

In The Matter Of:

*City Council Meeting (Special Call)
City of Doraville, State of Georgia*

*Mayor Ray Jenkins Presiding
February 11, 2008*

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

Transcript of the Special Call meeting 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 approximately 6:00 p.m. on Monday, February 11, 2008.
* * *

[1] PROCEEDINGS
[2] **MAYOR JENKINS:** This is a special call
[3] meeting called by Mayor and the Council to go
[4] over a contract and two other items, and I'm
[5] going to call the meeting to order and ask for
[6] the roll call.
[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:** Present.
[17] **MS. MURPHY:** Councilwoman Fleming?
[18] **COUNCILWOMAN FLEMING:** Here.
[19] **MS. MURPHY:** They're all here, Mayor.
[20] **MAYOR JENKINS:** Thank you.
[21] We have three items on this agenda and
[22] they all supposedly go into Executive Session,
[23] but I will ask for a motion to go into Executive
[24] Session. And when we go into Executive Session,
[25] I believe we can stay in until we finish all

[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] Ms. Priscilla Murphy, Consultant
[11] R. Read Gignilliat, Esquire
[12] Elarbee Thompson

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[1] three items. So I'm going to ask for a motion.
[2] I'll have to have a motion, and it'll be
[3] majority, to go into Executive Session.
[4] **COUNCILMAN SPANGLER:** Does it have to
[5] be in Executive Session?
[6] **MR. GIGNILLIAT:** If you're asking me,
[7] Mr. Spangler, I would say that it doesn't
[8] strictly have to be. But to the extent that
[9] there any questions that Council members may
[10] have of me regarding any of the legal issues
[11] associated with the contract, I think that may
[12] be more appropriate for an executive session.
[13] **COUNCILWOMAN PITTMAN:** So Mayor, should
[14] you ask if anyone -- because we come out to
[15] vote; correct?
[16] **COUNCILWOMAN ALEXANDER:** Yes.
[17] **COUNCILWOMAN PITTMAN:** Does anyone have
[18] any discussion or questions that they might want
[19] to ask? Maybe that should determine whether we
[20] should go into Executive Session.
[21] **MAYOR JENKINS:** Well, as he says, if we
[22] ask any questions --
[23] **COUNCILWOMAN PITTMAN:** That's what I'm
[24] saying. Do we or -- if we don't, then there's
[25] no need to go in on this item. I don't have any

[1] personally, but --
 [2] **MAYOR JENKINS:** Not on the first item
 [3] you're referring to.
 [4] **COUNCILWOMAN PITTMAN:** Yes, sir.
 [5] **MAYOR JENKINS:** Well, that's what I'm
 [6] asking the Council. Do they want to go into
 [7] Executive Session or leave it out in the open?
 [8] **COUNCILWOMAN FLEMING:** I need some
 [9] clarification on the two releases.
 [10] **COUNCILWOMAN ALEXANDER:** I make a
 [11] motion we go into Executive Session.
 [12] **COUNCILWOMAN PITTMAN:** Second.
 [13] **MAYOR JENKINS:** Anymore discussion?
 [14] Priscilla?
 [15] **MS. MURPHY:** Councilwoman Alexander?
 [16] **COUNCILWOMAN ALEXANDER:** Yes.
 [17] **MS. MURPHY:** Councilman Bates?
 [18] **COUNCILMAN BATES:** Yes.
 [19] **MS. MURPHY:** Councilman Spangler?
 [20] **COUNCILMAN SPANGLER:** I'm going to
 [21] abstain.
 [22] **MS. MURPHY:** Councilwoman Pittman?
 [23] **COUNCILWOMAN PITTMAN:** Yes.
 [24] **MS. MURPHY:** Councilman Roche?
 [25] **COUNCILMAN ROCHE:** Yes.

[1] be deleted; that item number 14, Conflict of
 [2] Terms shall be deleted; that item number 2 of
 [3] General Release titled Consideration shall be
 [4] deleted, and that any and all payment of
 [5] employee's attorney's fees shall be the
 [6] responsibility of the employee.
 [7] **MAYOR JENKINS:** Do I get a second? Do
 [8] I get a second?
 [9] Motion died with the lack of a second.
 [10] Do I get another motion?
 [11] **COUNCILWOMAN PITTMAN:** I would like to
 [12] make a motion that we approve the contract with
 [13] approval of -- is it A and B? Is that how we --
 [14] the attachments A and B as it stands.
 [15] **COUNCILMAN BATES:** Second.
 [16] **MAYOR JENKINS:** I've got a second,
 [17] motion and a second. Anymore discussion?
 [18] **COUNCILMAN SPANGLER:** I was just going
 [19] to say that I'm against a contract unless we can
 [20] offer a contract to all employees, so my vote
 [21] will be no.
 [22] **MAYOR JENKINS:** Call the roll,
 [23] Priscilla.
 [24] Anymore discussion? Excuse me.
 [25] Call the roll.

[1] **MS. MURPHY:** Councilwoman Fleming?
 [2] **COUNCILWOMAN FLEMING:** Yes.
 [3] **MAYOR JENKINS:** We have a majority. So
 [4] I prefer that we go into Executive Session in
 [5] the Council chambers. Do I have any objection
 [6] to that from the table?
 [7] - - -
 [8] (Executive Session held from 6:07 p.m. until
 [9] 7:36 p.m.)
 [10] - - -
 [11] **MAYOR JENKINS:** Meeting come to order.
 [12] We're going to reopen the special call meeting.
 [13] And we do have some -- we have solved some
 [14] problems, so we're going to come back up, we're
 [15] going to try to make it short and sweet.
 [16] On the Chief's contract, which is
 [17] number three, I'd like to entertain a motion.
 [18] **COUNCILWOMAN FLEMING:** I make a motion
 [19] to offer an employment agreement dated February
 [20] the 11th, 2008 to Police Chief John F. King with
 [21] duration until December 31st, 2009 or until an
 [22] Employee Rights and Procedures Manual for the
 [23] City of Doraville has been revised, approved and
 [24] adopted, whichever first occurs; that item
 [25] number 10(c), Resignation for Good Reason, shall

[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:** No.
 [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:** No.
 [13] **MAYOR JENKINS:** Motion carried.
 [14] Next item, city clerk. I just want to
 [15] bring an update on the city clerk.
 [16] At this time, we're not going to offer
 [17] a contract for our city clerk. She has asked
 [18] for some things that are I say just a little bit
 [19] too out of line, and we're going to send her a
 [20] letter asking her to accept employment as we
 [21] originally talked to her about.
 [22] Does the Council have anything to add
 [23] to that?
 [24] **COUNCILMAN ROCHE:** Just that -- and
 [25] you'll probably hear me say this a million times

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[1] -- generally, I think that -- part of the things
 [2] I talked about with people when I knocked on
 [3] their doors to get elected to this was that we
 [4] were going to simplify how we do things at City
 [5] Hall, and, personally, I think the idea of going
 [6] down the road of offering contracts to everybody
 [7] is exactly the wrong thing to do.
 [8] I mean obviously you just saw me vote
 [9] for a contract, but that was a special situation
 [10] because there was a release associated with that
 [11] contract.
 [12] So I really think that I agree
 [13] completely that we don't want to get in the
 [14] business of offering contracts to employees.
 [15] Contracts should be part of the employee manual,
 [16] and we definitely need to clean up the employee
 [17] manual and get that straightened up, so --
 [18] **MAYOR JENKINS:** We do not need a motion
 [19] on that, so is there anymore discussion on it?
 [20] **COUNCILWOMAN ALEXANDER:** Just to
 [21] clarify, what we're going to do is send -- the
 [22] young lady has come back to us with a proposal
 [23] for a contract which we are not in favor of, and
 [24] Ms. Fleming made a suggestion. We're going to
 [25] send her a formal offer-of-employment letter

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[1] that has outlined everything that her job offer
 [2] includes as far as benefits and everything so
 [3] she has all the information, and that's going to
 [4] be sort of our counter-offer, if you will, to
 [5] her.
 [6] **COUNCILMAN SPANGLER:** And I think we
 [7] agreed, didn't we stop the --
 [8] **COUNCILWOMAN ALEXANDER:** Is that --
 [9] **COUNCILMAN SPANGLER:** -- 48 hours?
 [10] **COUNCILWOMAN ALEXANDER:** -- what you
 [11] were going to ask, Chief?
 [12] **CHIEF KING:** Yes. Mayor and members of
 [13] Council, we're at the stage we have gone pretty
 [14] much about halfway through the background
 [15] investigation, but I just kind of wanted to get
 [16] some direction from the Council as to whether --
 [17] **MAYOR JENKINS:** Didn't I --
 [18] **CHIEF KING:** -- you want us to put
 [19] things on hold until this gets resolved?
 [20] **MAYOR JENKINS:** We put it on hold this
 [21] afternoon.
 [22] **CHIEF KING:** Yes, sir. I just want to
 [23] make sure that we got --
 [24] **MAYOR JENKINS:** Put it on hold.
 [25] **CHIEF KING:** -- some guidance for what

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[1] you-all want me to do.
 [2] **MAYOR JENKINS:** Okay. Thank you.
 [3] **CHIEF KING:** Thanks.
 [4] **MAYOR JENKINS:** The other one was job
 [5] description for our -- We talked a lot about
 [6] this job description for Luke, and we changed
 [7] the title of his job to Aide to the Mayor.
 [8] And of course do we need to go over all
 [9] the --
 [10] **COUNCILWOMAN ALEXANDER:** We were given
 [11] several job descriptions, and we all went
 [12] through bullet point by bullet point and we've
 [13] made notes, we added some things. And I'm going
 [14] to type up a new one and we'll --
 [15] **MAYOR JENKINS:** And we'll present that.
 [16] Just give it to us as soon as we --
 [17] **COUNCILWOMAN ALEXANDER:** Yes.
 [18] **MAYOR JENKINS:** -- get it ready. Okay?
 [19] **COUNCILWOMAN ALEXANDER:** Uh-huh.
 [20] **MAYOR JENKINS:** So don't need a motion
 [21] on that.
 [22] Meeting adjourned.
 [23] (Whereupon, the proceedings were concluded
 [24] at 7:40 p.m. the same day.)
 [25] -o0o-

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C E R T I F I C A T E

[2] STATE OF GEORGIA]
 [3] COUNTY OF DEKALB]
 [4] I hereby certify that the 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]
 [16]
 [17] This the 12th day of February 2008.
 [18]
 [19]
 [20] _____
 [21] Theresa Bretch, CCR
 [22] Permit No. B-755
 [23]
 [24] [SEAL]
 [25]

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