

In The Matter Of:

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

*Mayor Ray Jenkins Presiding
October 15, 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 7:00 p.m. on Monday, October 15, 2007.

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[1] P R O C E E D I N G S
[2] **MAYOR JENKINS:** Meeting come to order.
[3] Call the roll, Priscilla.
[4] **MS. MURPHY:** Councilman Lowe?
[5] **COUNCILMAN LOWE:** Here.
[6] **MS. MURPHY:** Councilwoman Hadden?
[7] **COUNCILWOMAN HADDEN:** Here.
[8] **MS. MURPHY:** Councilwoman Pittman?
[9] **COUNCILWOMAN PITTMAN:** Here.
[10] **MS. MURPHY:** Councilman Spangler?
[11] **COUNCILMAN SPANGLER:** Here.
[12] **MAYOR JENKINS:** Thank you.
[13] All right. The first item on the
[14] agenda, number three, I want to approve the
[15] minutes of the October the 1st, 2007 meeting.
[16] Do I get a motion?
[17] **COUNCILWOMAN HADDEN:** So moved.
[18] **MAYOR JENKINS:** Second?
[19] **COUNCILWOMAN PITTMAN:** Second.
[20] **MAYOR JENKINS:** All in favor?
[21] Opposed?
[22] Mayor's comment, I got a couple of
[23] reports, and what I need to do -- we have Kathy
[24] Gannon from the Dekalb County Commission here.
[25] Kathy? And would you introduce the

[1] **APPEARANCES:**
[2] Doraville City Council:
[3] Hon. Ray Jenkins, Mayor
[4] Councilwoman Marlene Hadden
[5] Councilwoman Donna Pittman
[6] Councilman Robert Spangler
[7] Councilman Ed Lowe
[8] Hugh "Rick" Powell, City Attorney
[9] Ms. Priscilla Murphy, Consultant
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[1] lady there?
[2] **MS. GANNON:** Thank you. Rita Morgan,
[3] my executive assistant.
[4] **MAYOR JENKINS:** Okay. And of course I
[5] have some special guests here: my wife, of
[6] course, and my two daughters, Beverly and Karen
[7] over here, and of course Kim, my son in law.
[8] Okay. Tonight we're going to dispense
[9] with the mid-month meeting in December, for
[10] Christmas purposes, and we will not have a work
[11] session on our November the 5th meeting which
[12] will be at the Civic Center rather than at the
[13] City Hall because they'll be setting up for the
[14] elections here that night.
[15] **ATTORNEY POWELL:** Mayor, excuse me.
[16] You need to vote to do that, to dispense with
[17] the meeting.
[18] **MAYOR JENKINS:** We'll have to vote on
[19] it?
[20] **ATTORNEY POWELL:** Yeah.
[21] **MAYOR JENKINS:** Okay. Do I get a
[22] motion we dispense with the mid-month meeting in
[23] December?
[24] **COUNCILMAN LOWE:** So moved.
[25] **COUNCILWOMAN HADDEN:** So moved.

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

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

[3] **MAYOR JENKINS:** All in favor?

[4] Opposed?

[5] Okay. And we'll have no work session

[6] on that particular -- the 5th meeting, and it'll

[7] be at the Civic Center. I want everybody to

[8] think about that because we'll be setting up

[9] here.

[10] And on the agenda items, I'm going to

[11] allow five minutes; the citizens' comments, I

[12] will allow three minutes.

[13] Okay. I'm going to bring up Mrs. Kathy

[14] Gannon, and she's going to get together with

[15] John and bring up some stuff about highway

[16] pedestrian safety.

[17] Come right on up.

[18] **MS. GANNON:** Thank you. Thank you,

[19] Mr. Mayor, Council members. My name is Kathy

[20] Gammon. I am Dekalb County Commissioner for

[21] Superdistrict 6. I represent half of the

[22] county, but, unfortunately, I don't represent

[23] the half that Doraville is in, and please

[24] forgive me. You can annex me.

[25] I am here to speak tonight on a task

[1] is all put our heads together and come up with

[2] as many ways as possible to provide for

[3] pedestrian safety. One of those initiatives

[4] includes widening the sidewalks, the lighting

[5] that you see here. We're trying to convince the

[6] Georgia Department of Transportation that a mid-

[7] block crossing that actually has a red light on

[8] it that's pedestrian-activated would be -- and

[9] there are models out there all over the country

[10] that we're using now -- would be a little bit

[11] better than the flashing light that no one's

[12] quite sure what to do with, as well as some

[13] other ideas.

[14] But one of the biggest ideas is to slow

[15] the speed down to 35 miles per hour. To that

[16] extent, we worked with Doraville and Dekalb

[17] County in commissioning a speed study to try and

[18] support that premise. And while the good news

[19] is the area in Doraville was given permission to

[20] request slowing down their speed, the rest of

[21] Buford Highway has not -- did not have the

[22] warrants, they call it, to allow for a speed

[23] reduction.

[24] We are going to continue to work on the

[25] task force to promote that, but we're here

[1] force that I've been working on for over a year

[2] related to Buford Highway and pedestrian safety.

[3] And we formed the task force in light of the

[4] Georgia Department of Transportation announcing

[5] that they were going to be working with Dekalb

[6] County to put in some safety improvements. And

[7] some of those improvements have already come in

[8] Doraville, and we applaud the efforts, and we

[9] are continuing to work with Georgia Department

[10] of Transportation to try and emulate and improve

[11] upon the Doraville model to go all the way down

[12] through Dekalb County to the Fulton County line.

[13] The task force includes our Mayor of

[14] Doraville -- thank you, Mayor Jenkins -- it also

[15] includes Police Chief John King -- thank you,

[16] John -- myself. The other Commissioner that

[17] represents Buford Highway is Jeff Rader, who

[18] represents out District 2. The Atlanta Regional

[19] Commission, the Center for Disease Control, the

[20] Georgia Tech Planning and Urban Design folks,

[21] the Latin American Association, MARTA, the

[22] private safety group called PEDS, and of course

[23] the Dekalb County departments of Planning,

[24] Transportation, as well as Economic Development.

[25] And basically what we're trying to do

[1] tonight to both support as well as express our

[2] appreciation to the Mayor and to the Police

[3] Chief for encouraging us to do the speed study

[4] -- and we did it together, combined our

[5] resources -- and we are supportive of the fact

[6] that the section from Chamblee-Tucker to the

[7] Dekalb County line has been granted that. And I

[8] believe tonight there will be a formal request

[9] for a resolution in support of that for the

[10] Doraville area.

[11] So we support you in that, and we look

[12] forward to some day coming back and asking you

[13] to support us in getting parts of the rest of

[14] Buford Highway lowered to 35 miles per hour.

[15] Thank you all so much, and I appreciate

[16] everything you do.

[17] I'm going to pass out just a very brief

[18] summary of our task force.

[19] **MAYOR JENKINS:** Do you want to add

[20] anything?

[21] **CHIEF KING:** No, sir. She pretty much

[22] said it all.

[23] **MAYOR JENKINS:** I would like to discuss

[24] the Ethics Committee nominations. We talked

[25] about it in the work session a little bit, and I

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[1] would like for the next meeting for us to come
[2] up with somebody and get our Ethics back on
[3] track, and I would like to bring suggestions.
[4] And if we don't bring suggestions by the next
[5] meeting, I'll nominate them myself. Okay?
[6] Okay. We have some special guests
[7] tonight. We have a gentleman from a branch of
[8] the Department of Defense. He's with the
[9] Employer Support of Guard and Reserve. So I'm
[10] going to ask Mr. Ted DeWalt to come up to the
[11] microphone.
[12] And I believe you got some people with
[13] you. Ted? Where's Ted?
[14] **MR. DeWALT:** I'll let her do the
[15] talking.
[16] **MAYOR JENKINS:** Good. She's going to
[17] be the spokesman?
[18] **MS. HARBOUR:** I'm Penelope Harbour.
[19] I'm the Executive Director for the Georgia
[20] Committee for Employer Support of the Guard and
[21] Reserve. We're an agency within the Department
[22] of Defense. Our goal is to provide education
[23] and training to the employers of our service
[24] members.
[25] And we're here today to actually

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[1] recognize someone for their patriotic support,
[2] and I would like to ask Mayor Ray Jenkins if he
[3] would come down front.
[4] **MAYOR JENKINS:** All right.
[5] **MS. HARBOUR:** We'd like to present him
[6] with this award as a Patriotic Employer, and on
[7] this plaque there is "For contributing to
[8] national security and protecting liberty and
[9] freedom by supporting employee participation in
[10] America's National Guard and Reserve force."
[11] **MAYOR JENKINS:** Thank you. Thank
[12] everybody for that. I don't know if I deserve
[13] it, but I'm going to accept it anyway. Okay?
[14] Item number four has been cancelled.
[15] We had some problems with the signage, so we put
[16] it off for another. Put the signs up again and
[17] have to advertise it again.
[18] Councilwoman Pittman?
[19] **COUNCILWOMAN PITTMAN:** Mr. Edwards was
[20] so gracious to come speak to us during the work
[21] session. Some of the Councilmen had questions
[22] for him, and I believe he was able to answer
[23] most of them.
[24] A couple of the Commissioners wanted to
[25] do a survey again. He has agreed that he would

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[1] do the survey himself if that's what we would
[2] like to do.
[3] I personally think we've done a survey
[4] and had a couple of public hearings on
[5] recycling, and I would like to see if move
[6] forward.
[7] We also have an option this time of
[8] he's going to be getting pricing of doing just
[9] bags and making it optional for anyone that just
[10] wants to purchase the bags to recycle. So I
[11] guess we'll come back to that at the next
[12] meeting.
[13] But as far as the survey, I'm not sure
[14] -- again, I personally don't think we need to
[15] continue doing surveys. We've done that and
[16] pretty much got the consensus of the public.
[17] But that's up to y'all, whatever y'all want to
[18] do.
[19] **COUNCILWOMAN HADDEN:** I agree with
[20] Donna. I think we have surveyed out and talked
[21] to everybody. People have called us. We've had
[22] meetings at the Civic Center.
[23] **MAYOR JENKINS:** (Inaudible)
[24] **COUNCILWOMAN PITTMAN:** Oh, that's up to
[25] them.

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[1] **COUNCILMAN SPANGLER:** Well, Mr. Adams
[2] is the one who brought up the survey, and so
[3] that's the reason I was asking him if that's
[4] what he really wanted to do.
[5] So I think we need to wait and see --
[6] next meeting, he's going to get the information
[7] on the bags -- see how that's going to work,
[8] what the cost is going to be. He's going to
[9] take care of collection -- think that would be
[10] our best bet -- take care of the collection of
[11] the moneys.
[12] **MAYOR JENKINS:** Donna, that's up to
[13] you, whatever you want to do.
[14] **COUNCILWOMAN PITTMAN:** That's fine. We
[15] can certainly --
[16] **MAYOR JENKINS:** We're going to table it
[17] till the next meeting.
[18] **COUNCILWOMAN PITTMAN:** We'll bring it
[19] back up at the next meeting. But I really think
[20] the next meeting we should at least come up with
[21] some agreement on what we're going to be doing.
[22] **COUNCILMAN SPANGLER:** Well, we could go
[23] ahead and start the two months free if you want
[24] to. But I think the cost of the bags, I think
[25] that's the best way to go. That way, we don't

[1] blanket everybody.
 [2] **COUNCILWOMAN PITTMAN:** We can -- we can
 [3] wait on that. That's fine.
 [4] **MAYOR JENKINS:** Mr. Spangler.
 [5] **COUNCILMAN SPANGLER:** Mine is to
 [6] discuss Open Records request policy, and I think
 [7] the Attorney Powell was working on something on
 [8] that.
 [9] You're also on the agenda for that.
 [10] **ATTORNEY POWELL:** I did a memo to y'all
 [11] to point out that under the Open Records Act,
 [12] the City may charge for the time and the expense
 [13] of copying at 25 cents per page. That's under
 [14] the state law.
 [15] The Dekalb County -- or the Doraville
 [16] ordinance states that it's unlawful not to
 [17] charge people for copies that the City
 [18] furnishes, but it does have this exclude caveat:
 [19] "This section shall not prevent furnishing any
 [20] officer or official of the City a copy of any
 [21] record needful or necessary or proper, without
 [22] charge, to enable him to properly discharge his
 [23] duties. The amount of such fee shall be
 [24] determined by the Council."
 [25] So what that's saying is you may waive

[1] of hand, and I think we really need to determine
 [2] and set some real strong guidelines on the time
 [3] that's becoming involved, that we really need to
 [4] start charging for the Council member or the
 [5] public, and if it's up to a certain amount of
 [6] time, we certainly need to set the guidelines
 [7] and the pricing on that because this is just
 [8] getting ridiculous, really.
 [9] **COUNCILWOMAN HADDEN:** Establish some
 [10] minimums.
 [11] **COUNCILWOMAN PITTMAN:** Yeah.
 [12] So is that pretty much what you were
 [13] talking about?
 [14] **COUNCILMAN SPANGLER:** Right.
 [15] **MAYOR JENKINS:** Anything else?
 [16] Rick?
 [17] **ATTORNEY POWELL:** That's not a legal
 [18] issue, what you're going to charge or not.
 [19] So that's what y'all have got to decide
 [20] among yourselves, what you're going to charge
 [21] for.
 [22] **COUNCILWOMAN HADDEN:** Well, don't you
 [23] think, oh, 20 or 25 copies is more than adequate
 [24] to cover most general circumstances; it usually
 [25] can be done probably in less? And if we're

[1] fees for Council members, and you could. There
 [2] are varied policies that you could have as to
 [3] what it is. The question that's going to come
 [4] down under that waiver is whether it's for the
 [5] purpose of performing the duties, official
 [6] duties or not. And frankly, I think that's kind
 [7] of obvious. So that's --
 [8] But based on what happened recently and
 [9] the controversy, it would appear that there
 [10] should be some policy adopted. That's just an
 [11] observation on my part.
 [12] **COUNCILMAN SPANGLER:** And I agree. I
 [13] think that we should have a policy and it should
 [14] be fair and equitable across the board.
 [15] **MAYOR JENKINS:** Any more discussion?
 [16] Do you want any kind of motion, Bob?
 [17] **COUNCILMAN SPANGLER:** Well, no, I'm not
 [18] going to make a motion. I think it should be up
 [19] to discussion about as far as what fees are
 [20] going to be charged if any fees are to be
 [21] charged or how we're going to go about
 [22] requesting.
 [23] **COUNCILWOMAN PITTMAN:** I personally
 [24] think for quite some time now, the e-mail -- I
 [25] mean the Open Records request has gotten way out

[1] allowed to charge 25 cents per page, then if it
 [2] exceeds something of that size, then charge the
 [3] 25 cents per page for anything over and above
 [4] that on one subject matter. Otherwise, somebody
 [5] could keep coming back again and again and again
 [6] for 25 pages.
 [7] **COUNCILWOMAN PITTMAN:** Well, some of
 [8] this stuff takes hours and days and weeks to do,
 [9] so I mean we need to really -- and it takes up a
 [10] lot of staff that should be doing other things.
 [11] And we really do need to determine some --
 [12] really more than just that.
 [13] **MAYOR JENKINS:** John gets most of the
 [14] hard ones, so I'd like for him to kind of put
 [15] his input into it. We get them in the City
 [16] Hall, too, but his is a little bit tougher.
 [17] **CHIEF KING:** Sir, in the past, we
 [18] normally provided Open Records requests or
 [19] information to members of the City Council free
 [20] of charge. But then we had one exceptional Open
 [21] Record request that took over 6,000 e-mails, and
 [22] somebody -- and members of my staff had to go
 [23] through and redact the personal and private
 [24] information in each one of them. And that's why
 [25] I asked the City Attorney to give us a clear

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[1] policy of where was this. And clearly, there's
[2] a difference of opinion.
[3] I tend to rely on the state law, the
[4] Open Records Act of the State of Georgia. It's
[5] very clear on what those are. The charges that
[6] members of the public, when they come to the
[7] Police Department and ask for information, that
[8] is the cost that we give them.
[9] Any decision that the City Council
[10] decides is, you know, obviously what's going to
[11] be -- what's going to happen.
[12] The only thing, that while you're
[13] taking this matter into consideration, that
[14] please understand that Open Records requests
[15] that exceed a large amount of staff time, those
[16] overtime costs have to come from somewhere. So
[17] if you can allow at the mid-year review and
[18] adjust my budget to deal with -- and I will go
[19] through a couple of the Open Records requests
[20] that have been very popular lately. 288 hours
[21] of staff time on a couple of these, and they're
[22] very extensive.
[23] And I'm in no position to tell anyone
[24] that you're not entitled to get the information
[25] that you request, but I have a hard time telling

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[1] somebody in this audience that they have to pay
[2] for information they get, and then we put in 288
[3] hours of overtime.
[4] So either way. If the Council makes
[5] the policy, if you can then adjust my budget so
[6] I can cover those overtime costs so I won't have
[7] to cut corners in other areas, I would greatly
[8] appreciate it.
[9] **COUNCILWOMAN HADDEN:** I think it should
[10] probably be fair across the board. If the
[11] citizens have to pay and anyone on Council wants
[12] open records, we should have to pay also.
[13] You said you rely on the state law for
[14] policy, Chief?
[15] **CHIEF KING:** Yes.
[16] **COUNCILWOMAN HADDEN:** Could we adapt
[17] that or adopt that to --
[18] **ATTORNEY POWELL:** Well, that's the Open
[19] -- the state law deals with Open Records. That
[20] state law does not deal with something that a
[21] council member might want to come and review to
[22] help the council member perform their duties. I
[23] mean you -- and you could think up things that
[24] you would need to come and get old ordinances or
[25] whatever and review those and look at them.

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[1] That just came up.
[2] But the idea is and the real hard
[3] question is going to be, is it for the purpose
[4] of -- is the request for the purpose of
[5] performing your duty as a Council person?
[6] **COUNCILWOMAN HADDEN:** What if it is or
[7] what if it isn't? Why can't it be applied
[8] equally across the board?
[9] **ATTORNEY POWELL:** Well, you could then
[10] vote to change that ordinance that's in
[11] existence now to not exclude Council members.
[12] You could vote to do that.
[13] **COUNCILWOMAN HADDEN:** Say one of us
[14] wants to come up to City Hall and look at some
[15] open records, that's not where the staff time's
[16] coming in, because then we could pick and choose
[17] and pay for a copy as we went along of whatever
[18] we -- like a particular ordinance or something.
[19] **ATTORNEY POWELL:** Yes.
[20] **COUNCILWOMAN HADDEN:** But the staff
[21] time is coming in for the exorbitant numbers of
[22] requests on various items. So why can't we just
[23] make it fair and square and equal for everybody?
[24] **ATTORNEY POWELL:** You certainly can.
[25] **COUNCILMAN SPANGLER:** Chief, I just

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[1] want to say to you that you're the one that
[2] asked me to do that Open Records request on the
[3] --
[4] **CHIEF KING:** That is absolutely
[5] correct, Mr. Spangler.
[6] **COUNCILMAN SPANGLER:** Okay. So --
[7] **CHIEF KING:** And the reason is is
[8] because you taught me well the last time you
[9] gave me an Open Records request, that I couldn't
[10] depend on the City to give me that overtime that
[11] I expended in that first Open Records request,
[12] and that's why I then relied on Open Records.
[13] **COUNCILMAN SPANGLER:** I'm talking about
[14] the 6,000 plus was the one that you had asked me
[15] to --
[16] **CHIEF KING:** That's one of them, sir.
[17] But then you have the other one where --
[18] **COUNCILMAN SPANGLER:** No. I'm just
[19] saying to you and on record, you're the one that
[20] advised me or told me that I should do that one.
[21] **CHIEF KING:** Yes, sir.
[22] **COUNCILMAN SPANGLER:** Okay.
[23] **CHIEF KING:** And the reason was because
[24] it was a highly charged political matter that
[25] you were interested in looking into and it

[1] involved my employees.
 [2] **COUNCILMAN SPANGLER:** Through your --
 [3] **CHIEF KING:** And I wanted to abide by
 [4] the law. I did not want to get into the
 [5] politics involved.
 [6] **COUNCILMAN SPANGLER:** That was through
 [7] you telling me to do that. Okay?
 [8] **CHIEF KING:** Yes, sir.
 [9] **COUNCILMAN SPANGLER:** It's not that I
 [10] came to you to ask you about that. You advised
 [11] me to do that.
 [12] **CHIEF KING:** Yes, sir.
 [13] **COUNCILMAN SPANGLER:** Okay.
 [14] **CHIEF KING:** I wanted to --
 [15] **COUNCILMAN SPANGLER:** That's my proof
 [16] for the record, for the audience.
 [17] **CHIEF KING:** Sir, let's make sure we
 [18] got the same record, because the record is that
 [19] you came and asked me for the information on
 [20] e-mails.
 [21] **COUNCILMAN SPANGLER:** No. We're
 [22] talking about --
 [23] **CHIEF KING:** And I asked you to please
 [24] give to me an Open Records request.
 [25] **COUNCILMAN SPANGLER:** We're talking

[1] You are correct, sir. I did ask you to
 [2] file it.
 [3] **COUNCILMAN SPANGLER:** Right. You asked
 [4] me to.
 [5] **CHIEF KING:** And in subsequent Open
 [6] Records requests, I've asked you the same thing.
 [7] **COUNCILWOMAN HADDEN:** All right. Then,
 [8] we wouldn't have to adjust the mid-year budget.
 [9] We could just tighten our belt and depend on
 [10] whomever is asking for these records to go ahead
 [11] and pay it, and if it takes overtime, they have
 [12] to pay it.
 [13] **MAYOR JENKINS:** That's fair, isn't it?
 [14] **COUNCILWOMAN PITTMAN:** But does that
 [15] only apply to this department? There's been
 [16] Open --
 [17] **COUNCILWOMAN HADDEN:** I think across
 [18] the board.
 [19] **COUNCILWOMAN PITTMAN:** Yeah.
 [20] **MAYOR JENKINS:** All Open Records.
 [21] **COUNCILWOMAN PITTMAN:** I mean right
 [22] now, in the past, all Council members have been
 [23] allowed to get anything they wanted for free.
 [24] And we just really need to make some guidelines,
 [25] strong guidelines, as to whether that's going to

[1] about something completely different where you
 [2] put in all the man-hours and you gave between
 [3] 6,000 and 8,500 pages of e-mails. Okay?
 [4] You asked me or you advised me to make
 [5] that request --
 [6] **CHIEF KING:** Yes.
 [7] **COUNCILMAN SPANGLER:** -- for that
 [8] information.
 [9] **CHIEF KING:** And never in my wildest
 [10] dream, sir, did I expect it to be 6,000.
 [11] **COUNCILMAN SPANGLER:** Well, I didn't,
 [12] either. I did not, either.
 [13] And you're -- like I said, you asked me
 [14] to do that.
 [15] **CHIEF KING:** Yes, sir, because I
 [16] learned my lesson: not to give anything free to
 [17] you or of the members of the Council because
 [18] that almost broke my overtime budget. That's
 [19] why I made it, because I wanted to --
 [20] I have no problems showing any member
 [21] of the Council or the public for any information
 [22] they wish. But when it takes overtime and then
 [23] I have to cut corners in other areas, I have to
 [24] have some way to balance the books at the end of
 [25] the year or at the mid-year review.

[1] continue or if we're going to start charging and
 [2] how much we're going to charge after a certain
 [3] amount.
 [4] Also another issue is sometimes you're
 [5] asked to do an Open Records request and then
 [6] sometimes it doesn't matter; you just get what
 [7] you want. So we need to make some clarification
 [8] there, if it's accessible for us to go, but if
 [9] it's something they have to pull, do we need --
 [10] if Council members do Open Records requests, or
 [11] is it okay just to go and say, "Hey, I want
 [12] this," because it's been both ways.
 [13] **CHIEF KING:** I will tell you that as
 [14] public officials, ma'am, you're entitled to see
 [15] anything that any department -- especially the
 [16] Police Department. The only area that we cannot
 [17] allow -- although there's not a -- there is not
 [18] more of a right of members of the Council than
 [19] it is for the general public. But pending
 [20] investigations, matters involving juveniles or
 [21] victims of sexual attack.
 [22] **COUNCILWOMAN PITTMAN:** And that's not
 [23] even what I'm referencing, none of that.
 [24] **CHIEF KING:** But any other records are
 [25] available for review.

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[1] **MR. CRAWFORD:** I listened to what Mr.
[2] Powell read -- oh, Ben Crawford. I listened to
[3] what Mr. Powell read, and I don't see where you
[4] really need to change what was written in the
[5] ordinance. It sounds like it's workable. It
[6] just sounds like you have to -- you know, you've
[7] got access to the documents you need to do your
[8] job. That's a separate issue from the Open
[9] Records Act, from what I understand. Because
[10] where I work -- I work for the government, too
[11] -- when we need documentation in our department
[12] or other departments, it's granted. We can get
[13] access to that. When it comes to a separate
[14] department, like the Federal government or the
[15] County government, then we have to pay for those
[16] copies. But if it comes from within us, we can
[17] get to those records. It's no problem.

[18] **COUNCILWOMAN HADDEN:** And make your own
[19] copies?

[20] **MR. CRAWFORD:** Well, yes.

[21] **COUNCILWOMAN PITTMAN:** That's what I
[22] was saying.

[23] **MR. CRAWFORD:** That's fine. So why
[24] would you change that, because that's what it
[25] says right there.

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[1] **COUNCILWOMAN HADDEN:** No. But if
[2] somebody were to make -- whether it was one of
[3] us or one of the public makes a request that is
[4] going to require overtime and --

[5] **MR. CRAWFORD:** Right. That's a
[6] separate issue.

[7] **COUNCILWOMAN HADDEN:** -- thousands of
[8] sheets of paper.

[9] **MR. CRAWFORD:** But why change what Rick
[10] read, because what Rick read in the ordinance
[11] sounds like it works, and that's the tool you
[12] need to do the job.

[13] **MAYOR JENKINS:** Rick, do you have the
[14] ordinance with you?

[15] **ATTORNEY POWELL:** Yeah. The memo
[16] quotes the ordinance.

[17] **COUNCILMAN SPANGLER:** Does it quote the
[18] fees?

[19] **ATTORNEY POWELL:** No. That's up to the
[20] Council.

[21] **MAYOR JENKINS:** Why don't you give the
[22] audience an update on actually what is in the
[23] ordinance. Then if we have to, we'll set up a
[24] committee to change it.

[25] **ATTORNEY POWELL:** Well, I summarized

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[1] it, but the ordinance reads, "It shall be
[2] unlawful to furnish any person with any copy of
[3] any City records except upon payment of a fee
[4] therefor. This section shall not prevent
[5] furnishing any officer or official of the City a
[6] copy of any record needful or necessary or
[7] proper, without charge, to enable him to
[8] properly discharge his duties. The amount of
[9] such fee shall be as determined by the Council
[10] and listed as a schedule of fees and charges
[11] maintained by the City Clerk's office."

[12] **COUNCILWOMAN HADDEN:** Well, let's just
[13] set the fees and charges and make a little
[14] schedule. If you want over 20 copies, it's
[15] going to cost you.

[16] **ATTORNEY POWELL:** But, then, I would
[17] just suggest that you have one issue. Who is
[18] going to determine whether or not the request by
[19] the Council is -- Councilperson is for the
[20] performance of their duties or for some other
[21] issue?

[22] **COUNCILWOMAN HADDEN:** If the
[23] Councilperson feels it's needed for the
[24] performance of their duty, they can come to
[25] Council and say, "I need these records." If

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[1] it's for some other, a fishing expedition or
[2] something, they should pay just like anybody
[3] else.

[4] **MAYOR JENKINS:** How do you determine
[5] that?

[6] **COUNCILWOMAN HADDEN:** Have them come
[7] and say, "I want to access a public record or an
[8] Open Record on XYZ," and let Council vote on it.

[9] **MAYOR JENKINS:** That's fine with me.

[10] And what would you say the changes
[11] should be on that, Rick? It says in here
[12] without charge.

[13] **COUNCILWOMAN HADDEN:** I just would like
[14] to stay away from mid-year adjustment upward.

[15] **ATTORNEY POWELL:** Well, I suppose if
[16] you tried to implement what Councilwoman Hadden
[17] just said is that it would require a
[18] Councilperson to approach the Council to
[19] determine whether or not it was going to be --
[20] the Councilperson was going to be charged. I
[21] think that's what I heard her say.

[22] **MAYOR JENKINS:** Yes, that's right.

[23] Come before the Council before you put in an
[24] Open Records. Is that true?

[25] **ATTORNEY POWELL:** Well, no. A request

[1] not under Open Records, but a request for
 [2] documents.
 [3] **COUNCILWOMAN HADDEN:** But if we wanted
 [4] to come up here and sit down and go somewhere
 [5] and sit down and look at some files, that's
 [6] fine.
 [7] **MAYOR JENKINS:** Fine. No problem.
 [8] Never has been a problem with that.
 [9] **COUNCILWOMAN PITTMAN:** But if you
 [10] actually wanted copies, then --
 [11] **COUNCILWOMAN HADDEN:** Then we pay for
 [12] that.
 [13] **COUNCILWOMAN PITTMAN:** -- pay for it.
 [14] **MAYOR JENKINS:** Okay.
 [15] **ATTORNEY POWELL:** Or if it takes
 [16] employee time to obtain the records.
 [17] **COUNCILWOMAN HADDEN:** Yes.
 [18] **COUNCILWOMAN PITTMAN:** Yes.
 [19] **ATTORNEY POWELL:** Okay.
 [20] **COUNCILWOMAN HADDEN:** Over an hour. If
 [21] it takes over an hour to get the files together,
 [22] whatever it is.
 [23] **COUNCILWOMAN PITTMAN:** Priscilla?
 [24] **MS. MURPHY:** Mayor, y'all also have
 [25] that policy in place that if one Councilperson

[1] **MAYOR JENKINS:** Okay. Rick, go ahead.
 [2] **ATTORNEY POWELL:** The only other thing
 [3] that I have before we would go into Executive
 [4] Session is the MARTA contract we discussed at
 [5] the work session. It appears that it addresses
 [6] the issues that were raised before.
 [7] **MAYOR JENKINS:** I'd like for us to go
 [8] ahead and pass that and get that started so
 [9] we'll bring in a little revenue for the city and
 [10] get us some shelters on these bus stops, because
 [11] I've seen people standing out in the rain or
 [12] getting under a bush or whatever.
 [13] But anyway, I would like to have a
 [14] motion for that to be passed.
 [15] **COUNCILWOMAN HADDEN:** I will make a
 [16] motion that we accept the contract for the
 [17] minimum of the 10 years instead of the 20 years.
 [18] **MAYOR JENKINS:** 10 years.
 [19] **COUNCILWOMAN HADDEN:** Yes, sir, per
 [20] your suggestion.
 [21] **MAYOR JENKINS:** Okay. Second?
 [22] **COUNCILMAN SPANGLER:** Second.
 [23] **MAYOR JENKINS:** Priscilla?
 [24] **MS. MURPHY:** Councilwoman Hadden?
 [25] **COUNCILWOMAN HADDEN:** Aye.

[1] gets something, that they all --
 [2] **MAYOR JENKINS:** That's something --
 [3] **MS. MURPHY:** -- get something.
 [4] **MAYOR JENKINS:** -- that needs to be
 [5] addressed.
 [6] **MS. MURPHY:** They get the same
 [7] information, so --
 [8] **COUNCILWOMAN HADDEN:** We should be
 [9] asked if we want it because sometimes we don't
 [10] want it.
 [11] **MS. MURPHY:** But if it has to come
 [12] before the Council anyway to get it, then --
 [13] **COUNCILWOMAN HADDEN:** We can make that
 [14] determination then.
 [15] **MS. MURPHY:** -- you can make that
 [16] determination then?
 [17] **MAYOR JENKINS:** Right.
 [18] **MS. MURPHY:** All right.
 [19] **ATTORNEY POWELL:** Well, I'll try to
 [20] have something by the next meeting.
 [21] **MAYOR JENKINS:** Bob, you got anything
 [22] else?
 [23] **COUNCILMAN SPANGLER:** No.
 [24] **MAYOR JENKINS:** Ed?
 [25] **COUNCILMAN LOWE:** No.

[1] **MS. MURPHY:** Councilman Lowe?
 [2] **COUNCILMAN LOWE:** Aye.
 [3] **MS. MURPHY:** Councilwoman Pittman?
 [4] **COUNCILWOMAN PITTMAN:** Aye.
 [5] **MS. MURPHY:** Councilman Spangler?
 [6] **COUNCILMAN SPANGLER:** Aye.
 [7] **COUNCILWOMAN HADDEN:** May I make a
 [8] comment, Mayor?
 [9] **MAYOR JENKINS:** Yes.
 [10] **COUNCILWOMAN HADDEN:** There was a
 [11] question last meeting about if some of the ads
 [12] might be offensive to certain people. And
 [13] Mr. Powell read us a paragraph in the work
 [14] session. And if we have any problems, call City
 [15] Hall, and MARTA can be called, and we can work
 [16] out getting anything that might be offensive
 [17] removed.
 [18] **MAYOR JENKINS:** Yes.
 [19] All right, Rick.
 [20] **ATTORNEY POWELL:** The next item I have
 [21] is litigation, and so I request that we go into
 [22] Executive Session, and as we discussed, we can
 [23] go into -- and it'll take 10 or 15 minutes at
 [24] the most.
 [25] **MAYOR JENKINS:** Okay. Everybody just -

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[1] - if you want to keep your seats or move around
[2] and talk, we're going into the Mayor's office in
[3] Executive Session, and we'll be back --
[4] -- you said the most, 15?
[5] **ATTORNEY POWELL:** I have 15 minutes.
[6] All right. Now, you have to make a
[7] motion to do that; somebody does.
[8] **COUNCILWOMAN HADDEN:** I make a motion.
[9] I make a motion we go into Executive Session.
[10] **MAYOR JENKINS:** Second?
[11] **COUNCILWOMAN PITTMAN:** Second.
[12] **MAYOR JENKINS:** All right. All in
[13] favor?
[14] Opposed?
[15] - - -
[16] (Executive Session, 7:35 p.m. - 8:00 p.m.)
[17] - - -
[18] **MAYOR JENKINS:** We're back in session.
[19] **CHIEF KING:** Mayor, the first thing I'd
[20] like to pass to the members of City Council and
[21] eventually to the Clerk is the check for the
[22] sale of the trailer. If I can have the Clerk
[23] sign for the check, then we'll conclude that
[24] transaction (presenting). We got \$16,000 for
[25] the gun trailer.

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[1] Mayor, the next item, sir, is I would
[2] like to request the consideration from the City
[3] Council for the authorization for the LaserCraft
[4] contract of Peachtree Industrial South/I-285.
[5] We provided the members of the Council the data
[6] and the proposed contract, and I don't know if
[7] you-all have that available.
[8] **ATTORNEY POWELL:** Chief, what they
[9] intend to do now is we're going to just amend
[10] the existing contract to add this new light,
[11] because what they sent us is the exact same --
[12] **CHIEF KING:** Exactly. They did.
[13] **ATTORNEY POWELL:** -- contract. So all
[14] we'll be doing is just amending the existing
[15] contract to add the new.
[16] **CHIEF KING:** Basically what I'm seeking
[17] is the authorization from the City Council to
[18] allow us to contract LaserCraft to add that
[19] additional red light at Peachtree Industrial
[20] South at 285.
[21] The data shows that in three hours of
[22] monitoring we had 43 persons ran the light. So
[23] that is higher even than Buford Highway where we
[24] currently have -- where we currently have a red-
[25] light camera installed.

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[1] We're averaging -- I know this is a
[2] question that gets asked every time we discuss
[3] red-light cameras. We average between 9 to 11
[4] thousand dollars pretty much per month. It goes
[5] between 7 thousand to 11 thousand dollars for
[6] the last couple of months monitoring how much
[7] fees that the City has been collecting off of
[8] red-light cameras. So it's paying for the lease
[9] and it's more importantly reducing accidents in
[10] the places that we've had them located.
[11] **COUNCILMAN SPANGLER:** Do we get
[12] government pricing from LaserCraft?
[13] **CHIEF KING:** Sir, they only deal with
[14] governments. They don't deal with private.
[15] **COUNCILMAN SPANGLER:** Is there any
[16] other company that --
[17] **CHIEF KING:** Yes, sir, there's other
[18] companies.
[19] LaserCraft is rated the highest
[20] company. We put in a bid when we first got into
[21] the first light that we got at Buford Highway
[22] and 285, and they were selected. They have
[23] their state contract approved.
[24] They're also coming out with a new
[25] product that I've seen recently that I will --

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[1] I've asked them that in the next month or so to
[2] come and do a presentation on the product that
[3] they have. It's basically a -- a camera that
[4] detects speed, basically. But they still have
[5] to get through the legislature the permission to
[6] be able to generate the same kind of violations,
[7] citations, as we do the red lights.
[8] But yes, sir, there's several other
[9] companies. LaserCraft, the reason, sir, that
[10] they are very attractive to us is because they
[11] are based out of Norcross, they're close. When
[12] one of the cameras got damaged here at Buford
[13] Highway and 285, they had it repaired within the
[14] week. They're very responsible and they're
[15] local.
[16] **COUNCILWOMAN HADDEN:** Chief, do you
[17] need a motion?
[18] **CHIEF KING:** Yes, ma'am. If I could
[19] have a motion, approval from the Council, then
[20] we can contact them.
[21] They will bring out a contract for
[22] authorizing the Mayor to sign a contract similar
[23] to what -- the contract that you-all have.
[24] **COUNCILWOMAN HADDEN:** So moved.
[25] **COUNCILWOMAN PITTMAN:** Second.

[1] **MAYOR JENKINS:** Any more discussion?
 [2] Priscilla, call the roll.
 [3] **MS. MURPHY:** Councilwoman Hadden?
 [4] **COUNCILWOMAN HADDEN:** Aye.
 [5] **MS. MURPHY:** Councilman Lowe?
 [6] **COUNCILMAN LOWE:** Aye.
 [7] **MS. MURPHY:** Councilwoman Pittman?
 [8] **COUNCILWOMAN PITTMAN:** Aye.
 [9] **MS. MURPHY:** Councilman Spangler?
 [10] **COUNCILMAN SPANGLER:** Aye.
 [11] **CHIEF KING:** Thank you very much. I
 [12] appreciate it.

[13] The next issue that I have is the
 [14] update on the Quality of Life. There's been a
 [15] lot of calls and a lot of discussion not only in
 [16] the neighborhood associations but also from
 [17] individuals, and they're asking us that they
 [18] feel that the Quality of Life giving a three-day
 [19] warning is just too short of a notice.
 [20] A lot of the times because of the cycle
 [21] of their off days, they're actually not checking
 [22] the same problem areas within the three days.
 [23] It's actually taking them four to five days to
 [24] come back and check the violation.

[25] But as a matter of policy, what I've

[1] the tickets come through. Once we explained to
 [2] him how the water runoff had affected and how
 [3] erosion will affect, you know, that situation --
 [4] and he is on the list of priorities; he's just
 [5] not the highest priority the city currently has
 [6] -- he understands that we're paying attention.
 [7] And yesterday I saw him out there. No.
 [8] On Friday, I saw him out there cutting the
 [9] grass. So it's one of those success stories
 [10] that we're trying to work with people. Now if
 [11] we can just help them continue cutting the
 [12] grass, we'll be in good shape.

[13] But those are the things that we're
 [14] trying to get from people is get compliance and
 [15] trying to get, instead of -- you know, as a last
 [16] resort, we will issue the citation and we will
 [17] go to court. But our success rate with the
 [18] Quality of Life has been very high.

[19] **COUNCILMAN LOWE:** Couldn't we give them
 [20] a full week rather than just five days, seven
 [21] days, a full week? because most people have to
 [22] work.

[23] **CHIEF KING:** That makes sense. If I
 [24] can get some of the feelings of the rest of the
 [25] Council, sir, I'll adjust that. I'm not --

[1] asked, you know, Captain Boggs and Lieutenant
 [2] Lowe to do is institute a policy of giving five
 [3] days as a standard warning. So when we give a
 [4] warning, we're giving the person the ability to
 [5] get five days unless it's such a -- such a
 [6] horrible situation where it's a health or safety
 [7] type situation.

[8] Now, all of this, this policy will not
 [9] preclude a person saying, "You know, I can't get
 [10] to it," or "I have to get a contractor," just
 [11] picking up the phone and calling Lieutenant Lowe
 [12] and the inspectors, and we will work with
 [13] individuals.

[14] Our biggest -- our latest success story
 [15] recently is the house at Eula and -- what is it?
 [16] The house right there on the corner where we
 [17] have --

[18] **UNIDENTIFIED SPEAKER:** Gentile?
 [19] **CHIEF KING:** Not Gentile. Eula and --
 [20] **UNIDENTIFIED SPEAKER:** Clay?
 [21] **CHIEF KING:** Clay. Thank you.

[22] With the help of Ronald and the Quality
 [23] of Life unit, we were able to work with the
 [24] property owner. He wanted to protest. He
 [25] wanted to stand his ground and protest and have

[1] **COUNCILWOMAN PITTMAN:** Well, seven
 [2] days, because --

[3] **MAYOR JENKINS:** Seven days or a week.

[4] **COUNCILWOMAN PITTMAN:** -- you know, if
 [5] you work five days, you know, typically you're
 [6] off two days but it may not be those days. So
 [7] seven days would be good, I think.

[8] **CHIEF KING:** Okay.

[9] **COUNCILWOMAN PITTMAN:** At least give
 [10] you the chance.

[11] **CHIEF KING:** I will adjust that policy
 [12] to make it seven days. When they get the
 [13] warning, they will get seven days, and then if
 [14] they're not in compliance, then they will get a
 [15] citation.

[16] **COUNCILMAN LOWE:** Right.

[17] **COUNCILWOMAN HADDEN:** Is there a phone
 [18] number on the warning to call?

[19] **CHIEF KING:** Yes. Our inspectors are
 [20] now putting those. We -- they're constantly
 [21] modifying the letter or the warning.

[22] A lot of people, the first time they
 [23] got it, were like very upset because they
 [24] thought they were getting a citation. And it's
 [25] definitely not a citation.

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[1] I think what we're going to try to do
[2] is make it more visible, maybe a larger font
[3] saying, this is just a warning, you know. If
[4] you fix the problem, you don't have to come to
[5] the Police Department and you don't have to come
[6] to City Hall. You don't have to call your
[7] elected officials.

[8] What we're trying to get is people to
[9] fix the situation. So seven days, it is not a
[10] problem.

[11] **MAYOR JENKINS:** John?
[12] **CHIEF KING:** Yes, sir.
[13] **MAYOR JENKINS:** Anything that would
[14] take over seven days, they can get an extension,
[15] I hope, like painting a house.
[16] **CHIEF KING:** As long as they're making
[17] progress, sir, we can work with people.
[18] **MAYOR JENKINS:** Well, that's what I'm
[19] talking about.
[20] **CHIEF KING:** It's the people -- the
[21] people that we have a problem with is the people
[22] that want to make a civil-disobedience, you
[23] know, situation. And with civil disobedience,
[24] there's consequences to that.
[25] **COUNCILWOMAN PITTMAN:** Yeah. Five,

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[1] seven or twenty days doesn't make a difference.
[2] **CHIEF KING:** Exactly. There's some
[3] people that they're not going to fix it, period.
[4] Well, thank you very much for that.
[5] And I've asked -- I respectfully ask
[6] the City Council to consider and vote on the
[7] resolution for us to request both Dekalb County
[8] and the Georgia Department of Public Safety to
[9] make 35 miles per hour the speed throughout the
[10] city of Doraville.
[11] **ATTORNEY POWELL:** Actually, they voted
[12] on that last time and just asked me to word it.
[13] So the resolution they're signing tonight is
[14] actually --
[15] **CHIEF KING:** Okay.
[16] **ATTORNEY POWELL:** -- actually dated the
[17] 1st. It was actually adopted on October 1st and
[18] they just asked me to put it into the proper
[19] language. And so we've done that, and it's been
[20] signed by all the Council members tonight.
[21] I'm sorry.
[22] **CHIEF KING:** No. That's okay. I
[23] appreciate it.
[24] And Mayor, the last item that I was
[25] going to talk about, sir, is I received a lot of

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[1] phone calls since last Friday in reference to a
[2] flyer out in the community reflecting on the
[3] quality of the 911 system and a couple other
[4] issues. And I wanted to put out some facts
[5] because I want to make sure that the community
[6] is absolutely clear what our 911 system is about
[7] right now.

[8] Since we started 911 in Doraville in
[9] 2005, we've handled 80,130 calls for service.
[10] We average about 95 calls a day. From dispatch
[11] -- you know, from the time the call comes in to
[12] dispatch is 1 minute .27 seconds. That's the
[13] average. And on the scene, our officers take 2
[14] minutes .34 seconds. You cannot beat that time
[15] anywhere --

[16] **UNIDENTIFIED SPEAKER:** That's right.
[17] **CHIEF KING:** -- in Dekalb County and I
[18] would say probably in the metro Atlanta area.
[19] **UNIDENTIFIED SPEAKER:** That's right.
[20] **CHIEF KING:** Absolutely, you do not get
[21] -- one of my officers is an EMT. Sergeant
[22] Fiedler is a full EMT. He has saved countless
[23] people's lives in this community.
[24] When I hand that call over to Dekalb
[25] County, my biggest challenge with Dekalb County

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[1] is them picking up the call. That is my
[2] challenge there. And I can't fix that. That is
[3] Dekalb County's problem to fix. I'm working
[4] with them. I will continue working with them
[5] because if is the public safety of our employees
[6] and also the public safety of our residents in
[7] this community.

[8] Dekalb County currently has eight
[9] people taking calls out of 30 per shift. So
[10] understand that the challenge is not down at the
[11] bottom of this hill. It is down on Lavista
[12] Drive.

[13] We take the safety of our communities
[14] very, very seriously. I just don't want you-all
[15] to doubt that when you dial 911, your call is
[16] going to be delayed or nobody's going to come.
[17] Every call, whether it's a medical emergency,
[18] whether it's a fire, there will be a police
[19] officer there every time, and you can average
[20] about 2.34 minutes. That is something very,
[21] very much of pride in my department and from the
[22] city. We -- we take that very seriously. That
[23] is our report card. That is how we can look at
[24] you-all and tell you --
[25] Let me finish my remarks, Bonita, and I

[1] will answer any questions you may have as long
[2] as the Mayor wants you to.

[3] But the bottom line is we are answering
[4] the calls. We're answering them to the standard
[5] or below the standard. We're actually beating
[6] the standard that Dekalb County's got, and we're
[7] having a police officer at your doorstep.

[8] My problem is there's three fire
[9] stations in and around the Doraville area.
[10] There's not a lot of EMTs in the area. Once
[11] they're tied up on calls, that is our challenge.
[12] But you hired me to run the Police Department.
[13] You hired me to be the Chief of Police and to
[14] run the 911 center. You have not hired me to
[15] run the Fire Department or EMS system.

[16] And that is -- I want you-all to think.
[17] I know a lot of people are very concerned. And
[18] the reason, the only reason I'm addressing this,
[19] I'm trying to do my best -- and I know it's very
[20] hard in the current time frame because of all
[21] the political dialog right now going on -- the
[22] public safety is my only priority in this
[23] community, and I will come to the -- I will
[24] answer calls personally if I have to to keep the
[25] response down. That's just the bottom line.

[1] or you think, "Oh, I'm going to put you in the
[2] car. This 911, it'll take them 15 or 20 minutes
[3] to get here." No, that is not true. And that
[4] disturbed me very much when I seen this letter.
[5] That's the main thing I'm disturbed with.

[6] The next thing I'm disturbed with, it
[7] says, "In late May 2007, I contacted our Mayor
[8] to discuss several very serious concerns that I
[9] had with the Chief of Police concerning himself
[10] with political issues of the City, intimidation
[11] of City Council members and citizens and lack of
[12] neighborhood patrol. The Mayor refused a
[13] meeting with me even on his own terms."

[14] That is not true. The time that this
[15] came up, there was no mention of anything about
[16] the Chief when they asked me to have an illegal
[17] meeting, which was with three other Council
[18] members and myself. I refused. I told each one
[19] of them -- Commissioner Hart, Commissioner Lowe
[20] and Commissioner Spangler -- I would meet with
[21] them at any time anywhere one on one. Now, you
[22] cannot say that. These citizens know.

[23] **MR. HART:** Sir, I was not involved in
[24] it.

[25] **MAYOR JENKINS:** Yes, you were, sir.

[1] That is my job. That is my only job.
[2] A lot of other -- you know, a lot of
[3] issues have been -- you know, there's been a
[4] couple issues made about asset forfeiture and
[5] how we use asset forfeiture.

[6] I am ready to answer any questions. I
[7] welcome anybody who has any criticisms, either
[8] come talk to me or I will drive you-all to the
[9] Dekalb County District Attorney's office to talk
[10] to the D.A. If there's something wrong, I need
[11] to go the same way that Ron Davis went: to
[12] jail. That's the bottom line.

[13] So I do not take very lightly being
[14] called a crook. I'm sorry. My name and my
[15] integrity is all I have. And I'm facing you-all
[16] because at the end of the day, I work for these
[17] folks up here but I really work for you-all.

[18] Thank you very much. I apologize if I
[19] hurt anybody's feelings.

[20] **MAYOR JENKINS:** I think John is also
[21] referring to a letter that went out to all the
[22] citizens, and I'm very concerned about that
[23] letter, too.

[24] The main concern I have is with the
[25] 911. It is working. Don't say to your spouse

[1] You was one of the three that --

[2] **MR. HART:** I did not request.

[3] **MAYOR JENKINS:** -- wanted to meet.

[4] **MR. HART:** No, I --

[5] **MAYOR JENKINS:** Now, let -- just --
[6] hey.

[7] **MR. HART:** I did not request a meeting.

[8] **MAYOR JENKINS:** You're out of order.

[9] You're out of order. I said you were one of --

[10] **MR. HART:** I am not out of order and
[11] I'm not going to be called a liar. You, sir --
[12] the meeting was Bob Spangler, Ed Lowe, and I
[13] don't know who the third party was.

[14] **MAYOR JENKINS:** Oh, you don't?

[15] **MR. HART:** It involved Donna. That did
[16] not include me. You've got your story wrong.

[17] **MAYOR JENKINS:** You voted up here to
[18] terminate the Chief. You were one of the three.

[19] **MR. HART:** You're talking about a
[20] meeting in your office that --

[21] **MAYOR JENKINS:** Okay. I'm going to --

[22] **MR. HART:** -- (overspeaking) Bob
[23] Spangler, Ed Lowe --

[24] **MAYOR JENKINS:** And I'm saying to you
[25] I'm very concerned about this 911 that says --

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[1] **MR. HART:** That did not include me.
[2] **MAYOR JENKINS:** -- that -- alienating
[3] the citizens and saying that the 911 will not be
[4] there.
[5] **MR. HART:** I didn't write it.
[6] **MAYOR JENKINS:** They'll be there in a
[7] hurry, buddy.
[8] **MR. HART:** You just brought my name up
[9] about a private meeting in your office.
[10] **MAYOR JENKINS:** I sure did, because you
[11] was in on it.
[12] **MR. HART:** Sir --
[13] **MAYOR JENKINS:** You were one of the
[14] three that wanted to meet.
[15] **MR. HART:** Sir, this meeting took place
[16] between Bob Spangler, Ed Lowe, I think Donna
[17] Snider [sic] and some other people involved. I
[18] was not nor did I ever request to be in that
[19] meeting.
[20] **MAYOR JENKINS:** How about it, Ed? Who
[21] was in on it?
[22] **COUNCILMAN SPANGLER:** Well, first of
[23] all, there was no meeting.
[24] **MAYOR JENKINS:** That's right.
[25] **COUNCILMAN SPANGLER:** The meeting was

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[1] asked for, and it was not to be an illegal
[2] meeting, okay, because -- I think Tom Hart was
[3] not involved in this particular meeting --
[4] **MR. HART:** I was not there.
[5] **COUNCILMAN SPANGLER:** -- at that time.
[6] **MR. HART:** I was not involved.
[7] **MAYOR JENKINS:** Do you believe that?
[8] **COUNCILMAN SPANGLER:** You can believe
[9] it. It's the truth.
[10] **MAYOR JENKINS:** It's not true. The
[11] meeting was --
[12] **COUNCILMAN SPANGLER:** Mayor, I asked
[13] you for a meeting, and Mr. Lowe asked to also be
[14] at the meeting, and I think Ms. Pittman was
[15] going to be at the meeting, and we'd asked for
[16] the Attorney Powell to be at the meeting.
[17] Now, if you go back and look at the
[18] minutes of the June 4th meeting, on page 46,
[19] it'll give you the exact information.
[20] **COUNCILWOMAN PITTMAN:** I'm going to
[21] clarify something here. Okay. I will attest
[22] that Mr. Hart was not involved in that
[23] particular meeting that was referenced. He had
[24] nothing to do with that.
[25] Mr. Spangler asked --

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[1] **MAYOR JENKINS:** The one with the three
[2] Council members.
[3] **COUNCILWOMAN PITTMAN:** That is correct.
[4] **MAYOR JENKINS:** Okay.
[5] **COUNCILWOMAN PITTMAN:** He did not.
[6] Mr. Spangler asked for a meeting. Mr.
[7] Lowe said he wanted to be there as a witness. I
[8] was invited to the meeting that never took
[9] place. He invited me because he said there were
[10] issues regarding some things that I needed to
[11] hear.
[12] **MAYOR JENKINS:** What did you tell them
[13] about having the meeting?
[14] **COUNCILWOMAN PITTMAN:** I -- I didn't
[15] tell them anything. I had strep throat. I was
[16] at home. And once the Mayor said, well, he
[17] wasn't going to do a meeting, anyways, and once
[18] I found out Mr. Lowe was going to be present, I
[19] stated that I wasn't going to be there because I
[20] was sick, and if there was something I needed to
[21] hear, I could hear it another time.
[22] **MAYOR JENKINS:** Well, my impression was
[23] that Mr. Hart was there. And if he wasn't
[24] involved in that, I'll apologize to him.
[25] **COUNCILWOMAN PITTMAN:** No, he wasn't.

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[1] **MAYOR JENKINS:** But there was three
[2] Councilmen mentioned in it, and I said no.
[3] But I've never refused to talk to
[4] anybody one on one, and that's all I'm going to
[5] say about it. I want to clear that up.
[6] John, did you have anything else on
[7] that?
[8] **CHIEF KING:** No, sir, I don't.
[9] **MAYOR JENKINS:** And the forfeiture
[10] accounts, why can't we get that straight? We'll
[11] give you the state law, we'll give you
[12] everything you need. Why can't we get it
[13] straight?
[14] **COUNCILMAN SPANGLER:** We'll get it
[15] straight, yeah. We will get it straight.
[16] **MAYOR JENKINS:** Okay. Yes, ma'am.
[17] **MS. HOFFMEISTER:** I have a couple of
[18] questions to Chief King, and one of them's to
[19] Chief King and Donna Pittman.
[20] You stated that we have 95 calls a day
[21] for emergency?
[22] **CHIEF KING:** We average that.
[23] **MS. HOFFMEISTER:** We're averaging that?
[24] What does it take to get an emergency
[25] service in here with a fire department?

[1] **CHIEF KING:** I'm not the right person
[2] to ask.

[3] **MS. HOFFMEISTER:** I mean --

[4] **COUNCILWOMAN PITTMAN:** Okay. We are
[5] working on that, and right now we need about 2
[6] million dollars and we can make it right now.

[7] We don't have the 2 million unless this
[8] Council decides to put forward 2 million out of
[9] the budget to do this.

[10] **MS. HOFFMEISTER:** What kind of programs
[11] are there to get 2 million dollars?

[12] **COUNCILWOMAN PITTMAN:** They're going to
[13] be addressing that in January with the bond
[14] issue. They're going to try to include us in
[15] that so we can get the money so Dekalb County
[16] can put a fire department here, and that
[17] includes EMS, fire department.

[18] **MS. HOFFMEISTER:** Because an average of
[19] 95 calls a day --

[20] **COUNCILWOMAN PITTMAN:** I'm sorry?

[21] **CHIEF KING:** Please. It's not 95 EMS
[22] and fire calls.

[23] **MS. HOFFMEISTER:** I --

[24] **CHIEF KING:** At best, maybe 1 to 2
[25] percent of those calls are fire/EMS calls.

[1] happen overnight.

[2] **MS. HOFFMEISTER:** Right.

[3] The other question I have to Chief King
[4] is I once again went for a walk during lunch on
[5] Oakcliff Road, and ten trucks just barreled
[6] down. Now, I know we can't have red lights that
[7] also do for traffic speeding, but could we
[8] please not start ticketing these trucks that are
[9] barreling down?

[10] **CHIEF KING:** They're being ticketed.
[11] Every time we have an officer pull them over,
[12] they're being ticketed.

[13] **MS. HOFFMEISTER:** It's just not -- it's
[14] not hurting them enough that they're stopping.

[15] **CHIEF KING:** Ma'am, I can only work in
[16] the confines of what the legislature and the
[17] City Council allow me to give them tickets. I
[18] don't make up the tickets.

[19] **MS. HOFFMEISTER:** I mean it's just like
[20] vendors, you know. If you don't do it right, I
[21] don't pay you, you know.

[22] **CHIEF KING:** Ma'am --

[23] **MS. HOFFMEISTER:** And you have traffic
[24] violators. If they don't do it right, you fine
[25] them, you know, and somehow you have to train

[1] Mostly resulting from accident that -- you know,
[2] auto accidents.

[3] **MS. HOFFMEISTER:** Yeah, but --

[4] **CHIEF KING:** So don't -- don't think --

[5] **MS. HOFFMEISTER:** -- I think that's --
[6] I mean but that number of calls into 911 seems
[7] rather high, and I would think that would give
[8] credence to our needing an EMS service here in
[9] Doraville.

[10] **CHIEF KING:** But how do you reach that
[11] conclusion?

[12] **MS. HOFFMEISTER:** I don't know. That's
[13] why I'm asking you.

[14] **CHIEF KING:** 95 calls are Police-
[15] related, but the majority of those --

[16] **MS. HOFFMEISTER:** Well, you're telling
[17] me 1 and 2 percent. That's two a day. That's
[18] high.

[19] **CHIEF KING:** And the Fire Department
[20] responds to them adequately.

[21] **MS. HOFFMEISTER:** That's high. That's
[22] high.

[23] **COUNCILWOMAN PITTMAN:** But that is
[24] something we're working on with Dekalb County
[25] right now. It's not something that's going to

[1] them.

[2] **CHIEF KING:** The people we're pulling
[3] over, we give them citations. I'm not allowed
[4] to do anything. I can't cut their tires, you
[5] know. In Iraq, you set their trucks on fire.
[6] You know what I mean? We can't do that.

[7] I mean there's a couple ideas we need
[8] to talk about, put in traffic calming devices,
[9] but that is a very controversial issue, and the
[10] neighborhood needs to get together and give us
[11] some direction. I believe I get about two
[12] calls, the Mayor probably gets a couple calls
[13] every day about trucks.

[14] **MS. HOFFMEISTER:** Well, at least they
[15] weren't speeding as fast as they were last year,
[16] but --

[17] **CHIEF KING:** I will endeavor to
[18] continue putting patrol cars in that street to
[19] try to curb the problem. We're trying to get in
[20] touch with the trucking companies. The majority
[21] of them are the ones related right here to the
[22] Best Friend Road areas, those warehouses back
[23] there. What they're doing, they're trying to
[24] take a shortcut, trying to get around the
[25] congestion of 285 and 85.

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[1] Believe me, we are ticketing the people
[2] that we're catching, but I don't know if that's
[3] making a difference, and I can't -- I don't have
[4] a lot of things in my tool kit that I can go --
[5] **MS. HOFFMEISTER:** I know. Is there any
[6] way we could get the state legislature to vote
[7] you a red light?
[8] **CHIEF KING:** I think it starts right
[9] here.
[10] **MAYOR JENKINS:** Yes, go ahead. Give
[11] your name, please, ma'am.
[12] **MS. PETERSON:** I've been in a class on
[13] Tuesday nights, and I thought I heard about the
[14] 911. I just wanted to clarify that. But right
[15] now, there's a problem with using a cell phone
[16] and calling 911 because it goes straight through
[17] Dekalb County, and that's where the hangup is.
[18] **CHIEF KING:** Some of the phone
[19] companies are still routing their calls to
[20] Dekalb County 911. I'm working with the City
[21] Attorney. We have met with Dekalb County and
[22] now we're working with the State to get these
[23] phone companies to route all the cell phone
[24] calls through Doraville before they're routed to
[25] Dekalb.

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[1] **MS. PETERSON:** And also, if you use
[2] your home phone, that'll come through to
[3] Doraville.
[4] **CHIEF KING:** Absolutely.
[5] **MS. PETERSON:** It goes through Dekalb
[6] County. That's why it's taking more time.
[7] **CHIEF KING:** No.
[8] **MS. PETERSON:** Not with Doraville.
[9] **CHIEF KING:** The phone calls from your
[10] home come directly to me.
[11] **MS. PETERSON:** Yes.
[12] **CHIEF KING:** One thing I do ask you,
[13] please, do not test 911. Don't go outside and
[14] dial 911 just to see where it rings because that
[15] just -- that just kills the whole system. It's
[16] killing Dekalb County. And potentially, there
[17] could be somebody's life at great risk. Please
[18] don't test it.
[19] Yes, Mayor, I'm --
[20] **MAYOR JENKINS:** Okay. Thank you.
[21] **COUNCILWOMAN PITTMAN:** She had a
[22] question.
[23] **MS. BIRD:** Kay Bird. I'm just
[24] wondering. I had to call 911 for my father one
[25] night, and I ended up at Chamblee. How did that

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[1] happen?
[2] **UNIDENTIFIED SPEAKER:** Was it a cell
[3] phone?
[4] **CHIEF KING:** The cell tow- -- now, all
[5] the -- all the --
[6] **MS. BIRD:** It was our home phone.
[7] **CHIEF KING:** From the home phone?
[8] **MS. BIRD:** Yeah, from our home phone.
[9] **CHIEF KING:** That --
[10] **MS. BIRD:** She was asking me where
[11] Addison Drive was.
[12] **CHIEF KING:** Ma'am, what I'll do is
[13] I'll get your address and check it with Bell
[14] South because your call should have been routed
[15] directly to our station.
[16] **MS. BIRD:** Yes. That surprised me.
[17] **CHIEF KING:** But please do not test
[18] your cell phone.
[19] **MAYOR JENKINS:** Okay, John. Thank you.
[20] Bonita Hoffmeister, come on up.
[21] **MS. HOFFMEISTER:** No committee reports?
[22] **COUNCILWOMAN PITTMAN:** Committee
[23] reports.
[24] **MAYOR JENKINS:** Bonita?
[25] **MS. HOFFMEISTER:** Well, I was going to

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[1] thank you for getting the interchanges mown but
[2] it didn't happen.
[3] But we are going to have an art show in
[4] town this Friday. Please, please --
[5] **COUNCILWOMAN PITTMAN:** They're at North
[6] Druid Hills and they are moving down, and he's
[7] actually put a request -- again, it's contracted
[8] out. They could not jump in there and do it for
[9] us. So that's the best they could do. He has
[10] tried to speed the process up.
[11] **MS. HOFFMEISTER:** All right.
[12] Rick, did you get any response to the
[13] letter that you wrote to the County?
[14] **COUNCILMAN LOWE:** Where's the art show
[15] going to be held?
[16] **ATTORNEY POWELL:** We had forwarded it
[17] on to --
[18] **MS. HOFFMEISTER:** Pardon?
[19] **COUNCILMAN LOWE:** Where is the art show
[20] going to be held?
[21] **MS. HOFFMEISTER:** I don't know. Rick
[22] Powell's [sic] going to talk to that later.
[23] **ATTORNEY POWELL:** We have forwarded it
[24] on to other people in the department but have
[25] heard nothing from the initial letter.

[1] **COUNCILWOMAN PITTMAN:** Other than it
[2] was being sent to the appropriate people. So we
[3] will be following up on that at least at the
[4] beginning of next week.

[5] **MS. HOFFMEISTER:** All right. Dekalb
[6] County Superdistrict Commissioner Kathy Gannon
[7] is working to get a law passed to close the bars
[8] at an earlier hour just as we have.

[9] I will be in touch with her probably
[10] tomorrow. And this is happening November the
[11] 2nd. Unfortunately, I'm an accountant and I
[12] can't take off work to go down to Dekalb County,
[13] but I will appreciate any -- any other citizens
[14] who want to get involved in this, and if we can
[15] get a phone tree or something so we can get some
[16] people down there. I'll try to write a letter
[17] to get the bars closed.

[18] Unfortunately, the law restricting the
[19] strip clubs was passed in 2001, so the owners of
[20] the strip clubs are grandfathered in in all
[21] probability, but I'm hoping we'll find some
[22] different results than that.

[23] And so please get in touch with me,
[24] like I'll be at the book sale on Saturday. So
[25] hopefully I'll have something written so we can

[1] But in the meantime, I want to say that
[2] I can tell you that when I do check for agendas
[3] and announcements of meetings and the minutes of
[4] meetings, they have been posted up there, and
[5] everything that's taken down and transcribed is
[6] available so that we can view it, and I
[7] appreciate that very much. Thank you.

[8] **MAYOR JENKINS:** All right. Thank you.
[9] Committee reports.

[10] **MR. CRAWFORD:** Ben Crawford with the
[11] Doraville Planning Commission.

[12] We received a packet of four rezoning
[13] requests from Priscilla which we'll be going
[14] over at our next work session which is October
[15] 22nd at the Civic Center up there. And I'd like
[16] to invite all the citizens that would like to be
[17] involved and find out what's going on with
[18] rezoning in the city. It's a public meeting and
[19] everybody's invited. It'll be at 7 o'clock
[20] Monday, October 22nd.

[21] And also Susan Crawford, the president
[22] of the ONA has an open invitation at our
[23] Wednesday night meeting this week for all
[24] candidates that would like to show up and cover
[25] any other issues that the committee would like,

[1] start sending letters to the County in support
[2] of legislation like we've done here.

[3] The other thing that I'm asking for is
[4] to please make our concrete barriers around the
[5] tank farms a little more artistic. And
[6] hopefully, we can do something with this in
[7] conjunction with the art show that John Powell's
[8] going to be talking to us about and maybe get
[9] our school children involved. He has some very
[10] clever ideas.

[11] That's all I have to say. Thank you.

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

[13] Susan Fraysse.

[14] **MS. FRAYSSE:** I'm Susan Fraysse, and
[15] periodically I have updated the Council on my
[16] view of the web page that the City has up. And
[17] I want to say that I know from Ms. Murphy, our
[18] acting City Clerk, that we're pending -- we're
[19] holding off and not doing any big innovations
[20] about a lot of the web page because of the
[21] contract with Asadi, and that's about to maybe
[22] come to fruition. And I would appreciate an
[23] update on that; when it's going to, you know,
[24] happen, when we can see the changes that they'll
[25] be making.

[1] you know, to get involved with. And I think
[2] it's more of a casual affair this time than it
[3] was last time. So you're all welcome. But
[4] anybody that's running for City Council or the
[5] Mayor is welcome to come. It's an open
[6] invitation to everybody.

[7] And that's all we have to report on at
[8] this point. Thank you very much.

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

[10] Any other committee reports? Any other
[11] reports? No more committee reports.

[12] Citizens' comments?

[13] Yes, sir.

[14] **MR. FIEDLER:** Raymond Fiedler, Oakcliff
[15] Estates.

[16] This morning coming from the bank, my
[17] wife saw the Mayor sitting down at the
[18] intersection of Shady Oak Drive or Green -- Pin
[19] Oak and Green Oak. And for two years or so,
[20] there's been some bushes growing up in front of
[21] the stop sign.

[22] We come by there tonight; those bushes
[23] have been cut down. We now can see the stop
[24] sign, and hopefully everybody else can. Thank
[25] you.

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[1] And Mr. Spangler, if you have a chance
[2] this weekend, come by the intersection of Shady
[3] Oak Drive and Green Oak. There's a stop sign
[4] there, and people living in that corner house
[5] before the stop sign usually park a used pickup
[6] truck out there. And if we can possibly get the
[7] City to put a no-parking sign maybe 25 or 35
[8] feet up the street so they don't block that,
[9] because my wife and I had to get out in the
[10] middle to get around that pickup truck, the stop
[11] sign, and another person coming off Shady Oak
[12] almost collided with us. If you could look into
[13] that and take care of it, we'd appreciate it.

[14] **COUNCILMAN SPANGLER:** Mr. Fiedler,
[15] there is a state ordinance against parking
[16] within so many feet within the stop sign. I
[17] think Chief King probably needs to have somebody
[18] go out --

[19] **CHIEF KING:** We'll take a look at it,
[20] sir.

[21] **COUNCILMAN SPANGLER:** -- and talk to
[22] them.

[23] **MR. FIEDLER:** But if you'd take care of
[24] it, I'd appreciate it.

[25] **CHIEF KING:** We'll take a look at it.

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[1] **MR. FIEDLER:** Thank you, Chief.
[2] And then one other thing. We do see
[3] black-and-whites in our community once or twice
[4] a day. But if you have the manpower --

[5] **CHIEF KING:** You want more.

[6] **MR. FIEDLER:** -- and the financial,
[7] we'd like to see it three or four times a day.
[8] Thank you.

[9] **MAYOR JENKINS:** Yes, sir. Come on up.

[10] **MR. POWELL:** John Powell. I am not
[11] actually a citizen of Doraville. Live close by.

[12] But I am chair of the Foundation for
[13] Community Arts. We planned an exhibit of
[14] artworks focusing in on Doraville specifically,
[15] anticipating what could become of the city
[16] through the eyes of a variety of artists from
[17] the local community as well as regional.

[18] And that show actually begins this
[19] coming Friday at Mercer University inside the
[20] Swilley Library. There's a place called the
[21] Brown Art Gallery on the lower floor. This
[22] Friday, as soon as the library opens, the
[23] gallery will be open. The gallery follows the
[24] library hours. It's open seven days a week at
[25] various hours. We can check their web site to

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[1] find out, you know, what those hours are.

[2] But from 6:00 to 8:00 on this coming
[3] Friday, we will have a reception inside the
[4] Brown Gallery, in part to meet some of the
[5] artists that will be present. We can introduce
[6] you to the exhibit and so forth. But that's
[7] just kind of a reception for that, and it will
[8] be running through this coming Friday all the
[9] way through the end of November, roughly about
[10] 45 days.

[11] I'm very excited about this, and so we
[12] would invite all of you to come. I have a
[13] poster that I would like to present to the
[14] Mayor, I guess. I e-mailed him with this same
[15] kind of information. I understand we might be
[16] able to get it posted out on --

[17] **MAYOR JENKINS:** We'll post it on the
[18] door.

[19] **MR. POWELL:** -- the bulletin board or
[20] something.

[21] **MAYOR JENKINS:** Yes, sir. We'll post
[22] it on the door for you.

[23] **MR. POWELL:** This is the poster here
[24] (presenting).

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

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[1] **MR. POWELL:** Just to give you a little
[2] bit of a clue, we had some ideas about bringing
[3] some art to maybe a blank wall somewhere, and we
[4] presented this idea roughly about a year or a
[5] year and a half ago. It was suggested that we
[6] possibly look at some of these petroleum tanks.
[7] And so we began to look at some of that, and
[8] this exhibit will feature some ideas.

[9] This is not an exhibit of what should
[10] be. It's an exhibit of what could be. We want
[11] to make that very, very clear. We're not out
[12] pushing any agenda on the city if the city
[13] doesn't want it.

[14] **MAYOR JENKINS:** All right. Show us
[15] what you have, sir.

[16] **MR. POWELL:** This is something that is
[17] a representative of a tank with possible artwork
[18] that forms a mural around the outside.

[19] This is one completed and was delivered
[20] today by a Dunwoody High School student that was
[21] invited into this.

[22] This and about -- a few others will be
[23] on exhibit. I just want you to be aware of
[24] that. It's not what necessarily should be but
[25] what could be. Thank you.

[1] **MAYOR JENKINS:** You need to talk to
[2] this gentleman about your cement foundations.

[3] **MS. HOFFMEISTER:** Well, if there's any
[4] way we can get more high school students and
[5] decide to do something like this with those
[6] concrete blocks, you know.

[7] **MAYOR JENKINS:** You talk to him about
[8] it. Okay?

[9] **MS. HOFFMEISTER:** They don't have to
[10] just use the concrete blocks, you know. They
[11] could turn them into trees, lollipops, candy
[12] canes.

[13] **MAYOR JENKINS:** All right. Thank you,
[14] sir.

[15] **MS. FLEMING:** I just wanted to ask --

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

[17] **MS. FLEMING:** Pam Fleming.

[18] I'm trying to educate myself in regards
[19] to the Doraville city codes, and I went online
[20] to the Municode.com, and I wanted to know how
[21] current that web site is for the Doraville City
[22] Code of Ordinances.

[23] **ATTORNEY POWELL:** It has not been
[24] updated since January of 2006.

[25] **UNIDENTIFIED SPEAKER:** Or before.

[1] don't get that benefit. If it's somebody who
[2] chronically does -- we have problems with, then
[3] we're not going to do that.

[4] But yes, ma'am, it depends on the
[5] severity and if there's a health hazard.

[6] **MS. FLEMING:** Okay. Thank you very
[7] much.

[8] **MAYOR JENKINS:** The gentleman right
[9] here, come on up.

[10] **MR. McELWANY:** Ray McElwany.

[11] I just wanted to ask about the area
[12] beside K-Mart, North Dekalb Drive area. All
[13] along the fence area and all, it looks terrible.
[14] The fence has been torn down, the guardrail's
[15] torn up. The road has been repaired. It looks
[16] safer now. But the whole K-Mart area, the North
[17] Dekalb Drive area there is beyond repair.

[18] **MAYOR JENKINS:** The city goes in the
[19] back of K-Mart, then you get into the County.
[20] The K-Mart is in Doraville.

[21] That stuff facing --

[22] **MR. McELWANY:** Well, North Dekalb Drive
[23] down to the K-Mart.

[24] **CHIEF KING:** The creek. The creek
[25] line, sir, is actually the city limits.

[1] **MS. FLEMING:** And a secondary question.
[2] Who would be doing the updating of it and how
[3] often should we be doing it?

[4] **ATTORNEY POWELL:** Annually by the City
[5] Clerk.

[6] **MS. FLEMING:** Okay. All right. And I
[7] have a second question. I have another question
[8] if you don't mind, to Chief King and to Counsel
[9] in regard to City offenses that we have for the
[10] Quality of Life ordinance people that are going
[11] around.

[12] Shouldn't the severity of offenses
[13] carry a different number of days allowed to
[14] correct the problem?

[15] **CHIEF KING:** What we've done, ma'am, is
[16] the stand that we wanted to make is give them
[17] seven days. If it's a severity, for example,
[18] that deals with the health and safety, something
[19] that's critical that needs to be dealt, we
[20] won't give any warning if it's something of
[21] great severity. And I leave that to the
[22] decision of Lieutenant Lowe and his staff to
[23] decide.

[24] You know, and there's some people that
[25] we've given warning after warning, and they

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

[2] **MR. McELWANY:** Right. Right. Well,
[3] from there back toward Buford Highway, North
[4] Dekalb Drive, the fence is tore up all the way
[5] down. The guardrail's tore up. There's trees
[6] fallen down. There's trash everywhere.

[7] **MAYOR JENKINS:** Okay. Well, we'll
[8] check that tomorrow.

[9] **MR. McELWANY:** Great. Thank you.

[10] **MAYOR JENKINS:** Jackie?

[11] **MS. BEYER:** I'm Jackie Beyer.

[12] Wednesday will be the Doraville Seniors'
[13] Luncheon starting at 11:30. We'd like for
[14] everybody who is a senior to please come and
[15] bring a covered dish.

[16] **MAYOR JENKINS:** Thank you, Jackie.

[17] **MS. BEYER:** You know, there at the
[18] Civic Center.

[19] **MAYOR JENKINS:** Bob?

[20] **MR. ROCHE:** Bob Roche.

[21] I just wanted to straighten out one
[22] thing and to make a comment. While we're
[23] getting straightened out who was meeting with
[24] who, yes, it's true. I met with three
[25] Councilmembers I guess the week before the John

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[1] King Council meeting. In fact --
[2] **MAYOR JENKINS:** Okay. Maybe you're
[3] going to clear up some of the mistake that I
[4] made, then. Go ahead.
[5] **MR. ROCHE:** Oh, no, no.
[6] I just want to make sure that everyone
[7] understands that during that meeting, the John
[8] King thing was not discussed, you know, as far
[9] as I know -- at least not when I was around.
[10] So they say truth is the first casualty
[11] in wars and campaigns, so I just wanted to make
[12] sure that that was straightened out.
[13] The second thing I wanted to say -- and
[14] this is not directed at any person -- the good
[15] thing about -- everyone knows, I think, that I'm
[16] running for City Council, and I just want to say
[17] the good thing is that I'm not challenging
[18] anyone that's already here, anyone that's
[19] already up here.
[20] And I did send out a mailer, and the
[21] Mayor brought it to my attention. I wanted to
[22] make sure that, as I said on the Internet, I
[23] wasn't singling out any individual person. My
[24] biggest concern right now with Doraville is that
[25] we're not working together. Doraville's been

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[1] through a very painful six or eight weeks, and
[2] there's people on both sides. And whether you
[3] elect me or elect somebody else, I don't care.
[4] What I do care about is that Doraville needs to
[5] start working and get together. Doraville needs
[6] to start healing.
[7] And so when I think about what I say
[8] and what we do -- and maybe all of us need to do
[9] this up here and out here (indicating) -- are we
[10] working to bring Doraville closer together or
[11] are we continuing to pull us apart?
[12] And that's all I really wanted to say.
[13] Thank you.
[14] **MAYOR JENKINS:** Thank you, sir.
[15] I'm going to let Tex Pitfield have some
[16] comments. He's one of our businessmen.
[17] Come on up, Tex.
[18] **COUNCILWOMAN PITTMAN:** I'm Tex
[19] Pitfield. I'm President of Saraguay Petroleum,
[20] and I think these are absolutely magnificent. I
[21] really do. And I would wholeheartedly support
[22] City Council in trying to do something with
[23] this.
[24] And I don't want to be the naysayer,
[25] but I'm right in the pot. We have gone down

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[1] this road a couple of times before with the tank
[2] farm, and the bottom line is: Absolutely not,
[3] and, in case you didn't hear me, no way.
[4] The tanks are painted white for the
[5] most part specifically so we can identify
[6] product leaks, structural flaws, and intrinsic
[7] faults within or involving the petroleum that's
[8] held in those tanks. It's for the safety of the
[9] operators, the security of the companies; and
[10] certainly since 911, the guys in blue need to
[11] know what's going on. We cannot have anything
[12] other than white or a light solid color so that
[13] we can investigate it.
[14] My suggestion would be if you want to
[15] -- you know, I had sent through great efforts to
[16] get those cement blocks for you, those
[17] barricades. But if you want to paint those
[18] barricades, I'm sure we can get a cherry picker
[19] out of the Maintenance Department. And I can't
[20] think of a better way. I think they'd look
[21] terrific.
[22] That's where you need to focus your
[23] attention. Please leave the tanks out of it.
[24] When I approached Council several weeks
[25] ago specifically with Mr. Spangler, Mr. Spangler

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[1] told me that there was going to be a meeting
[2] that was set up --
[3] Mr. Spangler, please let me finish.
[4] **COUNCILMAN SPANGLER:** No. I just want
[5] to say --
[6] **MR. PITFIELD:** No. Mr. Spangler --
[7] **COUNCILMAN SPANGLER:** I just want to
[8] say --
[9] **MR. PITFIELD:** -- I have the floor,
[10] sir.
[11] **COUNCILMAN SPANGLER:** No.
[12] **MR. PITFIELD:** I will relinquish the
[13] floor to --
[14] **COUNCILMAN SPANGLER:** You're not a
[15] citizen of --
[16] **MR. PITFIELD:** -- you in due process.
[17] **COUNCILMAN SPANGLER:** -- Doraville. I
[18] don't feel --
[19] **MR. PITFIELD:** Well, sir, I am --
[20] **COUNCILMAN SPANGLER:** -- like you
[21] should be able --
[22] **MR. PITFIELD:** -- involved in this --
[23] **COUNCILMAN SPANGLER:** -- to stand up
[24] here.
[25] **MR. PITFIELD:** -- whether I like it or

[1] not.
[2] **COUNCILMAN SPANGLER:** I say that you
[3] should sit down, Tex.
[4] **MR. PITFIELD:** Well, sir, you have lied
[5] to me and you have lied to the --
[6] **COUNCILMAN SPANGLER:** You lied to me.
[7] **MR. PITFIELD:** -- people of Doraville.
[8] **COUNCILMAN SPANGLER:** You lied the last
[9] meeting.
[10] **MR. PITFIELD:** I did not lie to you,
[11] sir.
[12] **COUNCILMAN SPANGLER:** Yes, you did.
[13] **MR. PITFIELD:** I asked you to have a
[14] meeting --
[15] **MAYOR JENKINS:** Okay. I'm going to --
[16] **MR. PITFIELD:** -- and you have now
[17] reneged.
[18] **MAYOR JENKINS:** -- cut it off, Tex.
[19] **COUNCILMAN SPANGLER:** You better cut if
[20] off.
[21] **MAYOR JENKINS:** I'm going to have to
[22] cut it off.
[23] **MR. PITFIELD:** The City of Doraville
[24] needs to come --
[25] **MAYOR JENKINS:** That's all, Tex.

[1] shopping mall without a grocery store requires 5
[2] spaces per square foot of retail space. A
[3] grocery store requires 13.3 spaces per square
[4] foot of display -- parking space. Excuse me.
[5] Parking spaces per square foot of display space.
[6] Big difference.
[7] Ya, ya, ya. So what? Boring stuff,
[8] and it is indeed. But Peachtree Pavilion's
[9] plans did not include enough parking spaces for
[10] a grocery store. That is the issue.
[11] Pond & Company recommended the variance
[12] not be accepted. I've been told Rick Powell
[13] first agreed the decision should be used at 13.3
[14] spaces requirement. Our own hard-working City
[15] Planning Commission recommended the variance be
[16] denied, and rightly so.
[17] According to the September North
[18] Atlanta Business Post -- I have a copy here --
[19] it states, "Since the grand opening of Super H-
[20] Mart in John's Creek, finding a parking spot in
[21] Abbott's Station is next to impossible for
[22] residents."
[23] Is this what we want? Is this the kind
[24] of precedent we have to establish for future
[25] development?

[1] **MR. PITFIELD:** Mr. Roche has gotten
[2] this correct. Enough is enough.
[3] **COUNCILMAN SPANGLER:** You got that
[4] right.
[5] **MR. PITFIELD:** Sir, that letter was a
[6] disgrace. That was a complete breach of office.
[7] **COUNCILMAN SPANGLER:** Tex, I'll be
[8] talking to you.
[9] **COUNCILMAN SPANGLER:** You got a
[10] question out there in the audience, Ray. Ray,
[11] you got a question.
[12] **MAYOR JENKINS:** Citizens' time is not
[13] to get on the agenda.
[14] Ms. Bird, come on up.
[15] **MS. BIRD:** My name's Kay Bird.
[16] I appreciate every one of you for
[17] coming out, because we've become a country of
[18] don't bother me, I'm watching my favorite show.
[19] And this has happened a lot as I've talked to
[20] citizens around Doraville.
[21] It's taken people quite a few hours to
[22] go through pages and pages trying to figure out
[23] what issues and actions have occurred concerning
[24] Peachtree Pavilion/H-Mart Development.
[25] According to our zoning ordinances, a

[1] It has been pointed out before, the
[2] variance issue was postponed, disappeared from
[3] the public. We don't know what happened.
[4] A group of citizens questioned the City
[5] Council about what took place, and we got an
[6] answer of silence. Another person asked for an
[7] answer, and the answer from Mayor Jenkins was,
[8] "There's pending litigation. I cannot answer."
[9] After the meeting, I asked Mayor
[10] Jenkins who is suing the City and why?
[11] **MAYOR JENKINS:** Ms. Bird.
[12] **MS. BIRD:** Yes.
[13] **MAYOR JENKINS:** I made a comment to you
[14] when you came up. I said citizens' time is not
[15] to get on the agenda.
[16] We've been through this before. The
[17] parking is there. It is in the process of being
[18] built.
[19] **MS. BIRD:** I understand that. I have
[20] the right to make the statements I'm making.
[21] **MAYOR JENKINS:** Your time is up, ma'am.
[22] Thank you.
[23] **MS. BIRD:** You have cut me off before
[24] my time was up --
[25] **MAYOR JENKINS:** I cut you off to save

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[1] you.

[2] **MS. BIRD:** -- when I was legitimately

[3] speaking, and you've allowed other people --

[4] **MAYOR JENKINS:** I stated at --

[5] **MS. BIRD:** -- who are not citizens to

[6] speak.

[7] **MAYOR JENKINS:** -- at the first of the

[8] meeting, three minutes.

[9] **MS. BIRD:** Would anybody else like to

[10] take the podium and come stand beside me so I

[11] can finish and use our three minutes?

[12] **MAYOR JENKINS:** Okay. Your time is

[13] over, ma'am.

[14] Stuart, if you want to talk, you'll

[15] stand up and ask for permission to come to the

[16] podium.

[17] **MR. ANDERSON:** Can I? Can I come to

[18] the podium?

[19] **MAYOR JENKINS:** After Ms. Bird leaves

[20] the podium.

[21] **MS. BIRD:** I want to finish this

[22] statement. After the meeting, I asked Mayor

[23] Jenkins who was suing the City and why. He said

[24] there was a lawsuit --

[25] **MAYOR JENKINS:** Ms. Bird, I'm sorry.

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[1] **MS. BIRD:** -- that there would have

[2] been if they didn't --

[3] **MAYOR JENKINS:** I hate to --

[4] **MS. BIRD:** -- grant the disturbance

[5] permit.

[6] **MAYOR JENKINS:** -- do it this way.

[7] You're out of order, ma'am.

[8] **MS. BIRD:** I am not out of order.

[9] **MAYOR JENKINS:** The citizens will agree

[10] that you're out of order.

[11] **MS. BIRD:** When I presented -- when I

[12] presented a petition once before, you cut me off

[13] well before my time was up because you didn't

[14] want to hear what I had to say.

[15] You've had other people up here

[16] presenting petitions. You've had other people

[17] who are not citizens using time.

[18] **MAYOR JENKINS:** Businessmen, as far as

[19] I'm concerned, can speak here. He pays the

[20] bills in this city.

[21] **MS. BIRD:** I believe that sometime --

[22] **MAYOR JENKINS:** Are you finished?

[23] **MS. BIRD:** No, I'm not. But I will be

[24] on the agenda next week.

[25] **MAYOR JENKINS:** Very good. You'll be

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[1] on the agenda.

[2] Stuart, is this on the same topic?

[3] **MR. ANDERSON:** It's on the same topic

[4] briefly but also another topic.

[5] On the same topic briefly, one of the

[6] subversions, shall we say, is that the H-Mart is

[7] being created in three phases and that allows

[8] the developer to end-run the City ordinances,

[9] which is inappropriate as far as I'm concerned,

[10] but that's my personal opinion.

[11] The other issue was -- and I hate to

[12] put a hitch in your get-along with this Open

[13] Records thing, but going -- having any City

[14] Councilman go to the City Clerk's office and sit

[15] down and look through records that have not been

[16] redacted for personal type things -- Social

[17] Security numbers, finances, personal information

[18] like that -- that's not acceptable.

[19] **COUNCILWOMAN HADDEN:** It's not being

[20] done, Mr. Anderson.

[21] **MR. ANDERSON:** Okay. But if you can go

[22] in there at will and look at people's private

[23] stuff, business licenses, their Social Security

[24] numbers, their -- I'm required as a businessman

[25] to produce a tax -- a tax statement to the City

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[1] as part of my business license. That means that

[2] anybody can go in and look at my financial

[3] information that I'm providing. Some of that

[4] material should be redacted before it's looked

[5] at so it's --

[6] I understand that you deserve to be

[7] able to look at these materials, but at the same

[8] time, having extra-special privilege of that

[9] nature is not -- I defer to Rick on this.

[10] **COUNCILWOMAN HADDEN:** I understand.

[11] There is no extra-special privilege. And any

[12] time any materials have been requested by anyone

[13] to be looked at here at City Hall, Priscilla or

[14] one of the other gals in the office has always

[15] made sure that there was no personal information

[16] contained in any of those records.

[17] **MR. ANDERSON:** I appreciate that

[18] statement, but I don't know if there's an

[19] oversight on that.

[20] On the other thing, as I mentioned to

[21] Rick, I guess, and you, formulating this, but as

[22] part of the State law, possibly Federal law,

[23] there is a provision for coming back to the

[24] requester with a quote of some sort.

[25] **ATTORNEY POWELL:** That's correct.

		addresses 31:5 addressing 45:18; 53:13 adequate 15:23 adequately 54:20 adjourned 85:10,12 adjust 17:18;18:5;23:8; 39:25;40:11 adjustment 28:14 adopt 18:17 adopted 14:10;42:17 ads 32:11 advertise 10:17 advised 20:20;21:10; 22:4 affair 64:2 affect 39:3 affected 39:2 again 10:16,17,25; 11:14;16:5,5,5;55:4;60:7 against 65:15 agency 9:21 agenda 3:14;5:10;13:9; 68:12;78:13;80:15;82:24; 83:1 agendas 63:2 ago 68:5;75:25 agree 11:19;14:12;82:9 agreed 10:25;79:13 agreement 12:21 ahead 12:23;23:10; 31:1,8;57:10;73:4 alienating 49:2 allow 5:11,12;7:22; 17:17;24:17;34:18;55:17 allowed 16:1;23:23; 56:3;70:13;81:3 allows 83:7 almost 22:18;65:12 along 19:17;71:13 although 24:17 always 84:14 amend 34:9 amending 34:14 American 6:21 America's 10:10 among 15:20 amount 13:23;15:5; 17:15;24:3;27:8 Anderson 83:20 ANDERSON 81:17; 83:3,21;84:17;85:1,5,8 annex 5:24 announcements 63:3 announcing 6:4 Annually 70:4 anticipating 66:15 anyways 51:17 apart 74:11 apologize 46:18;51:24 appear 14:9 appears 31:5 applaud 6:8	applied 19:7 apply 23:15 appreciate 8:15;18:8; 37:12;42:23;61:13;62:22; 63:7;65:13,24;78:16; 84:17 appreciation 8:2 approach 28:18 approached 75:24 appropriate 61:2 approval 36:19 approve 3:14 approved 35:23 area 7:19;8:10;24:16; 43:18;45:9,10;71:11,12, 13,16,17 areas 18:7;22:23;37:22; 56:22 around 33:1;45:9; 56:24;62:4;65:10;68:18; 70:11;73:9;78:20 art 60:3,14,19;62:7;68:3 Art 66:21 artistic 62:5 artists 66:16;67:5 Arts 66:13 artwork 68:17 artworks 66:14 Asadi 62:21 asset 46:4,5 assistant 4:3 Association 6:21 associations 37:16 Atlanta 6:18;43:18; 79:18 attack 24:21 attention 39:6;73:21; 75:23 attest 50:21 Attorney 13:7;16:25; 50:16;57:21 ATTORNEY 4:15,20; 13:10;15:17;18:18;19:9, 19,24;26:15,19,25;27:16; 28:15,25;29:15,19,30;19; 31:2;32:20;33:5;34:8,13; 42:11,16;60:16,23;69:23; 70:4;84:25;85:3,7 Attorney's 46:9 attractive 36:10 audience 18:1;21:16; 26:22;78:10 authorization 34:3,17 authorizing 36:22 auto 54:2 available 24:25;34:7; 63:6 average 35:3;43:10,13; 44:19;52:22;53:18 averaging 35:1;52:23 award 10:6 aware 68:23 away 28:14	Aye 31:25;32:2,4,6;37:4, 6,8,10 B back 8:12;9:2;11:11; 12:19;16:5;33:3,18; 37:24;50:17;56:22;71:19; 72:3;84:23 bags 11:9,10;12:7,24 balance 22:24 bank 64:16 barreled 55:5 barreling 55:9 barricades 75:17,18 barriers 62:4 bars 61:7,17 based 14:8;36:11 basically 6:25;36:3,4 Basically 34:16 beat 43:14 beating 45:5 become 66:15;78:17 becoming 15:3 began 68:7 beginning 61:4 begins 66:18 Bell 59:13 below 45:5 belt 23:9 Ben 25:2;63:10 benefit 71:1 beside 71:12;81:10 best 12:10,25;45:19; 53:24;60:9 Best 56:22 bet 12:10 better 7:11;75:20;77:19 Beverly 4:6 Beyer 72:11 BEYER 72:11,17 beyond 71:17 bid 35:20 big 62:19 Big 79:6 biggest 7:14;38:14; 43:25;73:24 bills 82:20 Bird 58:23;78:14,15; 80:11;81:19,25 BIRD 58:23;59:6,8,10, 16;78:15;80:12,19,23; 81:2,5,9,21;82:1,4,8,11, 21,23 bit 7:10;8:25;16:16;68:2 black-and-whites 66:3 blank 68:3 blanket 13:1 block 7:7;65:8 blocks 69:6,10;75:16 blue 75:10 board 14:14;18:10;19:8; 23:18;67:19
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