

In The Matter Of:

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

*Before Mayor Ray Jenkins
April 2, 2007*

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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 approximately 7:08 p.m. on Monday,
April 2, 2007.

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P R O C E E D I N G S

[1] **MAYOR JENKINS:** Meeting come to order.
[2] Appreciate everybody coming out tonight. We've
[3] got, I hope, a little shorter agenda tonight,
[4] and we got a couple items that might take a few
[5] minutes, but --
[6] Are you ready, Priscilla?
[7] I'd like to have -- approve the minutes
[8] for the March 19th, 2007, council meeting.
[9] Do I have a motion?
[10] **COUNCILMAN HART:** I make a motion.
[11] **MAYOR JENKINS:** Second?
[12] **COUNCILWOMAN PITTMAN:** Second.
[13] **MAYOR JENKINS:** All in favor?
[14] Opposed?
[15] The main thing on the agenda tonight is
[16] the full-time mayor versus city manager.
[17] I put out a letter about three to four
[18] weeks ago. We set up two meetings. The first
[19] meeting was held on March 7th at 6:00 p.m. at
[20] the City Hall. The second meeting was held on
[21] Wednesday, March the 21st, at 6:00 p.m., at the
[22] City Hall.
[23] On the first meeting, we had approxi-
[24] mately 39 people for our whole meeting. The
[25]

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[1] **APPEARANCES:**
[2] Doraville City Council:
[3] Hon. Ray Jenkins, Mayor
[4] Councilwoman Marlene Hadden
[5] Councilwoman Donna Pittman
[6] Councilman Jason Anavitarte, Mayor Pro-Tem
[7] Councilman Tom Hart
[8] Councilman Ed Lowe
[9] Hugh "Rick" Powell, City Attorney
[10] Ms. Priscilla Murphy, Consultant
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[1] second meeting was less than that, about 29.
[2] And we got a lot of good input. Okay. We held
[3] those two meetings, and I -- after -- on the
[4] same letter, after these meetings, that Council
[5] will vote either for or against having a
[6] referendum. And this was posted in the
[7] newspa- -- newsletter also.
[8] What I'm saying is I'm going to bring
[9] this up to the table. We have given all the
[10] citizens input. The last -- both meetings were
[11] full meetings. Nobody was cut off. They got to
[12] say anything they wanted to say, and I -- we're
[13] going to bring this up to the table, and
[14] comments from the councilmen only. We will have
[15] input from the citizens at the end of the
[16] meeting.
[17] Any comments from the table?
[18] Do I have a motion?
[19] **COUNCILMAN ANAVITARTE:** I make a motion
[20] that we have a referendum on mayor or city
[21] manager form of government that's a non-binding
[22] referendum on the November ballot, 2007. I
[23] don't know what the exact date is.
[24] **MAYOR JENKINS:** Do I have a second?
[25] **COUNCILWOMAN HADDEN:** I'll second.

[1] November 6.
 [2] **MAYOR JENKINS:** Okay. I got a motion
 [3] and a second. All in favor?
 [4] Got two ayes, Jason and Marlene.
 [5] No, as opposed?
 [6] We got three opposed, which is Ed,
 [7] Donna and Mr. Hart. Motion denied.
 [8] Next item on the agenda is the CH2MHILL
 [9] contract.
 [10] And everybody has read that. Is that
 [11] true?
 [12] Rick, do you want to explain a little
 [13] bit about it?
 [14] **CITY ATTORNEY POWELL:** I looked at it
 [15] quite some time ago, to be honest with you,
 [16] Mayor. And we made a couple of changes, and it
 [17] was approved, and y'all have looked at it, so
 [18] it's -- I think it's in order to go ahead and
 [19] proceed with it at this point.
 [20] **MAYOR JENKINS:** Do I have a motion that
 [21] we approve this contract?
 [22] **COUNCILMAN HART:** Well, I think the --
 [23] now, it's \$44,000 to meet our stormwater
 [24] requirements, but the part that I found --
 [25] I went to the meeting with CH2MHILL --

[1] want according to the back page which is the
 [2] hourly rate of the people.
 [3] **CITY ATTORNEY POWELL:** Right. So you
 [4] want to add --
 [5] **MAYOR JENKINS:** It's up to forty-four.
 [6] Is that not correct?
 [7] **CITY ATTORNEY POWELL:** Well, yeah, for
 [8] the services that are -- that are --
 [9] **COUNCILMAN LOWE:** Listed.
 [10] **CITY ATTORNEY POWELL:** -- described in
 [11] there. So you put more services in there, it's
 [12] going to raise the amount.
 [13] **COUNCILMAN HART:** Well, in our -- in
 [14] our agreement with Dekalb County, in our
 [15] services agreement with Dekalb County, there's a
 [16] number of services there for like anywhere from
 [17] stormwater curbs like the city's supposed to be
 [18] doing now. One thing that's fallen through the
 [19] cracks is the mapping of the stormwater drains,
 [20] which I think is included in this contract,
 [21] which is left -- well, the thing that's left out
 [22] is the mapping of the streams in Doraville and
 [23] Doraville's flood plains, which is lacking on
 [24] the Dekalb County map and the FEMA map.
 [25] **CITY ATTORNEY POWELL:** Well, we can

[1] **MAYOR JENKINS:** Right.
 [2] **COUNCILMAN HART:** -- and the part that
 [3] I found --
 [4] And all of this is because the
 [5] Stormwater Department only has one person
 [6] working in it, and they're really not equipped
 [7] to -- to do all the things that normally storm-
 [8] water departments do, and so it's like having a
 [9] second or third employee by having this con-
 [10] tract.
 [11] One thing that's missing here is that
 [12] the streams in Doraville that go on the FEMA map
 [13] and also the Dekalb County map are not being
 [14] addressed in this contract. Normally, those
 [15] streams are located and put on the map. They
 [16] have a GPS map that they're doing for Dekalb
 [17] County right now.
 [18] So the only question I have about the
 [19] contract, could that be added to the contract?
 [20] **CITY ATTORNEY POWELL:** Do you mean as
 [21] additional services? Well, then, that would
 [22] have to redo the contract. I'm sure the fee's
 [23] going to be different.
 [24] **MAYOR JENKINS:** This contract is not a
 [25] flat forty-four five. They do exactly what we

[1] certainly add that and bring it back to you.
 [2] **COUNCILMAN HART:** Well, I think we can
 [3] pass this now, but I mean that needs to be added
 [4] to this because that's one thing the stormwater
 [5] department's supposed to be doing right now.
 [6] **CITY ATTORNEY POWELL:** But I think it -
 [7] - I believe it would raise the maximum fees that
 [8] could be charged under there if you do that.
 [9] And we don't know how much that is.
 [10] **COUNCILMAN HART:** It's either let one
 [11] person in the stormwater department do that or
 [12] CH2MHILL does it, but --
 [13] **CITY ATTORNEY POWELL:** I'm not
 [14] suggesting that you shouldn't do that, Mr. Hart.
 [15] I'm just saying that I think that if you do
 [16] that, it's going to change the fees.
 [17] **COUNCILWOMAN HADDEN:** Let's take this
 [18] as it is and address that at --
 [19] **COUNCILMAN HART:** Right, but that has
 [20] to be in as a note, that needs to be added.
 [21] **CITY ATTORNEY POWELL:** Okay.
 [22] **COUNCILWOMAN HADDEN:** Well, I'm sure
 [23] that they may come up with other things, an
 [24] emergency or a special circumstance or
 [25] something.

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[1] **COUNCILMAN HART:** Well, we're behind on
[2] turning that in to the County as well as the
[3] State of Georgia.
[4] **CITY ATTORNEY POWELL:** We could do that
[5] tonight and then immediately we can have an
[6] amendment, and they've been very cooperative, so
[7] I'll talk with Doug tomorrow.
[8] **COUNCILMAN HART:** Okay.
[9] **CITY ATTORNEY POWELL:** All right.
[10] That's a good point.
[11] **MAYOR JENKINS:** You're going to write
[12] up the --
[13] **CITY ATTORNEY POWELL:** We'll just
[14] negotiate an amendment to add that and have it
[15] ready for the next meeting. But we do need to
[16] go ahead and get that submitted, yeah.
[17] **MAYOR JENKINS:** Do I have a motion?
[18] **COUNCILMAN LOWE:** So moved.
[19] **COUNCILMAN HART:** Second.
[20] **MAYOR JENKINS:** All in favor?
[21] Donna, the library?
[22] **COUNCILWOMAN PITTMAN:** If you haven't
[23] been down to the -- over to the library lately,
[24] it's a lot of real positive changes. It's
[25] pretty exciting over there. Lynn's doing a

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[1] really nice job.
[2] They've ordered a new photocopier, and
[3] they're going to be -- they're still waiting on
[4] a coin-operated machine. They're going to be
[5] putting that into service for the public.
[6] They have ordered nine computer chairs.
[7] Well, the computer chairs are actually being
[8] reupholstered, and they're going to have new --
[9] 75 new stacking chairs.
[10] The Maintenance Department is taking a
[11] wall down there to open up the space. It looks
[12] really nice. So if you haven't went over lately
[13] and took a tour through, it's really a nice
[14] thing to do.
[15] Friends of the Library. We have 16 new
[16] members. They elected officers.
[17] Susan, did you want to elaborate on
[18] that a little bit?
[19] **MS. FRAYSSE:** Well, we are about to
[20] send out invitations to a meeting in April to
[21] celebrate National Library Week which ends the
[22] week of the 21st. So Saturday, the 21st, at
[23] 2 o'clock, we want to invite all kinds of people
[24] including children.
[25] **COUNCILWOMAN PITTMAN:** When is this?

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[1] **MS. FRAYSSE:** Saturday, the 21st of
[2] April at 2 o'clock. And it's open -- I think
[3] there will be some kids maybe and tables and
[4] displays and -- and maybe book characters, maybe
[5] some adults dressing as book characters. So we
[6] wanted to encourage people to come. And
[7] refreshments.
[8] **COUNCILWOMAN PITTMAN:** So if you want
[9] something really positive to get involved in,
[10] this is something really good over there.
[11] They also have started a new program
[12] called Read to Rover that's kicked off on
[13] Saturday. I believe they had a couple children
[14] read to the dog, and it was really fun. So
[15] that's next week.
[16] **MAYOR JENKINS:** Street lights?
[17] **COUNCILWOMAN PITTMAN:** We had crime in
[18] our neighborhood pick up over the last, I guess,
[19] two or three weeks. We had a car stolen, a lot
[20] of tagging going on, graffiti. So they're --
[21] took a tour of the neighborhoods and realized
[22] there's some really dark areas that possibly
[23] could invite crime. So we're going to be asking
[24] the Council if we could put five or six new
[25] street lights in these particular areas. Some

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[1] of them on Redwood, over on Pontiac and -- I've
[2] got the list, but several different streets,
[3] five or six different street lights. The poles
[4] are there. We just need the lights.
[5] **MAYOR JENKINS:** You said two earlier.
[6] **COUNCILWOMAN PITTMAN:** No. I said five
[7] or six.
[8] **COUNCILWOMAN HADDEN:** Five or six. Why
[9] don't we go ahead?
[10] **COUNCILWOMAN PITTMAN:** It was Tom that
[11] said two.
[12] **COUNCILWOMAN HADDEN:** Ms. Pittman, why
[13] don't we go ahead and okay getting those lights?
[14] **COUNCILMAN HART:** Yeah, and we have --
[15] we have three on Chestnut that need to be
[16] okayed.
[17] **COUNCILWOMAN HADDEN:** You want to make
[18] a motion --
[19] **COUNCILWOMAN PITTMAN:** Yes.
[20] **COUNCILWOMAN HADDEN:** -- about your
[21] lights?
[22] **MAYOR JENKINS:** Are you going to add
[23] his? We've already been through his, haven't
[24] we?
[25] **COUNCILMAN HART:** No, we haven't.

[1] **MAYOR JENKINS:** Yeah, we have.
 [2] **COUNCILMAN HART:** We have 300 lights on
 [3] Oakcliff. It looks like a baseball stadium over
 [4] there. We have five or six -- because it's a
 [5] little dark over there. We have three lights
 [6] that are on our drawing, and we can't get those.
 [7] So I'm just wondering if we get three on
 [8] Chestnut, we could possibly get six over in
 [9] there.
 [10] **MAYOR JENKINS:** Donna's got the floor.
 [11] **COUNCILWOMAN PITTMAN:** I'm going to
 [12] make a motion for six street lights in the Tilly
 [13] Mill/Winters Chapel area.
 [14] **MAYOR JENKINS:** You want to show me
 [15] where they are?
 [16] **COUNCILWOMAN PITTMAN:** Yes, sir. I'll
 [17] be glad to show you.
 [18] **COUNCILWOMAN HADDEN:** With a list to be
 [19] submitted and --
 [20] **COUNCILMAN HART:** I think we need to
 [21] take pictures of them first and then we have --
 [22] during the summertime as well as in the winter
 [23] time.
 [24] **COUNCILWOMAN PITTMAN:** And we will
 [25] provide a list for any of those people that

[1] much of anything else.
 [2] **COUNCILMAN HART:** Well --
 [3] **VOICE:** So it's good we've got them.
 [4] **MAYOR JENKINS:** Thank you.
 [5] **COUNCILWOMAN PITTMAN:** And the street
 [6] lights are a great deterrent. They really are a
 [7] good deterrent to crime. The area where this
 [8] car was stolen was --
 [9] **COUNCILMAN HART:** I'm not arguing --
 [10] **COUNCILWOMAN PITTMAN:** -- pitch black.
 [11] **COUNCILMAN HART:** -- against street
 [12] lights. I'm just trying to get three that are
 [13] on our drawing. Dekalb County requires them and
 [14] --
 [15] (Overspeaking from audience members.)
 [16] **MAYOR JENKINS:** Tom? Tom, you're next
 [17] on the agenda.
 [18] **COUNCILMAN HART:** We'll get to see the
 [19] drawing, John.
 [20] Bricks. We're selling bricks. Since
 [21] we've spent all our money on parks and street
 [22] lights, we don't have any money left in the
 [23] city, so we have to pay for the rest of the
 [24] sidewalk with bricks. So we sold enough to pay
 [25] for the one-foot square bricks that are on sale.

[1] would like to have it.
 [2] **COUNCILWOMAN HADDEN:** I second Ms.
 [3] Pittman's motion.
 [4] **COUNCILMAN HART:** No.
 [5] **MAYOR JENKINS:** Okay, Tom.
 [6] **COUNCILMAN HART:** Sure we don't have to
 [7] have ten people over there videoing them and
 [8] then we'll hand out CD's to everybody and then
 [9] make sure it's . . .
 [10] **MAYOR JENKINS:** I got a motion and a
 [11] second. All in favor?
 [12] Opposed?
 [13] **MS. MURPHY:** Mayor, Ms. Pittman, we're
 [14] going to have to have the street addresses.
 [15] **COUNCILWOMAN PITTMAN:** Yes. It's
 [16] forthcoming.
 [17] **MAYOR JENKINS:** She's going to get them
 [18] for me, and I'll call with --
 [19] **COUNCILWOMAN HADDEN:** The street
 [20] addresses to be turned in.
 [21] **COUNCILWOMAN PITTMAN:** Right.
 [22] **MAYOR JENKINS:** Yes, ma'am?
 [23] **VOICE:** Tom said they had a awful -- a
 [24] lot of street lights in Oakcliff. Well, it's
 [25] good we've got street lights. We don't have

[1] And the zoning ordinance for the work
 [2] session?
 [3] **COUNCILMAN LOWE:** Did we talk about a
 [4] time next week to do this? Wednesday?
 [5] **MAYOR JENKINS:** We're talking about
 [6] doing it next week, Tom.
 [7] (Brief, inaudible discussion among
 [8] Council members.)
 [9] **COUNCILMAN LOWE:** What day?
 [10] **COUNCILMAN HART:** Yeah, but you never -
 [11] - we were going to start at 8 o'clock in the
 [12] morning and then we -- somebody couldn't come,
 [13] and so where are we?
 [14] **COUNCILMAN ANAVITARTE:** Why don't we
 [15] have the Mayor call everybody tomorrow?
 [16] **COUNCILWOMAN HADDEN:** Okay.
 [17] **MAYOR JENKINS:** Well, when did we set
 [18] up the work session?
 [19] **COUNCILMAN ANAVITARTE:** We didn't. Not
 [20] during the work ses- --
 [21] **COUNCILMAN HART:** We didn't.
 [22] **MAYOR JENKINS:** Are we going to set up
 [23] a work session?
 [24] **COUNCILMAN ANAVITARTE:** Yeah. I'll say
 [25] you work with Dorothy tomorrow and coordinate

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[1] everybody for one day next week.
[2] **MAYOR JENKINS:** Okay. I'll take care
[3] of that.
[4] (Brief, inaudible discussion among
[5] Council members.)
[6] **CITY ATTORNEY POWELL:** Mr. Mayor, at
[7] the work session, there was discussion about who
[8] was going to attend. I just -- I think you
[9] ought to get that straight as to what you --
[10] depending on or expecting --
[11] **MAYOR JENKINS:** I feel like we should -
[12] -
[13] **CITY ATTORNEY POWELL:** -- Planning
[14] Commission or --
[15] **MAYOR JENKINS:** We should have Pond.
[16] **CITY ATTORNEY POWELL:** -- or Pond or
[17] what?
[18] **MAYOR JENKINS:** Yeah.
[19] **CITY ATTORNEY POWELL:** Okay. Well, I
[20] just wanted you -- I thought you-all might want
[21] to get that straight.
[22] **COUNCILMAN LOWE:** We can have both?
[23] **COUNCILWOMAN HADDEN:** Yeah.
[24] **CITY ATTORNEY POWELL:** That's what you-
[25] all want.

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[1] **MAYOR JENKINS:** Do we agree that we'll
[2] have Pond & Company at the work session?
[3] **COUNCILMAN ANAVITARTE:** Yes.
[4] **COUNCILWOMAN HADDEN:** Yes.
[5] **MAYOR JENKINS:** Okay. That's what I
[6] say.
[7] **COUNCILMAN HART:** What is the reason
[8] we're having Pond there?
[9] **MAYOR JENKINS:** Because he's our
[10] planner.
[11] **COUNCILMAN HART:** Why are we spending
[12] the money for Pond to show up?
[13] **COUNCILMAN ANAVITARTE:** Because he's
[14] our planner.
[15] **COUNCILMAN HART:** So we've spent
[16] \$105,000 now. Are we paying them to show up?
[17] **MAYOR JENKINS:** This should still be
[18] part of the regular process, I would say, but I
[19] will check on that tomorrow.
[20] **COUNCILMAN HART:** Okay. We've already
[21] spent \$105,000 for 20 articles. I'm just
[22] curious if we're going to spend some more.
[23] **COUNCILMAN LOWE:** Do you just want this
[24] between the Council? Is that what you want?
[25] **COUNCILMAN HART:** I don't -- you know,

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[1] for Article I, it's a half a page long. I don't
[2] know that we need Pond there to read a half a
[3] page of material.
[4] **COUNCILWOMAN HADDEN:** Are we going to
[5] get copies ahead of time? I mean are you going
[6] to give --
[7] **COUNCILMAN HART:** Yeah.
[8] **COUNCILWOMAN HADDEN:** -- those to us
[9] this evening?
[10] **COUNCILMAN HART:** Yeah.
[11] **CITY ATTORNEY POWELL:** Just the seven
[12] or all of them?
[13] **COUNCILWOMAN HADDEN:** Oh, I'd like to
[14] see the whole thing.
[15] **COUNCILMAN HART:** There's seven.
[16] **COUNCILWOMAN PITTMAN:** All of them.
[17] **COUNCILMAN LOWE:** But he'll still have
[18] 21.
[19] **COUNCILWOMAN HADDEN:** We want all of
[20] them.
[21] **COUNCILMAN HART:** Well, you're only
[22] going to get seven. There's 20 articles, so
[23] we're going to break it down to the 7 apiece.
[24] **MAYOR JENKINS:** I'll set up a work
[25] session tomorrow. Do we want Pond & Company

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[1] here or not?
[2] **COUNCILMAN HART:** I don't see where we
[3] (inaudible).
[4] **MAYOR JENKINS:** Do I have a motion that
[5] we get Pond & Company to come to this work
[6] session?
[7] **COUNCILWOMAN HADDEN:** So moved.
[8] **MAYOR JENKINS:** Second?
[9] **COUNCILMAN ANAVITARTE:** Second.
[10] **MAYOR JENKINS:** Do I get a second?
[11] **COUNCILWOMAN PITTMAN:** Jason seconded.
[12] **COUNCILMAN ANAVITARTE:** I'm sorry.
[13] **MAYOR JENKINS:** Oh. All in favor?
[14] Opposed?
[15] **COUNCILMAN HART:** Aye.
[16] **THE REPORTER:** One no?
[17] **COUNCILMAN HART:** One no.
[18] **MAYOR JENKINS:** Speak up.
[19] **COUNCILMAN HART:** I said no.
[20] **MAYOR JENKINS:** Okay. One no.
[21] **COUNCILMAN HART:** That's it.
[22] **MAYOR JENKINS:** Jason?
[23] **COUNCILMAN ANAVITARTE:** Annexation.
[24] There's no update right now. The bill is still
[25] in committee. Representative Chambers is still

[1] getting signatures for the bill. She's very
[2] adamant in trying to keep our bills local
[3] legislation whereas Senator Weber and others
[4] that represent cities in our area feel like the
[5] bill should be general legislation. So at this
[6] time, there's no movement on our bill in
[7] committee.

[8] We just talked about the zoning
[9] ordinance.

[10] English Oak master plan implemen-
[11] tation, Carol, if you want to come up, we talked
[12] about --

[13] Carol, if you want to make your
[14] presentation and then I'll get into what I have.
[15] I, I guess, preface it by just saying that you
[16] had a meeting with Lee and I'll let you comment,
[17] too, about go ahead and implementing the master
[18] plans and go ahead and moving forward with some
[19] construction documents. I'll let you preface it
[20] and --

[21] **MS. STEPHENS:** I would like the Council
[22] to vote on these three plans as preliminary
[23] plans to be approved by you, and then we'll be
[24] coming back to you with construction documents.
[25] We're going to do one step at a time, but first

[1] master plan implementation, but I'm going to
[2] amend my motion in terms -- in a way where it is
[3] germane by adding that we move forward with the
[4] implementation of English Oak and Autumn Park
[5] master plans and go ahead and direct Carol to
[6] order the construction documents for these three
[7] parks. Hold on. For English Oak and Autumn
[8] Park and, as we discussed, for Halpern Park, to
[9] go ahead with --

[10] And I'm going to let the folks in the
[11] district make up their mind, and the Council.
[12] Do you want to move forward with having a town
[13] hall meeting on Halpern or do you -- do you not?

[14] **MS. STEPHENS:** I don't think a lot of
[15] changes are going to be made, because we tried
[16] to do exactly what the people wanted.

[17] **COUNCILMAN LOWE:** Exactly, yeah.

[18] **MS. STEPHENS:** And it'll just be
[19] another meeting because Mr. Hart was protesting
[20] these plans.

[21] **COUNCILMAN HART:** Well, I mean I think
[22] that the citizens of Doraville need to be --
[23] It's their \$350,000 to \$500,000. In some cases,
[24] these parks become private parks for one or two
[25] people. So if they feel okay to spend -- it's

[1] you need to approve these plans.

[2] **COUNCILMAN LOWE:** And we do have the
[3] money in the budget for --

[4] **MS. STEPHENS:** Yes, --

[5] **COUNCILMAN LOWE:** -- these construc-
[6] tion?

[7] **MS. STEPHENS:** -- we have plenty of
[8] money in the budget.

[9] **MS. MURPHY:** You mean for the -- to
[10] have the plans done.

[11] **COUNCILMAN ANAVITARTE:** No, to
[12] implement. The implementation phase of it.

[13] **COUNCILMAN HART:** No. There's a --
[14] there's a detailed construction drawing first.

[15] **MS. STEPHENS:** You probably have money
[16] in the budget for that.

[17] **COUNCILMAN ANAVITARTE:** Well, yeah. I
[18] would offer that the construction documents is
[19] not going to be the greatest cost. The greatest
[20] cost is going to be the actual implementation of
[21] those construction documents, just so we're --
[22] we're clear on that.

[23] What I'd like to do, Mayor, if it's
[24] okay with you, I'm going to make a motion on
[25] three items. I know my items is English Oak

[1] okay to spend five hundred and six hundred
[2] thousand dollars on a private park to someone's
[3] private specifications, so be it. I mean --

[4] **MS. STEPHENS:** Well, the --

[5] **COUNCILMAN HART:** -- I think -- I think
[6] on a lot of different levels, it's wrong.

[7] **COUNCILMAN ANAVITARTE:** Let me go ahead
[8] and finish making my motion and then Council can
[9] debate the merits.

[10] Mayor, as I was stating, implementation
[11] of English Oak, Autumn Park, Halpern Park master
[12] plans and direct Carol to order construction
[13] documents for these three parks.

[14] And also another amendment I would also
[15] ask, and I've talked to some of the Council
[16] members during the break, that we also -- and
[17] also during the work session we discussed is in
[18] order to demonstrate our commitment to make sure
[19] that these plans are implemented, the
[20] construction documents move forward, that from
[21] this fiscal year, that the Council allocate half
[22] a million dollars to make sure that these park
[23] plans are implemented, they move forward, and us
[24] not wait till the next fiscal year, so that when
[25] you get these documents, the funding is there to

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[1] go ahead and implement, and at that time, the
 [2] Council -- or Carol, we can direct you to lead
 [3] the effort to make sure that these -- these
 [4] items are in line. So Mayor, that's my motion.
 [5] **MAYOR JENKINS:** Jason, --
 [6] **COUNCILMAN ANAVITARTE:** Yes, sir.
 [7] **MAYOR JENKINS:** -- I'm going to have to
 [8] get you to make sure that --
 [9] **COUNCILMAN ANAVITARTE:** Yeah.
 [10] **MAYOR JENKINS:** -- she knows what this
 [11] motion is. And you're saying --
 [12] **COUNCILMAN ANAVITARTE:** Okay.
 [13] **MAYOR JENKINS:** -- half a million for
 [14] all the parks or --
 [15] **COUNCILMAN ANAVITARTE:** This --
 [16] **MAYOR JENKINS:** -- half a million for -
 [17] -
 [18] **COUNCILMAN ANAVITARTE:** Half a
 [19] million -- So it's very clear, half a million
 [20] would be distributed to the three parks with
 [21] master plans, English Oak, Autumn Park and
 [22] Halpern Park. And let me also add a footnote
 [23] that each of these master plans are not going to
 [24] require the same amount of money. If anything,
 [25] in terms of economies of scale, Autumn Park is

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[1] probably going to require the least, with
 [2] English Oak, Halpern Park requiring the majority
 [3] of that money, which I think half a million
 [4] dollars sets us well on our way to make sure
 [5] that these plans are implemented with the
 [6] construction documents and the RFPs and bids
 [7] that would be coming up.
 [8] And I would also offer, too, for the
 [9] record, that -- and there might be a disagreeing
 [10] of opinions, but that the more we do, the like-
 [11] lihood that there will be a lesser cost
 [12] accumulated to the City because we are -- we are
 [13] doing more going through the bid process. So in
 [14] those construction documents that you request,
 [15] that -- I would go with, from talking to Lee
 [16] Lofton today, that that would be a direction to
 [17] go in is to try and go ahead and implement as
 [18] much as we can because the costs will come down
 [19] because we're -- we're spreading it across.
 [20] So that would be my motion, though.
 [21] **MAYOR JENKINS:** We're still talking
 [22] about three parks or all of them now? Let me
 [23] get it straight.
 [24] **COUNCILWOMAN HADDEN:** Three parks.
 [25] **COUNCILMAN LOWE:** Three.

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[1] **COUNCILMAN ANAVITARTE:** Three parks:
 [2] Autumn, English Oak, and Halpern.
 [3] **COUNCILMAN LOWE:** And I'd like to add
 [4] that we have really let our parks go. Now is
 [5] the time we can really do something to make them
 [6] look good, and it would be a really great asset
 [7] for the city. There's just no two ways about
 [8] it. But now is not time for talking; it's time
 [9] for action.
 [10] **COUNCILWOMAN HADDEN:** Action.
 [11] **MAYOR JENKINS:** Okay. Do I get a
 [12] second?
 [13] **COUNCILMAN ANAVITARTE:** Let me add one
 [14] more note to -- Priscilla made me -- just
 [15] reminded us.
 [16] Also a part of the motion is to direct
 [17] Priscilla to go ahead and draw up a resolution
 [18] amending the FY '06/'07 budget to include
 [19] whatever --
 [20] **MAYOR JENKINS:** The budget doesn't have
 [21] to be --
 [22] **COUNCILMAN ANAVITARTE:** -- whatever
 [23] additional monies will be needed, to direct
 [24] Priscilla to draw up a budget resolution amend-
 [25] ment that would allocate whatever monies that

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[1] are needed for fiscal year '06/'07 for this half
 [2] a million dollars.
 [3] **MAYOR JENKINS:** Do I get a second?
 [4] **COUNCILWOMAN HADDEN:** Second.
 [5] **COUNCILMAN HART:** So what are we voting
 [6] on? That we're going to spend -- we're allo-
 [7] cating this fiscal year, through June, \$500,000
 [8] to spend on parks or what?
 [9] **MAYOR JENKINS:** That's right; on the
 [10] three parks.
 [11] **COUNCILMAN HART:** Okay. As drawn.
 [12] So little additions and add-ons and
 [13] whatever, you know --
 [14] **COUNCILMAN LOWE:** There will be nothing
 [15] done until it comes before the Council.
 [16] **COUNCILMAN HART:** Ed, I want to get in
 [17] on this deal because this is sweet, okay.
 [18] **MAYOR JENKINS:** Okay.
 [19] **COUNCILMAN HART:** I want to have a park
 [20] in my back yard. I want \$500,000 and access to
 [21] Mactech, privately, and spend \$500,000.
 [22] **MAYOR JENKINS:** Okay, Tom.
 [23] **COUNCILMAN HART:** I mean if I'm not
 [24] going to be heard today, I'll be heard in the
 [25] Atlanta Journal, because I'm going to go right

[1] with this story.
 [2] **MAYOR JENKINS:** That's fine with us.
 [3] **COUNCILMAN LOWE:** All I'm trying to do
 [4] is make our parks look good.
 [5] **COUNCILWOMAN HADDEN:** Yes.
 [6] **COUNCILMAN LOWE:** That's all I'm trying
 [7] to do.
 [8] **COUNCILMAN HART:** So once these people
 [9] understand how they're being had, okay --
 [10] **MAYOR JENKINS:** I'm going to let the
 [11] gentleman speak over here. Yes, sir.
 [12] **VOICE:** I'd like to know what happened
 [13] to the Chicopee Park. Is it chopped liver or
 [14] something?
 [15] **MAYOR JENKINS:** I've got the stuff from
 [16] Dekalb County. I didn't get it on the agenda.
 [17] But we'll be working on Chicopee.
 [18] **VOICE:** Okay, but that's in --
 [19] **MAYOR JENKINS:** For the turnaround.
 [20] It's quite expensive, too. Maybe you can help
 [21] me dig up the money for it.
 [22] **COUNCILWOMAN HADDEN:** Mayor?
 [23] **MAYOR JENKINS:** Yes, ma'am.
 [24] **COUNCILWOMAN HADDEN:** Also what we did
 [25] was the first go-around, we took a park in each

[1] promised Oakcliff would be fixed some time ago.
 [2] **MAYOR JENKINS:** I understood that
 [3] Oakcliff --
 [4] **MS. CRAWFORD:** And I believe that --
 [5] **MAYOR JENKINS:** Jason --
 [6] **MS. CRAWFORD:** -- this weekend there
 [7] was --
 [8] (Overspeaking)
 [9] **VOICE:** You guys voted on it.
 [10] **MS. STEPHENS:** Well, the first thing
 [11] you have to do is evaluate the safety problems
 [12] in your park. That is the top priority. There
 [13] are some safety issues at Halpern with the wall
 [14] and the bridge that needs railings. I'm not
 [15] sure of the other safety areas that we -- I
 [16] think we have a problem at Autumn Park with the
 [17] playground almost going into the stream, so.
 [18] But I understand. I understand what
 [19] you're saying, but my idea is to spread out. We
 [20] can't do everything at one time.
 [21] **MS. CRAWFORD:** Well, we could do
 [22] everything at one time when we were promised we
 [23] were going to have our park fixed two years ago.
 [24] **VOICE:** Not if the County hasn't fixed
 [25] the pipe.

[1] district -- Halpern from your district, Autumn
 [2] from the Northwoods district, and English Oak
 [3] from the Oakcliff district -- so there was one
 [4] from each district for this go-around. What I
 [5] think we're all looking forward to for next
 [6] fiscal year, which starts July 1, is to go for
 [7] the other three parks -- big parks, I'll put it
 [8] that way, because there are some smaller ones --
 [9] in the neighborhoods, too, and bring them
 [10] forward like we're bringing these forward.
 [11] **VOICE:** Okay. Thank you very much.
 [12] **COUNCILWOMAN HADDEN:** Yes, sir. Thank
 [13] you for asking.
 [14] **MAYOR JENKINS:** We'll get it in the
 [15] works if we can dig up the money.
 [16] Yes, ma'am.
 [17] **MS. CRAWFORD:** Are these parks going to
 [18] be repaired in the order of need, I hope?
 [19] **COUNCILMAN HART:** No, no. As a matter
 [20] of fact, the first park that's going to be dealt
 [21] with is probably Halpern Park.
 [22] **MS. CRAWFORD:** I'd like an explana-
 [23] tion --
 [24] **MAYOR JENKINS:** I understood --
 [25] **MS. CRAWFORD:** -- because we were

[1] **COUNCILMAN ANAVITARTE:** I will offer so
 [2] it eases the public, because we voted two or
 [3] three times in the past, that the priority
 [4] attention be given to English Oak Park. I think
 [5] we've already voted on that two or three times.
 [6] I will also offer that as an amendment to my
 [7] motion.
 [8] And a final amendment is that, if
 [9] possible, the contract construction documents be
 [10] drawn up within two weeks. I know that's
 [11] probably a lot of pressure. If it takes more
 [12] time, we can . . .
 [13] Go ahead.
 [14] **MS. STEPHENS:** If you're dealing with
 [15] Mactech, I know he's going to be out of town.
 [16] He will not be available until the first of
 [17] May --
 [18] **COUNCILMAN LOWE:** Right.
 [19] **MS. STEPHENS:** -- to attend the
 [20] meeting, Council meeting.
 [21] **COUNCILMAN ANAVITARTE:** Well, what I'd
 [22] like to do is notify Mactech to see if they can
 [23] find some other folks since they have their key
 [24] company --
 [25] **MS. STEPHENS:** For the scope of

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[1] services, though, that you want --
[2] **COUNCILMAN ANAVITARTE:** Yeah.
[3] **MS. STEPHENS:** -- this out on bid;
[4] correct, the document?
[5] **COUNCILMAN ANAVITARTE:** The
[6] construction documents and --
[7] **MS. STEPHENS:** Construction document.
[8] **COUNCILMAN ANAVITARTE:** I would, yeah,
[9] for something like this.
[10] **MS. STEPHENS:** Okay. All right.
[11] **COUNCILMAN ANAVITARTE:** But for those
[12] construction documents and all of that to be
[13] completed, and whatever needs to be done, the
[14] administrative part of it be done within two
[15] weeks of today.
[16] **MS. STEPHENS:** Sounds great.
[17] **MAYOR JENKINS:** Okay.
[18] **MS. STEPHENS:** I'll call first thing in
[19] the morning.
[20] **COUNCILMAN HART:** Since we're getting
[21] ready to spend about two million bucks, we can
[22] at least answer a few people's questions,
[23] particularly since the GM plant is closing next
[24] year when we're going to spend all this cash.
[25] **VOICE:** What are the questions?

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[1] **MS. HOFFMEISTER:** I've got a question.
[2] **MAYOR JENKINS:** Yes, ma'am.
[3] **MS. HOFFMEISTER:** My name is Bonita
[4] Hoffmeister, and I would like to ask the
[5] Council, I know there were several legal issues
[6] involved with the English Oak Park. Have they
[7] been resolved so we know where the park is?
[8] **MAYOR JENKINS:** Okay. We got a motion
[9] and a second. All in favor?
[10] **COUNCILMAN ANAVITARTE:** Hold on. She
[11] has a question.
[12] **COUNCILMAN HART:** She has a legitimate
[13] question, like where are you building this park?
[14] **COUNCILMAN ANAVITARTE:** Just in terms
[15] of legally, Rick.
[16] **MS. HOFFMEISTER:** Yeah. There were
[17] surveys, we have a --
[18] **CITY ATTORNEY POWELL:** There's been a -
[19] - he has amended the survey and has identified,
[20] correctly identified the lines, so that's not an
[21] issue. There is going to be an issue of whether
[22] we want to swap a little property, but there's
[23] nothing that -- the lines have been correctly
[24] identified at this time.
[25] **MS. HOFFMEISTER:** So when do we have to

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[1] expect to have the rest of those issues settled
[2] on English Oak as far as the --
[3] **VOICE:** He said two months.
[4] **MS. HOFFMEISTER:** Two months?
[5] **CITY ATTORNEY POWELL:** Two months.
[6] **MS. HOFFMEISTER:** As far as talking
[7] about swapping some land or getting some ease-
[8] ments?
[9] **CITY ATTORNEY POWELL:** There won't be
[10] any easements. It's a matter of -- actually,
[11] don't have to swap any land at this point. We
[12] could just redo the fence and press forward.
[13] **MS. HOFFMEISTER:** So just change the
[14] fence.
[15] **CITY ATTORNEY POWELL:** Yes.
[16] **MAYOR JENKINS:** That has been resolved,
[17] Rick, right?
[18] **CITY ATTORNEY POWELL:** The lines have
[19] been, yes.
[20] **MAYOR JENKINS:** Okay. Yes, ma'am?
[21] **VOICE:** Well, English Oak Park is
[22] getting where it's not safe for the kids to play
[23] in it, and if they're not going to do anything
[24] with it, then you might as well not have a park
[25] because it's not safe down there for children or

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[1] anybody else. And they're making out down
[2] there. They're doing anything they want to do
[3] in English Oak Park. And that's the truth.
[4] Jason's been called. Different ones have been
[5] called about it. They're making out. They're
[6] doing anything they want to down there.
[7] **COUNCILMAN ANAVITARTE:** They have been
[8] witnessed.
[9] **VOICE:** We find undershorts and every-
[10] thing else in the park.
[11] **MAYOR JENKINS:** Okay. Yes, ma'am.
[12] **VOICE:** And a little boy was almost
[13] abducted down there Friday afternoon. So we've
[14] got an unsafe park.
[15] **MAYOR JENKINS:** Okay. Thank you.
[16] Did you want to speak? The lady in the
[17] front, do you want to speak?
[18] **VOICE:** No.
[19] **COUNCILWOMAN HADDEN:** Okay.
[20] **MAYOR JENKINS:** Now, we got it clear to
[21] make a motion?
[22] **COUNCILWOMAN HADDEN:** I think we
[23] already did.
[24] **MAYOR JENKINS:** I know. I've tried
[25] twice now.

[1] **COUNCILMAN LOWE:** Do you need a second?
 [2] **MAYOR JENKINS:** No.
 [3] All in favor?
 [4] Opposed?
 [5] One, one opposition.
 [6] **MS. STEPHENS:** I have one question
 [7] because I need -- has Halpern been approved?
 [8] **MAYOR JENKINS:** Yes.
 [9] **MS. STEPHENS:** Thank you. Then, all
 [10] three have been approved.
 [11] **MAYOR JENKINS:** Yes.
 [12] **COUNCILWOMAN PITTMAN:** Yes.
 [13] **MS. STEPHENS:** Work on the construction
 [14] documents tomorrow.
 [15] **COUNCILMAN ANAVITARTE:** Get 'er done,
 [16] now. Get 'er done.
 [17] **MS. STEPHENS:** Get 'er done. Thank
 [18] you.
 [19] **MAYOR JENKINS:** Ms. Hadden, I believe
 [20] you're next, number six.
 [21] **COUNCILWOMAN HADDEN:** Autumn Park. I
 [22] had an update on our grant application with the
 [23] Kaboom program. Mr. Tadaro called from
 [24] Washington, D.C., and he wanted some more photo-
 [25] graphs. So I went and took more photographs and

[1] wondering could we maybe get some new trash
 [2] containers and gussy them up a little bit?
 [3] **MAYOR JENKINS:** Yes, ma'am. You want
 [4] them where now, the trash cans?
 [5] **COUNCILWOMAN HADDEN:** To replace --
 [6] **MAYOR JENKINS:** In Autumn?
 [7] **COUNCILWOMAN HADDEN:** -- some of those
 [8] that are -- yeah -- that are starting to look
 [9] pretty bedraggled.
 [10] And the engineering study to mitigate
 [11] the stream bank erosion on Autumn has been
 [12] ordered, so we should be able to bring that
 [13] before you once that's done and see what you
 [14] think would be the best way to go ahead and take
 [15] care of that problem.
 [16] Next item is raise the fines to the
 [17] legal limit of \$2500. I want to ask Council's
 [18] permission tonight to please allow Mr. Powell to
 [19] draft whatever is necessary for our fines to be
 [20] raised to that legal limit of \$2500. This is
 [21] particularly appropriate, I think, for our
 [22] rooming-house situations and such as that, that
 [23] we need to go ahead and take a tougher stand on.
 [24] Also Mr. Powell has let us know that
 [25] there is going to be one judge that is now going

[1] e-mailed those to him.
 [2] We are supposed to hear the end of this
 [3] month or the first of May how we fared in this
 [4] program. There's quite a lot of competition
 [5] from the metro Atlanta area, but we've jumped
 [6] through every hoop of fire that they've given to
 [7] us. So I'm trying to be real positive and hope
 [8] that we will see this playground equipment come
 [9] in for us.
 [10] State Representative Jill Chambers also
 [11] sent a letter in support of our Northwoods
 [12] neighborhood to the Kaboom people.
 [13] I've been asked, Mayor, to ask you
 [14] please can you have some of the maintenance
 [15] people go over and do something about the kudzu
 [16] on -- not just in Autumn but also the little
 [17] land that is down from the big white church in
 [18] the Y between Wheeler and Chestnut? It's --
 [19] it'll kill the trees this year if it's allowed
 [20] to come back.
 [21] **MAYOR JENKINS:** Okay.
 [22] **COUNCILWOMAN HADDEN:** And trash
 [23] containers. They are very expensive if we were
 [24] to order them from a supply place, and McConnell
 [25] Drum sells them for \$15 apiece, and I'm

[1] to hear these code infractions and violations.
 [2] So if John Smith is in there for the third time
 [3] on a rooming house, this -- you know, it's not
 [4] going to cut the mustard. He'll know it.
 [5] Also, I think that it'll give us some
 [6] help and feedback about how we might be able to
 [7] tighten our laws if they need a little
 [8] tightening or tweaking here and there.
 [9] So thank you for that, Mr. Powell.
 [10] **MAYOR JENKINS:** I will need a motion on
 [11] that.
 [12] **COUNCILWOMAN HADDEN:** Yeah.
 [13] **MAYOR JENKINS:** You made a motion?
 [14] **COUNCILWOMAN HADDEN:** Wait a second,
 [15] Mayor.
 [16] **MR. CRAWFORD:** I just had a question
 [17] about the fine. If you're going to raise the
 [18] fine to 2500 bucks against rooming houses --
 [19] **COUNCILWOMAN HADDEN:** Across the board.
 [20] **MR. CRAWFORD:** That includes signs that
 [21] we put up illegally?
 [22] **MAYOR JENKINS:** Yeah.
 [23] **COUNCILWOMAN HADDEN:** Whatever goes to
 [24] court. But the judge can sometimes say, you
 [25] know, oh, this picture doesn't look so bad of

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[1] your lawn and --

[2] **MR. CRAWFORD:** No, no. I'm talking

[3] about illegal signs that are put up.

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

[5] **MR. CRAWFORD:** It would cover those,

[6] too; right?

[7] **CITY ATTORNEY POWELL:** Well, our

[8] charter now allows fines up to \$2500. Most

[9] municipalities can only fine up to \$1000. Right

[10] now, the courts can issue fines of up to \$2500

[11] for code violations.

[12] What I understand now is that

[13] Councilman Hadden is asking that I draft an

[14] ordinance that would make a set fine for the

[15] rooming house violations to be \$2500. It

[16] wouldn't be a matter that the fine could be up

[17] to \$2500.

[18] We already did an amendment some time

[19] last year, I guess it was, that set the minimum,

[20] the minimum fine at \$1000. So right now, it's

[21] such that it could be \$1000 to \$2500.

[22] So I need some clarification on what is

[23] being proposed, because right now it can be up

[24] to \$2500 but --

[25] **MR. CRAWFORD:** Well, that's why I asked

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[1] the question because then you have various

[2] stages, first offense \$100, second offense

[3] \$1000, third offense \$2500, or is this first

[4] offense 2500 bucks across the board?

[5] **COUNCILWOMAN HADDEN:** I'm going to ask

[6] Council to decide on that.

[7] **CITY ATTORNEY POWELL:** Well, I would

[8] counsel you not to have it across the board for

[9] all offenses, I don't think, at all. And I

[10] don't know whether it would be advisable at even

[11] the rooming houses, but now that's -- I can

[12] draft if that's --

[13] (Brief, inaudible conversation among

[14] Council members.)

[15] **COUNCILMAN LOWE:** -- and second offense,

[16] 2000, and third offense 2500 is what my thoughts

[17] were.

[18] **COUNCILWOMAN HADDEN:** I think on the

[19] rooming house the judge needs to be able to have

[20] it to begin with because some of them are

[21] pulling in a thousand dollars a week, so that

[22] thousand dollars fine is nothing to them.

[23] **MR. CRAWFORD:** Yeah, but any fine

[24] system is usually staggered in increments.

[25] **CITY ATTORNEY POWELL:** I'm not arguing

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[1] the point. But right now, it's a -- the way it

[2] is right now is a minimum of \$1000 on the

[3] rooming house violations --

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

[5] **CITY ATTORNEY POWELL:** -- and it could

[6] go up to \$2500.

[7] **MAYOR JENKINS:** Okay. Now, we're

[8] talking about rooming houses.

[9] **CITY ATTORNEY POWELL:** Yeah.

[10] Now, am I hearing you correctly that

[11] you want it just to be a set fine of \$2500 for a

[12] rooming-house violation?

[13] **COUNCILWOMAN HADDEN:** That's what I'm

[14] asking Council to decide.

[15] **COUNCILMAN ANAVITARTE:** On the first

[16] offense?

[17] **COUNCILWOMAN HADDEN:** On a rooming

[18] house.

[19] **COUNCILMAN ANAVITARTE:** I know, but on

[20] the first offense?

[21] **COUNCILWOMAN HADDEN:** Yeah. I'd say go

[22] for it.

[23] **COUNCILMAN LOWE:** Yeah.

[24] **COUNCILWOMAN HADDEN:** That thousand

[25] dollars is -- that doesn't hurt them at all.

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[1] **COUNCILWOMAN PITTMAN:** So 2500 on the

[2] first offense. What about the second or third?

[3] **CITY ATTORNEY POWELL:** Oh, they can't

[4] get any higher than 2500.

[5] **COUNCILMAN ANAVITARTE:** Well, how about

[6] time in the city jail?

[7] **CITY ATTORNEY POWELL:** Well --

[8] **COUNCILWOMAN PITTMAN:** So it would just

[9] be a continuous \$2500?

[10] **CITY ATTORNEY POWELL:** Yeah. That's if

[11] you did it that way.

[12] **MAYOR JENKINS:** Are you mainly just

[13] referring to rooming houses?

[14] **COUNCILWOMAN HADDEN:** The ones that are

[15] the rooming houses, to have it hit the first

[16] time.

[17] **MAYOR JENKINS:** You wasn't getting into

[18] signs or anything like that. Just rooming

[19] houses.

[20] **COUNCILWOMAN HADDEN:** No. Across the

[21] board for the rooming houses.

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

[23] **COUNCILWOMAN HADDEN:** 2500 period.

[24] **MAYOR JENKINS:** Okay. Are we satisfied

[25] with that?

[1] **CITY ATTORNEY POWELL:** I'm going to
[2] draft it and then y'all can discuss it some
[3] more.

[4] **MAYOR JENKINS:** We've got a motion and
[5] a second.

[6] All in favor? All in favor of \$2500 on
[7] rooming houses?

[8] **CITY ATTORNEY POWELL:** You don't really
[9] need a motion. It's just a consensus to draft
[10] it and propose it to you next time. That's the
[11] way you all have been doing that, Mayor.

[12] **MAYOR JENKINS:** Yeah. As long as we
[13] understand that we have to come to the Council
[14] before it's done.

[15] **CITY ATTORNEY POWELL:** Right.

[16] **COUNCILWOMAN HADDEN:** Yeah.

[17] **CITY ATTORNEY POWELL:** Right, before I
[18] do it, and then -- Okay. That's good. I'll
[19] have it.

[20] **MAYOR JENKINS:** No motion on that.

[21] **COUNCILWOMAN HADDEN:** RFP for towing
[22] services. I'd like to ask Council to allow an
[23] RFP to be written and put out for city towing
[24] services. I've been getting some complaints
[25] from customers, I guess you'd say some citizens

[1] contract up or what?

[2] **COUNCILWOMAN PITTMAN:** Is the contract
[3] up?

[4] **MAYOR JENKINS:** The contract's so old,
[5] I'm sure -- I don't think we had a contract.

[6] **CITY ATTORNEY POWELL:** I'm certain you
[7] don't. I've never seen one, and I wasn't given
[8] a file by the former city attorney on that
[9] issue.

[10] **COUNCILMAN HART:** I mean what -- do we
[11] have a list of wrecker services like a -- or do
[12] we have one specific one?

[13] **COUNCILWOMAN HADDEN:** They only use one
[14] specific one right now, period, and have for
[15] years and years and years.

[16] **MAYOR JENKINS:** We'll get RFP to all of
[17] them that we know of.

[18] **COUNCILWOMAN HADDEN:** Dekalb County
[19] uses three.

[20] **COUNCILMAN HART:** Well, can't we use
[21] three?

[22] **COUNCILWOMAN HADDEN:** Whatever. Let's
[23] put an RFP out, let it come to the table and
[24] make up our minds.

[25] **COUNCILMAN HART:** I'd say part of the

[1] that have had their vehicles towed. And I
[2] understand that this particular towing service
[3] has been with the city almost forever, so it
[4] might be a good idea to see what can be done
[5] with competition.

[6] I understand, too, they have to have
[7] specific things like a 24-hour lot and it has to
[8] be fenced and guarded and all these types of
[9] things.

[10] And I had asked Chief King before he
[11] left town, and he said we could get some help
[12] from Officer Atkinson and Brown possibly to put
[13] the RFP together.

[14] **MAYOR JENKINS:** Fine.

[15] **COUNCILWOMAN HADDEN:** And I'd like
[16] Council to okay that, if we put an RF- -- give
[17] us permission to put an RFP for city towing
[18] services out.

[19] **MAYOR JENKINS:** Do we need a motion,
[20] Rick?

[21] **COUNCILWOMAN HADDEN:** For an RFP?

[22] **CITY ATTORNEY POWELL:** To do an RFP,
[23] yes, I think you should.

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

[25] **COUNCILMAN HART:** Is the current

[1] problem is we only just have one.

[2] **COUNCILWOMAN HADDEN:** That's what I'm
[3] saying, Tom.

[4] **MAYOR JENKINS:** We've got more than
[5] one.

[6] **COUNCILMAN HART:** Okay.

[7] **MAYOR JENKINS:** You second the motion?

[8] **COUNCILMAN HART:** Yeah.

[9] **COUNCILWOMAN HADDEN:** Thank you.

[10] **MAYOR JENKINS:** Mr. Hart seconded the
[11] motion.

[12] All in favor?

[13] Opposed?

[14] **COUNCILWOMAN HADDEN:** And that finishes
[15] me for tonight.

[16] **MAYOR JENKINS:** Very good.

[17] Mr. Atkinson, come on up and give us
[18] your report, sir.

[19] **CAPTAIN ATKINSON:** Okay. I've got a
[20] couple of things I need to report. Just want to
[21] brief the Council and the citizens.

[22] On March the 20th, we executed a search
[23] warrant at 3679 Pine Street. That's the Randall
[24] Parker address. We executed a search warrant
[25] for narcotics. Undercover buy was made at the

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[1] location. In our search, we located what we
[2] thought to be a homemade bomb. We took
[3] precaution. We exited the residence, called in
[4] GBI bomb squad, and they confirmed that it was a
[5] live homemade grenade that Mr. Parker had made.
[6] He admitted to making it. We have been on
[7] contact with the ATF, and they will be taking
[8] Mr. Parker's case.

[9] Also, as many of you have touched on,
[10] we did have an incident in English Oak Park this
[11] past weekend. We're working through various
[12] different descriptions and lookouts, but I want
[13] to assure everybody that we are looking for
[14] these people. And if you see any suspicious
[15] activity, please give us a call. No matter what
[16] it is, what time it is, by all means, give us a
[17] call so that we can get down there and hopefully
[18] catch these people and identify what they're
[19] doing in our park.

[20] **MS. CRAWFORD:** Officer, could you
[21] explain what you're referring to?

[22] **CAPTAIN ATKINSON:** We had two juveniles
[23] in the park. I understand that there was two --
[24] and again, we have different descriptions -- two
[25] males in a vehicle. Made conversation with one

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[1] of the juveniles. Asked one of the little boys
[2] about the time. And then as he got closer to
[3] them, they wanted him to show -- they wanted the
[4] juvenile to show them how the watch worked. Ms.
[5] Weese came out, and at that time, the subjects
[6] left.

[7] We have spoke with both of the
[8] juveniles' parents, advised them of the
[9] situation and increased patrols so that we can
[10] hopefully identify these people.

[11] Again, we can only speculate what their
[12] intentions are, but I'm not naive enough to
[13] think that, you know, they were up to anything
[14] good.

[15] Also, the last incident I need to brief
[16] the Council and the citizens on is this past
[17] weekend we had an officer-involved shooting.
[18] Without going into too much of the detail, it
[19] was at one of the local night clubs. And the
[20] officers are fine. They were not injured.

[21] We called in the GBI. Our CID will be
[22] handling the criminal side of the investigation
[23] against the perpetrators. The GBI was called in
[24] as an independent -- to run an independent
[25] investigation into the use of force, and all

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[1] that will be turned over to Dekalb County.
[2] Like I said, the officers are fine.
[3] They're on administrative duties right now. One
[4] of them, that's his job is administrative, and
[5] the other officer was placed on administrative
[6] duties.

[7] **MAYOR JENKINS:** Thank you.
[8] Rick?

[9] **CITY ATTORNEY POWELL:** Only thing I
[10] have is I just wanted to update the Council. I
[11] think I mentioned it to a couple of you at the
[12] last work session.

[13] But you all are aware that the City's
[14] involved -- has been sued by General Motors in
[15] attempt to get occupation taxes paid in the past
[16] refunded. There were a couple of issues; one,
[17] whether there was a cap at \$50,000, and they've
[18] abandoned that issue; the other on a report is
[19] that at the trial level, the City won the
[20] motions hearings. And so first step, it's a
[21] very good result. It will of course be appealed
[22] by General Motors to the State Supreme Court,
[23] but at this point, the City won the first level.
[24] It's not over, but that is very encouraging.

[25] **MAYOR JENKINS:** That's all you have?

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[1] **CITY ATTORNEY POWELL:** Yes.
[2] **MAYOR JENKINS:** Committee reports?
[3] Yes, ma'am. Cat Sherlock.
[4] Give the lady your name, please.
[5] **MS. SHERLOCK:** My name's Patricia "Cat"
[6] Sherlock and I'm reporting on the Planning
[7] Commission.
[8] Can you hear me well like this?
[9] Just wanted to do a quick update. Our
[10] next meeting is the 12th at 7:00 p.m. It will
[11] be here in this room. Excuse me. I'm sorry.
[12] We continue to do our analysis of the
[13] zoning re-write, and we met with the City
[14] Attorney again in like February. And so far,
[15] we've identified about 50 concerns with the
[16] zoning re-write. So we're looking forward to
[17] this work session to explain our research and
[18] our concerns. I'll call here tomorrow to find
[19] out when it is. I'm hoping that at least three
[20] of us will be available to come.
[21] We had a hearing -- I'm sorry. The
[22] 20th of March -- is that right, you-all? I'm
[23] sorry. I don't have my calendar in front of
[24] me -- we had a hearing on the folks who are
[25] looking to build a development next to

[1] BrandsMart and we ended up tabling a decision
[2] because there was concern on their definition of
[3] what they were asking for for a variance, and
[4] our definition, and we're waiting to hear back
[5] on that. If we get clarification, that will
[6] come up. It had to do with parking spaces for
[7] the amount of building that they're doing.

[8] I also understand they have an illegal
[9] sign. Has that been taken down? Does anybody
[10] know?

[11] **COUNCILWOMAN HADDEN:** It's been
[12] removed.

[13] **MS. SHERLOCK:** Good. I noticed it like
[14] three weeks ago they had the sign.

[15] **MAYOR JENKINS:** That was a banner, yes,
[16] ma'am, not a sign.

[17] **MS. SHERLOCK:** Okay. Good. And that's
[18] about it. Anybody got any questions?

[19] **MR. ANDERSON:** It was the 15th of
[20] March.

[21] **MS. SHERLOCK:** Thank you, Stuart. It
[22] was the 15th of March. Thanks.

[23] Anybody have any questions?

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

[25] Any other committee reports?

[1] **COUNCILWOMAN HADDEN:** We -- a couple of
[2] weeks back, I submitted a letter with Council's
[3] approval to Mr. Powell that can be sent to
[4] agents, owners, brokers, and particularly it's a
[5] little tough on the real estate agents and that
[6] industry.

[7] But the particular house you're talking
[8] about, a letter has gone to that owner, so they
[9] can't say, "Oh, gee. We didn't know the gun was
[10] loaded," and --

[11] **MR. CARRIBEAN:** I understand there's a
[12] lot of things about that house that are against
[13] code.

[14] **COUNCILWOMAN HADDEN:** Well, we can turn
[15] the address in to Mr. Ensminger to go out and
[16] make a list.

[17] **MR. CARRIBEAN:** Yeah, because that --
[18] thank you.

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

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

[21] Who's next? Yes, sir. Come on up.

[22] **MR. LIVINGSTON:** Charles Livingston.

[23] I'm just going to tell you a little
[24] story that has really nothing to do with what's
[25] going on here tonight but I thought might be a

[1] Okay. Citizens comments? Come up to
[2] the microphone, please, sir, and give your name.

[3] **MR. CARRIBEAN:** My name is Ramus
[4] Carribean.

[5] With everybody being all gung-ho about
[6] the boarding house situation in Mr. Hart and Ms.
[7] Hadden's neighborhood, I just happened to
[8] preview a home that is now off the market as of
[9] a week ago, that upstairs it's a traditional
[10] ranch with three bedrooms and a nice kitchen,
[11] and downstairs it has another five bedrooms and
[12] a kitchen, and it has approximately five foot-
[13] eleven ceilings downstairs. It's a house that's
[14] painted red and it sticks out on the right-hand
[15] side on Chestnut as you're going down Chestnut
[16] from here, so. And it has a "for rent" sign in
[17] front of it. And I know under Georgia state
[18] code, that if it has more than one kitchen, it's
[19] considered multi-family. And that is zoned
[20] single-family in that area, and I'm sure that
[21] was done without the inspection department
[22] knowing about it. But I just wanted to let you-
[23] all be aware of that because they're trying to
[24] rent it out, and it's probably going to end up
[25] being a boarding house.

[1] point of interest.
[2] **A** month and a half or so ago, I went to
[3] visit a neighbor of mine that's a neighbor of
[4] many of you in here. Jim Creel was at that time
[5] in a hospice over by Peachtree High School.
[6] He's since come home, and I haven't talked to
[7] him in a while. I understand he's doing pretty
[8] well.

[9] But as I was leaving the hospice,
[10] coming back out in the parking lot to go to my
[11] car, there was a Dekalb police car in the
[12] parking lot, and the fellow was having his
[13] lunch, and I just walked over and talked to him
[14] a little bit. Nice young fellow. He had spent
[15] time in Iraq and I don't know where all. He's
[16] been a Dekalb County policeman for some time,
[17] and we had a nice little conversation.

[18] And I said, you know, I've really never
[19] heard a thing about what really happened to the
[20] illegal alien that shot Hugo Arango. I knew
[21] that he was incarcerated. I never really heard
[22] anything. Maybe you-all know a lot more about
[23] this, but I had never heard anything personally.

[24] And he said, "Well," he said, "as far
[25] as I know, he got two years." And I thought,

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[1] "Lordie me, we put people in prison 30 years for
[2] stealing a loaf of bread."
[3] And this is what he told me. I don't
[4] know what the factual -- if that's factual.
[5] **CITY ATTORNEY POWELL:** No.
[6] **MAYOR JENKINS:** No.
[7] **MR. LIVINGSTON:** It's not?
[8] **CITY ATTORNEY POWELL:** No.
[9] **MR. LIVINGSTON:** Can any of you
[10] elaborate on what really happened with this guy?
[11] **COUNCILWOMAN PITTMAN:** Captain Atkinson
[12] is probably the best one to do that.
[13] **CAPTAIN ATKINSON:** We spent about a
[14] month and a half in trial, unfortunately, but
[15] ultimately he was found guilty and he's spending
[16] life in prison. Where he's at, I have no idea.
[17] Last I heard -- I try to follow him -- last I
[18] heard, he's in south Georgia somewhere. And he
[19] is eligible for parole, and whenever that time
[20] comes up, we'll have the opportunity to petition
[21] the parole board to deny his parole, which I
[22] will take part in as well as other members of
[23] the police department.
[24] We still keep in contact with Hugo's
[25] family. As a matter of fact, his mother and

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[1] father were down at the police department on
[2] Friday. We see them quite often.
[3] We have a makeshift memorial set up in
[4] the parking lot of Eclipse night club. We have
[5] a cross put up that has a plaque and his badge
[6] number, which was 405, on it. Some time ago,
[7] couple months ago, I'm not sure exactly when,
[8] somebody tore it down, and it was malicious.
[9] But you know, we did -- the only thing we could
[10] do is go back and build another one. So we
[11] rebuilt it, and we're in the process of making
[12] the area nice because a lot of our officers ride
[13] by there from time to time, you know, just to
[14] be close.
[15] **MAYOR JENKINS:** Thank you. Thank you.
[16] Appreciate that.
[17] **MS. HOFFMEISTER:** Bonita Hoffmeister.
[18] And I would like to thank Jason and whatever
[19] Councillors are involved in keeping our
[20] entrances into our city clean. I know I'm up
[21] here all the time trying to get our
[22] intersections clean. And they are right now
[23] very clean, and I appreciate your efforts.
[24] **COUNCILWOMAN PITTMAN:** Thank you.
[25] **MAYOR JENKINS:** Thank you.

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[1] **MS. CRAWFORD:** Susan Crawford from
[2] Oakcliff. I just want to remind everybody that
[3] the art show is going to happen again this year
[4] and it should be around the end of May. I know
[5] I said something at the last City Council
[6] meeting, but I want everybody that wants to take
[7] part in it to have plenty of notice.
[8] The manager of the Holiday Inn has
[9] graciously offered us one of his huge ball rooms
[10] this year, so you'll have more space. So if you
[11] have any art work or know of anybody in the area
[12] or in your family or whatever, that does, let us
[13] know. And I'll be updating you and make
[14] announcements at the Northwoods meeting and at
[15] the Oakcliff meeting.
[16] And Jason, did you say, just for the
[17] record, that Oakcliff would be the first park?
[18] I wasn't sure.
[19] **COUNCILMAN ANAVITARTE:** Yes, I did.
[20] **MS. CRAWFORD:** Thank you.
[21] **MS. FRAYSSE:** I'm Susan Fraysse and I'm
[22] here to give you your monthly update on the
[23] status of the web page. And I appreciate very
[24] much having the opportunity to meet with you
[25] last month, Mayor Jenkins, and talk about the

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[1] web page and my hopes and dreams for the
[2] information that could be shared with the
[3] community through the web page. So as I
[4] e-mailed you on Friday, I see a link labeled the
[5] draft of the city planning and zoning ordinance
[6] re-write. That's what it says it is, but it
[7] still is not actually the whole plan. It's just
[8] the tree ordinance, about 16 pages of the plan.
[9] So we need to not say that we've got access to
[10] something there unless it actually gets you to
[11] that.
[12] And then I mentioned in the e-mail I
[13] sent you, I sent a screen shot of -- the City of
[14] Clarkston uses the same planner that we use, and
[15] they put their zoning ordinance up there for
[16] view by the citizens. So that would be the same
[17] way that we would do that, get the file from
[18] them and get it posted.
[19] The other two things that I'd like to
[20] say are I'm very disappointed that we seem to be
[21] falling back -- and it may be because of not
[22] having a city clerk, but I don't see any agendas
[23] appearing, so I can't look at what's going to be
[24] happening and what's going to come up. That's
[25] no longer. Well, actually it looks like we have

[1] January and we have one council meeting and
[2] minutes there and nothing beyond it. There's
[3] nothing -- no minutes for February, no minutes
[4] for March, no agendas for February or March.
[5] And also I noticed when I come to the meetings
[6] now, they are no longer attached to the agenda.
[7] You used to be able to pick up some. So I
[8] haven't seen any minutes since our January the
[9] 2nd. And I'm wondering what is the procedure
[10] for a citizen who wants to stay abreast of
[11] council meetings, how do we get copies of
[12] agendas and minutes?

[13] **MAYOR JENKINS:** She said the agendas
[14] were already on there, Susan.

[15] **MS. FRAYSSE:** No. I have a printout
[16] from Friday. When you go past January, it says,
[17] "This page is under construction," and we're
[18] already in April now. So I've been waiting.
[19] I'm trying to be patient, but we need to have
[20] somebody actually monitoring our web page. And
[21] my point I'm making over and over. Somebody has
[22] to get up every morning and come into work and
[23] look at the web page and see if everything is
[24] there, is working and functional because we've
[25] got a bad links and a lot of under-construction

[1] **CITY ATTORNEY POWELL:** Now, the problem
[2] is -- I'm not defending anybody, but the problem
[3] right now is we don't have minutes. We have a
[4] transcript.

[5] **MS. MURPHY:** We have a transcript.

[6] **CITY ATTORNEY POWELL:** We have a
[7] transcript, which are not minutes. It's a full
[8] thing.

[9] **MS. FRAYSSE:** I don't think so. That's
[10] probably many pages.

[11] **MS. MURPHY:** 130, 150 pages.

[12] **MS. FRAYSSE:** I'm not that interested.

[13] **MS. MURPHY:** I have a summary of
[14] motions made, too.

[15] **MS. FRAYSSE:** But whatever is
[16] available. I think once in January maybe we did
[17] have the little summary of motions attached, you
[18] know.

[19] **MS. MURPHY:** In January, we still had
[20] the city clerk.

[21] **MS. FRAYSSE:** Yeah. Well, I have seen
[22] it once --

[23] **MAYOR JENKINS:** Susan?

[24] **MS. FRAYSSE:** -- but I haven't in the
[25] last two months.

[1] areas.

[2] The only thing that got me excited last
[3] month was I actually was able, because the March
[4] newsletter was late in coming out, and so they
[5] did post it, and you could see the newsletter
[6] and especially you could see the calendar, which
[7] I like. You can see what's going on and look
[8] ahead and plan ahead even if it's, you know,
[9] days or weeks into the month before the
[10] newsletter comes in the mail.

[11] Have any of you gotten the newsletter
[12] yet for April? It would be nice to have the
[13] last week of the month before.

[14] **MAYOR JENKINS:** It should be coming
[15] out.

[16] **MS. FRAYSSE:** Okay. But once we got
[17] the PDF file, it can just pop right up here is
[18] my understanding.

[19] **MS. MURPHY:** Do you want the full
[20] minutes on the web or the summary of the motions
[21] made?

[22] **MAYOR JENKINS:** The minutes.

[23] **MS. FRAYSSE:** Well, I think the full
[24] minutes provide more details for people who
[25] weren't here.

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

[2] **MS. FRAYSSE:** Uh-huh (affirmative).

[3] **MAYOR JENKINS:** Come by tomorrow and
[4] let me show you what we have and you can tell me
[5] what you want on there. We got three versions.

[6] **MS. FRAYSSE:** Okay.

[7] **MS. MURPHY:** We could put it all on
[8] there now.

[9] **MS. FRAYSSE:** If you could put the
[10] agenda up there, but don't worry about the long
[11] thing he's talking about. Just the summary.

[12] **MAYOR JENKINS:** I'll show you tomorrow
[13] if you'll come by.

[14] **MS. FRAYSSE:** Okay. I appreciate it.
[15] Thank you.

[16] **MS. MURPHY:** I'll just have to get the
[17] PDF files from the court reporter's office which
[18] won't be a problem.

[19] **MAYOR JENKINS:** Yes, ma'am.

[20] **VOICE:** What is the ordinance on --

[21] **MAYOR JENKINS:** Doris Roberts.

[22] **MS. ROBERTS:** What is the ordinance on
[23] ladder trucks? We never know. Can you have two
[24] in the yard? Can you have -- how high are they
[25] supposed to be?

[1] **VOICE:** Seven feet.
[2] **CAPTAIN ATKINSON:** Seven feet. If it's
[3] got ladders, whatever, it can't be taller than
[4] seven feet.
[5] **MAYOR JENKINS:** She's also asking how
[6] many in one yard.
[7] **CAPTAIN ATKINSON:** I don't know that
[8] there's a provision against how many.
[9] **MS. ROBERTS:** About seven feet?
[10] **MAYOR JENKINS:** Seven feet, yes, ma'am.
[11] Anything above that, they have to take them off.
[12] **VOICE:** What about writing, advertising
[13] on the side?
[14] **CITY ATTORNEY POWELL:** That's freedom
[15] of speech.
[16] **VOICE:** So it can say "restaurant
[17] equipment" and be parked out there for a whole
[18] week and just sit there.
[19] **COUNCILMAN LOWE:** Yes.
[20] **MAYOR JENKINS:** Yes, I think so.
[21] Thank you, Chuck.
[22] Anybody else?
[23] We got one other thing to bring up.
[24] April the 10th is Doraville Day at the Capitol.
[25] Anybody that would like to attend and go, I

[1] think the Council's going to try to carpool.
[2] That would be a good idea because the parking at
[3] the Capitol is out of sight. It's nearly
[4] impossible.
[5] Jason, do you have any time or will
[6] this be all day?
[7] **COUNCILMAN ANAVITARTE:** No. It will
[8] probably be in the morning, sometime probably
[9] between 10 and 12 o'clock. We're still waiting
[10] for Jill to give us the itinerary.
[11] **MAYOR JENKINS:** Soon as I found out,
[12] I'll --
[13] **COUNCILMAN ANAVITARTE:** Yeah.
[14] **MAYOR JENKINS:** -- I'll post it on the
[15] --
[16] **COUNCILMAN ANAVITARTE:** The door and
[17] everything.
[18] **MR. CARRIBEAN:** It's real easy to get
[19] there via MARTA. The MARTA station is not far
[20] from the Capitol.
[21] **MAYOR JENKINS:** Yes. I understand
[22] that.
[23] Okay. Anybody else?
[24] Meeting adjourned.
[25] -o0o-

[1] C E R T I F I C A T E
[2] STATE OF GEORGIA]
[3] COUNTY OF FULTON]
[4] I, Theresa Bretch, Certified Court Reporter
[5] in and for the State of Georgia at Large, do hereby
[6] certify that the above and foregoing, consisting of
[7] pages 1 through 66, inclusive, is a true and complete
[8] transcription of my stenographic notes taken at the
[9] hereinabove set out time and place and was reduced to
[10] typewriting by me personally.
[11] I further certify that I am neither of kin
[12] nor counsel to any party attached hereto, nor a
[13] relative nor employee of such attorney or counsel,
[14] nor financially interested in the event of these
[15] causes.
[16] WITNESS MY HAND AND OFFICIAL SEAL this 10th
[17] day of April, 2007.
[18]
[19] _____
[20] Theresa Bretch, CCR
[21] Permit No. B-755
[22] [SEAL]
[23]
[24]
[25]

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