach a 15-minute
 [10] block to the community on how to protect them-
 [11] selves against identity theft, home protections,
 [12] common-sense stuff that -- and then the child
 [13] safety program.
 [14] We're working with -- we have worked a
 [15] similar program with the banks in the metro
 [16] Doraville area whose customers are being
 [17] basically surveilled and followed and then they
 [18] get robbed on the road because -- so we're
 [19] working with the banks to have an education
 [20] program for their employees to try to spot
 [21] individuals targeting their customers.
 [22] At the end of February, we're going to
 [23] be doing several road safety -- road safety
 [24] checks, basically road blocks targeting child
 [25] restraints, basically so we can get the

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[1] community involved in putting their children in
[2] safety seats. And this is at the end of
[3] February, so if you see a road block, that's
[4] what it is. We have three of our officers that
[5] are currently certified. We just went through
[6] the training and got certified by the Safe Kids
[7] worldwide program and the Governor's Office of
[8] Highway Safety to be able to inspect car seats
[9] and teach people how to put them in properly.
[10] And last but not least -- yes, I'm
[11] looking at you -- Citizens Police Academy is
[12] accepting applications for the March 11, 2008
[13] program. I invite the members of the Council
[14] that perhaps have not attended in the past, I
[15] really encourage you that, if you can, give up
[16] your Tuesday evenings from 6:00 to 9:00. I
[17] think it will be -- I think you can talk to the
[18] other members of the Council who have attended,
[19] and I think you can get a lot out of it, and it
[20] will also make our department and our employees
[21] better.
[22] Sir, pending your questions or any
[23] comments or questions from the Council.
[24] **COUNCILWOMAN ALEXANDER:** I had a
[25] question.

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[1] **CHIEF KING:** Yes, ma'am.
[2] **COUNCILWOMAN ALEXANDER:** Wasn't there
[3] an incident over in the Northwoods subdivision?
[4] **CHIEF KING:** Yes, ma'am. I saw a lot
[5] of the discussion on the e-mail, and I try to --
[6] respectfully, I try to stay out of answering
[7] issues on the neighborhood bulletin boards
[8] because --
[9] But basically we had an initial report
[10] that there was a home invasion taken place.
[11] That report was not an accurate report, but we
[12] were able to link that incident to a house where
[13] we suspected narcotics were being sold.
[14] Well, Secret Service and our officers
[15] went and arrested an individual from the house
[16] and it shut down that house, and I think I
[17] reported to y'all the fact that the individual
[18] was the bicycle banker -- the bicycle robber had
[19] apparently been arrested there.
[20] Well, they moved their operation just
[21] outside the city limits of Doraville on
[22] Shallowford Road. So our detectives followed up
[23] on that case and were able to do a search
[24] warrant and arrested 11 individuals and
[25] recovered a large number of items that

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[1] apparently had been taken out of burglaries, not
[2] only in our community but also in Dekalb County
[3] and in Chamblee.
[4] The problem that we're having now is
[5] being able to return the property to the
[6] citizens who apparently lost it. So it is
[7] critical that if you do a small inventory of
[8] your tools -- especially tools are hot items
[9] right now for burglars because they have a quick
[10] turnaround at the pawn shops -- get the serial
[11] numbers down, so when you report it to the
[12] police, we can return that property, because we
[13] have a house full of tools, we can't return
[14] them. We don't have a victim. So please take
[15] the time, record your serial numbers so we can
[16] hopefully -- I hope we can prevent. And that is
[17] our intent always is to prevent the crime before
[18] it takes place, but that is -- I encourage
[19] everybody to take down their serial numbers.
[20] You too, Bob.
[21] **COUNCILMAN ROCHE:** Got any air
[22] compressors?
[23] **MS. HOFFMEISTER:** In response to Chief
[24] King's making comments about the massage parlor,
[25] I do believe our zoning ordinances do need to be

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[1] strengthened for adult entertainment. I am
[2] going to pass out to you the definitions Dekalb
[3] uses. I believe the state also uses better
[4] definitions, but this is a good place for us to
[5] start to start curbing some of these businesses
[6] that we do not -- that we wish to curtail in our
[7] city.
[8] **MAYOR JENKINS:** Thank you.
[9] **MS. HOFFMEISTER:** In addition --
[10] Yes, you almost forgot.
[11] **CHIEF KING:** Sorry, Bonita. The
[12] problem is with adult -- with the massage
[13] parlors, they fall under the health code.
[14] I know. I know you're looking at me
[15] like, "What?" But me and Chuck beat our heads
[16] against the wall because they're covered under
[17] the Health Department. Because they have a
[18] massage therapy certificate, they can open.
[19] That's how they're sliding through the adult
[20] entertainment.
[21] **MS. HOFFMEISTER:** Oh, my gosh.
[22] **CHIEF KING:** It's the act is -- what's
[23] illegal is how they -- the ruse that they use to
[24] open business.
[25] **MS. HOFFMEISTER:** Well, we still do

[1] need to strengthen our adult entertainment
[2] portions of our zoning ordinance.

[3] In addition, the way that Dekalb does
[4] this is also by putting restrictions in their
[5] zoning ordinance. They are only allowed in C2
[6] to M's, and we could also consider this. That's
[7] Dekalb zoning districts. C2 to M is all that
[8] they allow adult entertainment in Dekalb.

[9] We are M2, so we're way in advance of
[10] that. But as Councillor Brian Bates has pointed
[11] out, we do have the GM plant that is currently
[12] zoned M2, and we do run some risk of adult
[13] entertainment there.

[14] In addition to this, they also make
[15] restrictions of the height of the buildings, the
[16] rear, side and front setbacks, and the required
[17] parking space.

[18] Thank you.

[19] **COUNCILWOMAN FLEMING:** Thank you.

[20] **CHIEF KING:** Mayor, that concludes my
[21] comments. And any questions that members of the
[22] Council may have, I appreciate it.

[23] **MAYOR JENKINS:** You went over your five
[24] minutes.

[25] **CHIEF KING:** I appreciate it, Mayor.

[1] **MS. MURPHY:** Councilwoman Alexander?
[2] **COUNCILWOMAN ALEXANDER:** Yes.
[3] **MS. MURPHY:** Councilman Bates?
[4] **COUNCILMAN BATES:** Yes.
[5] **MS. MURPHY:** Councilwoman Fleming?
[6] **COUNCILWOMAN FLEMING:** Yes.
[7] **MS. MURPHY:** Councilwoman Pittman?
[8] **COUNCILWOMAN PITTMAN:** Yes.
[9] **MS. MURPHY:** Councilman Roche?
[10] **COUNCILMAN ROCHE:** Yes.
[11] **MS. MURPHY:** Councilman Spangler?
[12] **COUNCILMAN SPANGLER:** Yes.
[13] **MAYOR JENKINS:** Okay. A motion to

[14] adopt the ordinance.

[15] **COUNCILWOMAN PITTMAN:** Motion.

[16] **MAYOR JENKINS:** Second?

[17] **COUNCILMAN ROCHE:** Second.

[18] **MS. MURPHY:** Councilwoman Alexander?

[19] **COUNCILWOMAN ALEXANDER:** Yes.

[20] **MS. MURPHY:** Councilman Bates?

[21] **COUNCILMAN BATES:** Yes.

[22] **MS. MURPHY:** Councilwoman Fleming?

[23] **COUNCILWOMAN FLEMING:** Yes.

[24] **MS. MURPHY:** Councilwoman Pittman?

[25] **COUNCILWOMAN PITTMAN:** Yes.

[1] **MAYOR JENKINS:** Rick?

[2] **ATTORNEY POWELL:** I will not run over
[3] five minutes.

[4] **MAYOR JENKINS:** I hope not.

[5] **ATTORNEY POWELL:** First ordinance we
[6] have is the ordinance dealing with having the
[7] regular meetings on the first Monday of the
[8] month and the work sessions on the third Monday
[9] of the month, the regular meeting to begin at
[10] 7:00, the work sessions at 6:00, and this
[11] ordinance is a redo of Ordinance Section 2-31
[12] and it does continue to provide for waiving the
[13] second meeting of the month in July, August,
[14] September and December.

[15] We have gone over it at the work
[16] session. This would be a first reading unless
[17] you want to waive it, which I would suggest
[18] since you're already operating under the
[19] ordinance. So I would suggest that you waive
[20] the first reading and adopt it tonight.

[21] **MAYOR JENKINS:** I have to have a motion
[22] to waive the first reading.

[23] **COUNCILMAN SPANGLER:** I make a motion
[24] that we waive the first reading.

[25] **COUNCILWOMAN PITTMAN:** Second.

[1] **MS. MURPHY:** Councilman Roche?
[2] **COUNCILMAN ROCHE:** Yes.
[3] **MS. MURPHY:** Councilman Spangler?
[4] **COUNCILMAN SPANGLER:** Yes.
[5] **MAYOR JENKINS:** Rick?

[6] **ATTORNEY POWELL:** All right. The next
[7] -- you have it before you -- it's to amend
[8] Section 2-36(e) by deleting it and inserting a
[9] new one, a new section. It provides for
[10] submitting the agenda items by 12:00 noon on
[11] Thursday before the non-voting work session
[12] during the months that you have non-voting work
[13] sessions and 12:00 noon on Thursday before the
[14] regular meeting in months in which you do not
[15] have non-voting work sessions, and that's in
[16] case you go through with the provisions of
[17] waiving the second meeting of the month that we
[18] just mentioned.

[19] And again, this is the first reading
[20] and I would suggest you go ahead and waive the
[21] first reading and adopt it tonight.

[22] **COUNCILMAN SPANGLER:** I make a motion
[23] that we waive the first reading.

[24] **MAYOR JENKINS:** Second?

[25] **COUNCILMAN BATES:** Second.

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[1] **MS. MURPHY:** Councilwoman Alexander?
[2] **COUNCILWOMAN ALEXANDER:** Yes.
[3] **MS. MURPHY:** Councilman Bates?
[4] **COUNCILMAN BATES:** Yes.
[5] **MS. MURPHY:** Councilwoman Fleming?
[6] **COUNCILWOMAN FLEMING:** Yes.
[7] **MS. MURPHY:** Councilwoman Pittman?
[8] **COUNCILWOMAN PITTMAN:** Yes.
[9] **MS. MURPHY:** Councilman Roche?
[10] **COUNCILMAN ROCHE:** Yes.
[11] **MS. MURPHY:** Councilman Spangler?
[12] **COUNCILMAN SPANGLER:** Yes.
[13] **MAYOR JENKINS:** Motion we pass the
[14] ordinance?
[15] **COUNCILMAN BATES:** So moved.
[16] **COUNCILWOMAN PITTMAN:** Second.
[17] **MS. MURPHY:** Councilwoman Alexander?
[18] **COUNCILWOMAN ALEXANDER:** Yes.
[19] **MS. MURPHY:** Councilman Bates?
[20] **COUNCILMAN BATES:** Yes.
[21] **MS. MURPHY:** Councilwoman Fleming?
[22] **COUNCILWOMAN FLEMING:** Yes.
[23] **MS. MURPHY:** Councilwoman Pittman?
[24] **COUNCILWOMAN PITTMAN:** Yes.
[25] **MS. MURPHY:** Councilman Roche?

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[1] **COUNCILMAN ROCHE:** Yes.
[2] **MS. MURPHY:** Councilman Spangler?
[3] **COUNCILMAN SPANGLER:** Yes.
[4] **ATTORNEY POWELL:** Mayor, the only other
[5] thing I have is I put a copy of a letter that I
[6] propose to send out tomorrow, but if everybody
[7] hasn't had a chance to read it, if you want to
[8] just instruct me not to later, by tomorrow.
[9] I had gone by and looked at the fence
[10] intrusion into the -- I went by Saturday as to
[11] both houses, and this letter is directed to the
[12] owner of the other house that's next door to the
[13] one that you-all are familiar with. And I was
[14] going to suggest that we give them 45 days to
[15] move it, give them the opportunity to come up
[16] and look at our plat so that they would know
[17] what they needed to do to comply.
[18] That's my suggestion that I send this
[19] letter out.
[20] **COUNCILWOMAN PITTMAN:** I don't have a
[21] problem with it.
[22] **ATTORNEY POWELL:** Is there any
[23] objection?
[24] **MAYOR JENKINS:** Do I have a motion?
[25] **ATTORNEY POWELL:** It'll go -- no, you

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[1] don't -- I don't need a motion.
[2] **MAYOR JENKINS:** Okay.
[3] **ATTORNEY POWELL:** I was just getting
[4] your opinion. Thank you.
[5] **MAYOR JENKINS:** All right.
[6] **COUNCILMAN ROCHE:** What about the
[7] franchise fees ordinance?
[8] **MS. MURPHY:** That passed Friday.
[9] **ATTORNEY POWELL:** We passed it Friday.
[10] I'm sorry. We did that in a hurry before you --
[11] so I could go ahead and I -- I Fed-Ex'ed it out
[12] Friday so they could have it Monday.
[13] **MAYOR JENKINS:** Committee report? Any
[14] committees?
[15] Number 19, Karen Pachuta's fence.
[16] **COUNCILWOMAN ALEXANDER:** Karen, did you
[17] have anything you wanted to say?
[18] **MS. PACHUTA:** No. I don't think --
[19] unless there's any new questions. I followed up
[20] with everybody, so --
[21] **COUNCILWOMAN ALEXANDER:** Okay.
[22] **MS. PACHUTA:** -- I don't have anything.
[23] **COUNCILWOMAN ALEXANDER:** I just wanted
[24] to put it in the record, this was my suggestion
[25] and this was Ms. Pachuta's response, and she is

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[1] going to have a new fence installed.
[2] And if you would just let us know after
[3] it's installed and that you're comfortable that
[4] your dogs are safe before we take down the other
[5] fence. I don't want them to think you got them
[6] a new toy to dig under or anything like that.
[7] **MAYOR JENKINS:** Very good. Thank you.
[8] **MS. FRAYSSE:** Will there be a vote on
[9] the proposal that we made?
[10] **COUNCILWOMAN ALEXANDER:** I'm sorry?
[11] **MS. FRAYSSE:** Will there be a vote on
[12] the proposal to re-deed that land and have the
[13] Council members go on record as opposing it?
[14] **COUNCILWOMAN ALEXANDER:** We suggested
[15] a
[15] purchase of the triangle, and it was -- she was
[16] not interested.
[17] **MAYOR JENKINS:** She wasn't interested
[18] in the proposal.
[19] **COUNCILMAN ROCHE:** Yeah. In the June
[20] meeting, according to the record, Ms. Pachuta
[21] said she didn't need a motion. But on the other
[22] hand, I wouldn't mind putting it to rest.
[23] **MAYOR JENKINS:** That's all right with
[24] me.
[25] **COUNCILWOMAN ALEXANDER:** That's fine.

[1] **COUNCILMAN ROCHE:** Do I have to make a
[2] negative motion, make a motion not to do
[3] something?

[4] **COUNCILMAN BATES:** Well, I'll make a
[5] motion that the City engage in a one-to-one land
[6] -- re-deeding of the land in a one-to-one
[7] process between the City and Ms. Pachuta.

[8] **MAYOR JENKINS:** You're going to have to
[9] explain that a little deeper.

[10] Ms. Pachuta said she did not want enter
[11] into the contract that you mention. Explain
[12] your motion further.

[13] **COUNCILMAN BATES:** I think the
[14] Council's clear on my motion.

[15] **MAYOR JENKINS:** Sir?

[16] **ATTORNEY POWELL:** That was a swap
[17] motion in effect.

[18] **COUNCILMAN BATES:** That's correct.

[19] **COUNCILWOMAN ALEXANDER:** Right.

[20] **COUNCILWOMAN FLEMING:** And no one
[21] seconded it, Mayor.

[22] **ATTORNEY POWELL:** That's correct, so
[23] that's --

[24] **MAYOR JENKINS:** I didn't ask for a
[25] second yet.

[1] or the County going to receive funds for that?

[2] **CHIEF KING:** The City Attorney will
[3] have to sue the person. We can only issue the
[4] citation and --

[5] **MR. HART:** Well, does the person have
[6] an insurance company that would pay the City or
[7] the County for the damage caused to the
[8] property?

[9] **CHIEF KING:** I will have look at the
[10] police report. I didn't know I was going to be
[11] asked to --

[12] **MR. HART:** Well, I mean that was what
[13] the County was asking, who's going to pay for
[14] the property.

[15] **CHIEF KING:** If the County gets in
[16] touch with the City, sir, I'm sure we can
[17] provide the County with a copy of the incident
[18] report.

[19] **MR. HART:** Okay. So as GDOT's finished
[20] with that sidewalk project, that case is closed,
[21] so they're not going to be involved with the
[22] lamp replacement. So --

[23] **CHIEF KING:** Do you have a copy of --
[24] do you have the name of the individual, sir,
[25] with GDOT that we need to submit?

[1] Do I get a second?
[2] Motion died with the lack of a second.
[3] And do we need another motion on that
[4] to clear it up? Okay.

[5] **COUNCILMAN ROCHE:** Can we make a motion
[6] to reject it? Do we need to do that just to be
[7] on record?

[8] **MAYOR JENKINS:** Tom, do you want --

[9] **COUNCILWOMAN PITTMAN:** I think that
[10] should be (inaudible).

[11] **MAYOR JENKINS:** -- to come on up?

[12] **MR. HART:** This is an update on the
[13] sidewalk. The engineering firm has contacted
[14] GDOT with their drawings, and I think they've
[15] come back to the City to get it signed off so we
[16] can start on the top of the hill here. And I've
[17] contacted the County. They're responsible for
[18] the lamp that got knocked over in the corner.
[19] The question they had, again, was who ran over
[20] the lamp. Is someone -- is there a case against
[21] the fellow that --

[22] **CHIEF KING:** Yes, sir. There's an
[23] accident report that was taken out as a result
[24] of the accident and the person was charged.

[25] **MR. HART:** Is the City going to receive

[1] **MR. HART:** It will be with Dekalb
[2] County. I'll give you the name.

[3] **CHIEF KING:** Okay, sir. Thank you.

[4] **MR. HART:** So the only thing left is
[5] the permit has to be signed off with GDOT, with
[6] Shields Engineering, so we can start the
[7] project. That's it.

[8] **MAYOR JENKINS:** Do you have that
[9] contract coming or what?

[10] **MR. HART:** I was working with Priscilla
[11] and --

[12] **MS. MURPHY:** I talked to Chuck earlier
[13] today, and they're going to get in touch with
[14] him about the drawings.

[15] **MR. HART:** The permit is agreeable to
[16] the landowners. You know there's trees on
[17] Buford Highway. People have asked me questions
[18] about that in the past. There's an agreement
[19] between the Georgia Department of Transportation
[20] and when they built the sidewalk, to take care
[21] of those lands and plants and trees along the
[22] highway. That's the responsibility of those
[23] individual property owners, because when they
[24] signed an agreement to build that with C.W.
[25] Matthews, they left that strip of land on there,

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[1] and the signatures on every one of those plots
[2] of land require that somebody's got to come up
[3] with who's going to take care of that strip of
[4] property. So if it's unkempt, it's unusually
[5] the property owner that's supposed to be taking
[6] care of that, and that's with the contract of
[7] Georgia Department of Transportation.
[8] That's all I have.
[9] **MAYOR JENKINS:** Thank you, Tom.
[10] Citizens comments. Three minutes,
[11] please, if we have any.
[12] **MS. HOFFMEISTER:** Honorable Mayor and
[13] City Councillors, at the last work session, some
[14] discussion was held on making concrete culverts
[15] part of the ordinance versus the steel. Was
[16] that passed when I was asleep tonight, or what's
[17] going on?
[18] **COUNCILMAN BATES:** We actually got a --
[19] **COUNCILWOMAN ALEXANDER:** Rick actually
[20] did some research on that for us to review.
[21] **MS. HOFFMEISTER:** Okay. So that's
[22] still on the table --
[23] **COUNCILMAN ROCHE:** Someone made --
[24] **MS. HOFFMEISTER:** -- to be addressed at
[25] a later date?

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[1] **COUNCILMAN ROCHE:** Sorry.
[2] Someone made a suggestion that C --
[3] I'll never get their name -- C2H- --
[4] **COUNCILMAN BATES:** CH2MHill.
[5] **MAYOR JENKINS:** CH2MHill.
[6] **COUNCILMAN ROCHE:** -- because we could
[7] pay for that out of the stormwater budget and
[8] have them draft an ordinance or --
[9] **MS. HOFFMEISTER:** This is for new
[10] construction, so that would be part of the
[11] stormwater. In other words, when they build
[12] something, they don't put steel pipes in; they
[13] put concrete.
[14] **COUNCILMAN ROCHE:** No, I understand
[15] that. We want that to happen. I'm just trying
[16] to figure out the best way to make that happen.
[17] **MAYOR JENKINS:** I get the understanding
[18] that certain -- is Chuck here?
[19] **COUNCILMAN BATES:** He's in the back.
[20] **MAYOR JENKINS:** Come on up, Chuck.
[21] **MR. ENTSMINGER:** First of all, we're
[22] not talking about culverts.
[23] **MAYOR JENKINS:** Concrete versus the
[24] corrugated. Can you explain that to us?
[25] **MR. ENTSMINGER:** First of all, we're

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[1] not talking about culverts. Culverts is what
[2] goes on the end of the pipe that catches the
[3] water or discharges water. We're talking about
[4] concrete pipes. And we cannot -- I don't see
[5] how we're going to be able to force people.
[6] It's also going to cost the City to use concrete
[7] pipe. Concrete reinforced pipe can't be put on
[8] any slope any greater than 10 percent. So your
[9] HDPs, your crimp metal and things like that --
[10] it's going to have to be cost effective to do
[11] that.
[12] I know the job you-all are talking
[13] about that used the eight-foot metal pipe.
[14] There are 764 feet in it. They couldn't have
[15] built that building and used concrete reinforced
[16] pipe. It would have been, you know, cost
[17] prohibitive. And the pipes that I've got copies
[18] of are approved by Georgia Department of
[19] Transportation and Dekalb County Land
[20] Development. That's what we go by.
[21] It would be great if we could make
[22] everybody put them in, but I don't see how we
[23] could do it. You-all pay your stormwater. When
[24] the City goes to replace a pipe, they're going
[25] to have to use concrete pipe? You can't do it.

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[1] **MR. KOONTZ:** Well, in your opinion,
[2] what do you think of the plastic stuff instead
[3] of the galvanized?
[4] **MR. ENTSMINGER:** HDP is approved and --
[5] **MR. KOONTZ:** Well, I mean, could you do
[6] that instead of the galvanized because --
[7] **MR. ENTSMINGER:** Yeah, but --
[8] **MR. KOONTZ:** -- the problem we're
[9] seeing is they're rusting through and the
[10] concrete --
[11] **MR. ENTSMINGER:** Yeah.
[12] **MR. KOONTZ:** -- wouldn't do that;
[13] right?
[14] **MR. ENTSMINGER:** Well, that's correct.
[15] But see, like cross drains underneath all load-
[16] bearing pavement, concrete's yes, CNP is no, but
[17] HDP is approved. But we don't allow them to use
[18] it in the city or the county. It has to be
[19] concrete under the road, cross drain.
[20] And on nonload-bearing surfaces, you
[21] can use all four of them.
[22] **MR. KOONTZ:** (Inaudible) I saw they put
[23] on the plastic. And to me, that seems a lot
[24] better than the metal stuff that's going to rust
[25] through and cave in.

[1] **MR. ENTSMINGER:** Your corrugated
[2] plastic won't slip because it's got the rings
[3] around it and the earth gets around it. It
[4] won't slide.

[5] **MR. KOONTZ:** Right.

[6] **MR. ENTSMINGER:** But concrete pipe over
[7] 10 percent slope will start slipping.

[8] **MR. KOONTZ:** Well, maybe could they
[9] rethink maybe plastic instead of galvanized?

[10] **MR. ENTSMINGER:** Well, the galvanized,
[11] there's places it can be used. But then you got
[12] the CNP that's coated like they used up here at
[13] the shopping center, which is fine. Now, it may
[14] not last for 30 years, but we can't -- you know,
[15] that's the man's maintenance problem when he
[16] builds that house or builds that shopping
[17] center. He's got to assume the responsibility
[18] for that, not the City. It's on private
[19] property.

[20] **MR. ANDERSON:** You can't specify that
[21] in zoning?

[22] **MR. ENTSMINGER:** Huh-uh. It's private
[23] property. That's what I'm saying. If you
[24] specify materials used, then you're going to
[25] force the City to use it when they have to

[1] **COUNCILMAN ROCHE:** That's why we're --
[2] **MR. HART:** (Inaudible) underground
[3] detention versus surface detention.

[4] **MR. ENTSMINGER:** Well, then you use up
[5] all your land. The Georgia Department of Water
[6] Conservation won't let you put ponds in anymore.
[7] It all has to go underground. There's no place
[8] left to put any ponds, Tom. You calculate out
[9] 765 foot of 8-foot pipe and show me how many
[10] acres. That's 2 point something acres up there
[11] at the site, and he's got 760 feet of 8-foot
[12] pipe. Can you imagine? The pond would be
[13] bigger than the property.

[14] **MAYOR JENKINS:** Thank you, Chuck.

[15] **COUNCILMAN SPANGLER:** I make a motion
[16] that we adjourn the meeting.

[17] **MAYOR JENKINS:** Second?

[18] **COUNCILMAN ROCHE:** Second.

[19] **MAYOR JENKINS:** Meeting adjourned.

[20] - - -
[21] (Whereupon, the proceedings were concluded
[22] at 9:25 p.m. the same day.)

[23] -000-
[24]
[25]

[1] replace it.

[2] **MR. ANDERSON:** Well --

[3] **MR. ENTSMINGER:** It's cost. You're
[4] talking about three times as much cost.

[5] **COUNCILMAN ROCHE:** But would it last
[6] four times as long?

[7] **MR. ENTSMINGER:** No, because the cement
[8] versus -- HDP and cement's about the same price.

[9] **MR. KOONTZ:** It's the same price as
[10] concrete?

[11] **MR. ENTSMINGER:** About the same price.

[12] **MR. KOONTZ:** Again, I mean I think
[13] we're seeing we saved some money thirty years
[14] ago putting galvanized in, and now we're paying
[15] the price for it having to go back in and
[16] replace all that stuff because it's just caving
[17] in everywhere in the city. And we want to keep
[18] doing that? I think that's the --

[19] **MR. ENTSMINGER:** Do you want to force
[20] all the people to move out where they can't
[21] build these buildings in here by using pipe that
[22] lasts 30 years?

[23] **MR. KOONTZ:** That's a question.

[24] **MR. ENTSMINGER:** That's not up to me to
[25] answer.

[1] 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 foregoing transcript
[5] was taken down, as stated in the caption, and the
[6] proceedings were reduced to typewriting under my
[7] direction and control.

[8] I further certify that the transcript is a true
[9] and correct record of the evidence given at the said
[10] proceedings.

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

[15] This the 12th day of June, 2007.
[16]
[17]
[18]
[19]

Theresa Bretch, CCR
Permit No. B-755

[SEAL]

[20]
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