

In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

January 22, 2013

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CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

Transcript of the meeting held in the
City Council Room at Doraville City Hall,
3725 Park Avenue, Doraville, Georgia, Mayor
Donna Pittman presiding, before Theresa
Bretch, Certified Court Reporter, commencing
at approximately 6:30 p.m. on January 22,
2013.

* * *

1 PROCEEDINGS
2 CHAIRPERSON BARNES: Meeting come to order.
3 Please rise for the Pledge.
4 ---
5 (Pledge of Allegiance)
6 ---
7 MAYOR PITTMAN: Thank you, and welcome to
8 everyone.
9 If you could call the roll, please.
10 CLERK BRYANT: Councilmember Alexander?
11 COUNCILMEMBER ALEXANDER: Here.
12 CLERK BRYANT: Councilmember Bates?
13 COUNCILMEMBER BATES: Here.
14 CLERK BRYANT: Councilmember Fleming?
15 COUNCILMEMBER FLEMING: Here.
16 CLERK BRYANT: Councilmember Pachuta?
17 COUNCILMEMBER PACHUTA: Here.
18 CLERK BRYANT: Councilmember Patrick?
19 COUNCILMEMBER PATRICK: Here.
20 MAYOR PITTMAN: We have an Executive Session
21 at the beginning and we have one at the end, and I
22 know that this is on the contract for the city
23 manager. I guess do we want to move it Executive
24 Session now, at the end, or do we want to go into
25 Executive Session at all to discuss?

1 APPEARANCES:
2 Doraville City Council:
3 Mayor Donna Pittman
4 Councilmember Maria Alexander
5 Councilmember Brian Bates
6 Councilmember Trudy Jones Dean
7 Councilmember Pam Fleming
8 Councilmember Karen Pachuta
9 Councilmember Robert Patrick
10
11 Sandra Bryant, Acting City Clerk
12
13 Cecil G. McClendon, Jr., City Attorney
14 Leonid Felgin, Associate City Attorney
15
16
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20
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1 ATTORNEY McLENDON: It needs to be --
2 MAYOR PITTMAN: If we're going to discuss --
3 ATTORNEY McLENDON: -- a specific.
4 MAYOR PITTMAN: Well, I believe that we have
5 -- if we have questions on the contract; is that
6 correct?
7 ATTORNEY McLENDON: We could probably go in
8 on negotiating on the terms of the contract.
9 MAYOR PITTMAN: But if there's not going to
10 be any questions and we're just going to move forward,
11 then obviously we don't need to go into Executive
12 Session.
13 COUNCILMEMBER PACHUTA: I don't have any
14 questions.
15 COUNCILMEMBER PATRICK: I don't have any,
16 either.
17 COUNCILMEMBER FLEMING: I only have
18 comments. I don't have any questions. So comments --
19 ATTORNEY McLENDON: And that's okay.
20 COUNCILMEMBER FLEMING: Comments can be
21 taken in a regular -- in --
22 ATTORNEY McLENDON: Sure. I don't see why
23 not.
24 MAYOR PITTMAN: Okay. That would have been
25 on --

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1 COUNCILMEMBER FLEMING: Oh. That's not on
2 the agenda.
3 MAYOR PITTMAN: No. We're not to that yet,
4 but I just -- Executive Session was up at the top. I
5 just wanted to clarify.
6 COUNCILMEMBER PACHUTA: Do we need to add it
7 to the agenda?
8 MAYOR PITTMAN: Yes.
9 We do need to amend the agenda to vote on
10 ratification of employment agreement for city manager,
11 and we can put that wherever the Council. We could
12 put it under the Mayor under Department Heads. If I
13 could get a motion.
14 COUNCILMEMBER PACHUTA: I make a motion to
15 add ratification of the city manager contract under
16 the Mayor's Report.
17 MAYOR PITTMAN: Do I get a second?
18 COUNCILMEMBER PATRICK: Second.
19 MAYOR PITTMAN: Discussion?
20 ---
21 (No response)
22 ---
23 MAYOR PITTMAN: Councilmember Alexander?
24 COUNCILMEMBER ALEXANDER: Yes.
25 CLERK BRYANT: Councilmember Bates?

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1 COUNCILMEMBER BATES: Yes.
2 CLERK BRYANT: Councilmember Fleming?
3 COUNCILMEMBER FLEMING: Yes.
4 CLERK BRYANT: Councilmember Pachuta?
5 COUNCILMEMBER PACHUTA: Yes.
6 CLERK BRYANT: Councilmember Patrick?
7 COUNCILMEMBER PATRICK: Yes.
8 MAYOR PITTMAN: Okay. Thank you.
9 Also need approval of minutes for December
10 31st, 2012.
11 COUNCILMEMBER ALEXANDER: So moved.
12 MAYOR PITTMAN: Second?
13 COUNCILMEMBER BATES: Second.
14 MAYOR PITTMAN: Discussion?
15 ---
16 (No response)
17 ---
18 MAYOR PITTMAN: Call the roll, please.
19 CLERK BRYANT: Councilmember Alexander?
20 COUNCILMEMBER ALEXANDER: Yes.
21 CLERK BRYANT: Councilmember Bates?
22 COUNCILMEMBER BATES: Yes.
23 CLERK BRYANT: Councilmember Fleming?
24 COUNCILMEMBER FLEMING: Yes.
25 CLERK BRYANT: Councilmember Pachuta?

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1 COUNCILMEMBER PACHUTA: Yes.
2 CLERK BRYANT: Councilmember Patrick?
3 COUNCILMEMBER PATRICK: Yes.
4 MAYOR PITTMAN: Okay. Also need approval of
5 minutes for January 7th, 2013.
6 COUNCILMEMBER ALEXANDER: So moved.
7 MAYOR PITTMAN: Do I get a second?
8 COUNCILMEMBER PACHUTA: Second.
9 MAYOR PITTMAN: Discussion?
10 ---
11 (No response)
12 ---
13 MAYOR PITTMAN: Call the roll, please.
14 CLERK BRYANT: Councilmember Alexander?
15 COUNCILMEMBER ALEXANDER: Yes.
16 CLERK BRYANT: Councilmember Bates?
17 COUNCILMEMBER BATES: Yes.
18 CLERK BRYANT: Councilmember Fleming?
19 COUNCILMEMBER FLEMING: Yes.
20 CLERK BRYANT: Councilmember Pachuta?
21 COUNCILMEMBER PACHUTA: Yes.
22 CLERK BRYANT: Councilmember Patrick?
23 COUNCILMEMBER PATRICK: Yes.
24 MAYOR PITTMAN: Okay. Thank you.
25 Next on the agenda is Public Comments on

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1 Agenda Items only.
2 And I would respectfully ask if you could
3 hold your comments on Urban Redevelopment Plan
4 Amendment for the public hearing. We will have a
5 public hearing under that. I would appreciate it.
6 That's under (8) under Department Head Reports.
7 Anyone wishing to make a public comment,
8 please line up at the podium. Anyone wish to make
9 comments?
10 Okay. Please limit your comments to three
11 minutes and state your name for the court reporter.
12 MR. BEN CRAWFORD: Ben Crawford, Oakcliff
13 Estates.
14 This is under Old Business, Commercial
15 Design Standards. I remember being on the Planning
16 Commission -- and I'll keep my comments brief -- going
17 over some architectural standards. And at the time,
18 we're discussing standards in other cities, and at
19 that point, we were talking about standards in Decatur
20 and Dunwoody and the soon-to-be city of -- Sandy
21 Springs and then the soon-to-be city of Dunwoody.
22 And I remember the -- we had the architect,
23 I guess his name was Caleb, and he made a remark
24 during one of the meetings over at the Civic Center,
25 "This is Doraville, and we shouldn't set our standards

1 so high," and that kind of stuck with me ever since:
2 that we shouldn't set our standards so high.

3 I think that as citizens of Doraville, we
4 should be setting our standards high, and I think that
5 we should be looking at other cities, and my -- I'm
6 curious of, you know, are we meeting standards that
7 are -- that are good for the city's future? We have a
8 big project over there that one day will be developed,
9 and I think our standards should be comparable to
10 other cities that are up and coming.

11 I think Doraville's got huge potential. I
12 always thought that. I wouldn't live here if I didn't
13 think it and I wouldn't have been involved in city
14 politics if I didn't think it.

15 So I'd like to see us have strong
16 architectural standards. If this is not something
17 that's comparable to other cities, not other cities
18 our size but other cities that are good places to
19 live, work and play, then we shouldn't approve them.

20 Thank you.

21 MAYOR PITTMAN: Thank you, Mr. Crawford.

22 Mr. Hart, you weren't here. I'll just make
23 a comment that if you could hold any comments you
24 might have about the Urban Redevelopment for the
25 public hearing.

1 on this architectural standards. You've got room in
2 there for EIFS paneling.

3 You don't have the basic building blocks of
4 a quality development. The backs of buildings are not
5 covered that face the neighborhoods. You've got
6 different products -- building products used on the
7 front of the building, the side of the building, the
8 back of the building. You're making it too difficult.

9 And I'll end this with the development
10 period goes through a complex series of events that
11 usually ends up with a very simple formula. It's very
12 simple, it makes total sense, it's easy to use, but to
13 get there is a complex problem.

14 This architectural standards is at the front
15 end, and all it does is fix or grandfather all the
16 problems we currently have. We're not developing a
17 new, successful product here.

18 Thank you.

19 MS. CAROL GILMAN: Good evening, Mayor,
20 Council. Carol Gilman, Northwoods.

21 The line item that relates to the city
22 manager agreement, I would be remiss tonight if I did
23 not stand here and acknowledge all your hard work,
24 your steadfast effort, your attitudes and your
25 accomplishment in getting to this point this evening.

1 MR. TOM HART: Okay. Well, that saves some
2 time.

3 This is about the architectural standards,
4 and I mentioned this before, I sent e-mails, that when
5 you build products or you develop cities, the hardest
6 work is on the front end. If you're going to build a
7 quality product, you spend time at the front end of
8 the project rather than after you let the horses out
9 of the barn, and that's been the story of Doraville
10 since its -- for the last 20 years. It's made some
11 very poor decisions, it gets itself in trouble, and
12 the comment is always, "We're just Doraville. We
13 can't do anything about it now."

14 You have an opportunity to build a quality
15 product.

16 I was just in the Advance Auto Parts store.
17 I have two products on the shelf at Advance Auto Parts
18 I developed 35 years ago. They haven't changed at
19 all. They're distributed throughout the world. It's
20 because we spent the time on the front end doing it
21 correctly rather than trying to fix it after it's out
22 of the barn.

23 This document simply codifies the problems
24 that we have in the city right now; it doesn't do
25 anything to fix it. You look at the sidewalk details

1 I acknowledge you all, I acknowledge the
2 members in the community who voted to change the form
3 of government. I can't thank you enough, and I have
4 great hopes for an efficient city operation and good
5 stuff for this city. I thank you all.

6 Secondly, I have stood here publicly, I have
7 communicated with the Mayor privately about a state of
8 the city address. I have seen it on previous agendas,
9 and I relate this to Item No. 8, Reports: Mayor. And
10 I thank you for putting plans in place to present a
11 state of the city address. I sure hope I'm in town to
12 hear it.

13 MAYOR PITTMAN: Thank you, Ms. Gilman.

14 MS. GILMAN: Thank you.

15 MR. THOM ABBOTT: Good evening. Thom
16 Abbott, Northwoods.

17 I know that the architectural standards that
18 you're discussing this evening have been on the City
19 Web site for a number of times for public comments,
20 but I still think my comments are warranted this
21 evening.

22 In looking at it, I have two questions or
23 two concerns in this document. One of them on --
24 well, I'm looking at page two. We're under 23-1702,
25 and it's item number (7) that states, "Any decision by

1 the city's Director of Planning and Development in
2 regards to this article may be appealed to the City
3 Council."

4 But my question would be, Who gets to make
5 that appeal? If the citizens are against a decision
6 that's been made by the City planning department, do
7 the citizens get to appeal that decision or is it just
8 that particular business that may have been denied a
9 storefront or whatever they want to do?

10 I think that the citizens should have a
11 right to be able to say yea or nay to businesses that
12 are being approved and coming into the city that
13 perhaps we don't want but yet someone has been able to
14 give the rubber stamp to do that.

15 The document that I have is 10 pages long,
16 and in it, in eight different instances in this
17 document it states something basically such to the
18 effect of, "As determined by the City's director of
19 planning and development after consultation," or, "Any
20 other treatment in the opinion of the City's planning
21 and development director, after consultation, meets
22 the intent of this section."

23 I think it goes without saying that we know
24 that we've had some, certainly, decisions that have
25 been interpretations of our city code and whatnot that

1 that Ms. Alexander has done a very good job. She and
2 I work very well together, and I sure would like to
3 see her continue being the Mayor Pro Tem.

4 COUNCILMEMBER BATES: I'll make a nomination
5 to reappoint Councilwoman Alexander as the Mayor Pro
6 Tem for the 2013 calendar year.

7 MAYOR PITTMAN: Okay. Do I get a second?

8 COUNCILMEMBER PACHUTA: Second.

9 MAYOR PITTMAN: Discussion?

10 - - -

11 (No response)

12 - - -

13 MAYOR PITTMAN: Call the roll, please.

14 CLERK BRYANT: Councilmember Alexander?

15 COUNCILMEMBER ALEXANDER: Abstain.

16 CLERK BRYANT: Councilmember Bates?

17 COUNCILMEMBER BATES: Yes.

18 CLERK BRYANT: Councilmember Fleming?

19 COUNCILMEMBER FLEMING: Yes.

20 CLERK BRYANT: Councilmember Pachuta?

21 COUNCILMEMBER PACHUTA: Yes.

22 CLERK BRYANT: Councilmember Patrick?

23 COUNCILMEMBER PATRICK: Yes.

24 COUNCILMEMBER ALEXANDER: Thank you,
25 Council.

1 have got us a dumping station put in our city that
2 didn't belong here, we've got a sideways McDonald's
3 that's being built here, and we've also got a building
4 down here just a few -- a block or so away from City
5 Hall that is atrocious for what's going to be in ou,
6 basically downtown area.

7 And to this date, I'm still amazed that no
8 one's done anything about the three-story dropoff that
9 is behind that building from the upper-level street
10 back behind there. Someone could fall off there and
11 kill themselves, and if they do, I kind of hope they
12 sue the ass off the City because the City would
13 deserve it.

14 Thank you.

15 MR. STUART ANDERSON: Stuart Anderson.

16 I wasn't going to get up, but relative to
17 Ben's comments, I think that there should be a work
18 session, not -- not a regular -- not discuss this in a
19 regular meeting due to the time, the complexity, and
20 to make it right.

21 MAYOR PITTMAN: Thank you.

22 Okay. Next on the agenda is under Mayor's
23 Comments or Mayor's Report.

24 Every January we pick a mayor pro tem, and
25 we need to do that tonight. And I just want to say

1 MAYOR PITTMAN: Thank you.

2 And next is the discussion, if we wish, on
3 the city manager. Everyone has been given the
4 information, given the contract, and we need to vote
5 to approve that tonight.

6 COUNCILMEMBER PACHUTA: I make a motion to
7 approve the employment agreement before us signed by
8 Mr. Gillen on January 21st and to direct the Mayor to
9 execute the agreement.

10 MAYOR PITTMAN: Do I get a second?

11 COUNCILMEMBER ALEXANDER: Second.

12 MAYOR PITTMAN: Discussion?

13 COUNCILMEMBER FLEMING: Yes. I had a few
14 comments.

15 On Section 2A, the base salary is going to
16 increase as of January 1, 2014 without any type of
17 evaluation process, and I wasn't aware of that until I
18 read this document so I am not, you know, in favor of
19 automatically increasing.

20 The other thing is in regards to the
21 negotiations of this contract, first of all, let me
22 make it perfectly clear that I am definitely in favor
23 of the gentleman that we've chosen; absolutely the
24 best qualified that we interviewed as far as I'm
25 concerned. It's the contract that I have a little

1 concern with.
 2 We have not considered, I think, as a
 3 council, the overall cost of implementing the part-
 4 time salary -- our salary of our part-time Mayor.
 5 I don't think we've also considered into our
 6 budget the extreme cost of extra premiums that we're
 7 going to have from our insurance company for any
 8 litigations that will come forth for this year. As we
 9 all know, the more we use insurance, the higher our
 10 premiums go, and I just -- I'm really concerned about
 11 overstepping our budget for this particular employee.
 12 MAYOR PITTMAN: Okay. Additional comments?
 13 - - -
 14 (No response)
 15 - - -
 16 MAYOR PITTMAN: Call the roll, please.
 17 CLERK BRYANT: Councilmember Alexander?
 18 COUNCILMEMBER ALEXANDER: Yes.
 19 CLERK BRYANT: Councilmember Bates?
 20 COUNCILMEMBER BATES: Yes.
 21 CLERK BRYANT: Councilmember Fleming?
 22 COUNCILMEMBER FLEMING: No.
 23 CLERK BRYANT: Councilmember Pachuta?
 24 COUNCILMEMBER PACHUTA: Yes.
 25 CLERK BRYANT: Councilmember Patrick?

1 COUNCILMEMBER PATRICK: Yes.
 2 MAYOR PITTMAN: Thank you. Motion carries.
 3 COUNCILMEMBER BATES: And for the record,
 4 the effective start date is April 17th.
 5 MAYOR PITTMAN: Okay. Next on the agenda is
 6 Stormwater, Mr. Strickland.
 7 MR. STEVE STRICKLAND: Evening, Mayor and
 8 Council.
 9 This has been in the works for quite some
 10 time. We had to actually review almost all of our
 11 ordinances, but the EPD is requiring the City to
 12 update our ordinances to include green infrastructure
 13 options as part of our stormwater permit.
 14 I think that -- I think the City should --
 15 you know, should kind of pat ourselves on the back.
 16 This is oversimplifying, but let's say there were 60
 17 things that we were supposed to look at. About 40 of
 18 those were actually already in our ordinances as far
 19 as tree islands, compact parking spaces.
 20 A lot of it, we found typos, just things
 21 that needed to be kind of cleared up. So for the most
 22 part, I think that over the years, we had changed and
 23 looked at our ordinances so that they could include
 24 more green infrastructure.
 25 The basic idea is, you know, instead of

1 having all the impervious and everything just running
 2 straight to curb-and-gutter, pipes, everything just
 3 runs directly off the site, that you try to contain
 4 it, detain it, filter it out, put it in, back into the
 5 ground, what's called a groundwater recharge just to
 6 not have all the water just running straight off the
 7 site, just more green space.
 8 And of course, when you're limited to the
 9 amount of space that you're developing, you're going
 10 to have to take away something. You're going to have
 11 to take away parking spaces or make them smaller.
 12 Just less -- less asphalt. Take away the curbs so
 13 that you can get the water into grassed, and just --
 14 just more green things on these development sites.
 15 So what they're actually asking us to do,
 16 you don't have to necessarily promote it; you just
 17 have to remove the barriers. You have to allow for it
 18 and kind of encourage it if a developer comes in and
 19 says, "Look, we don't -- we don't want to put curb all
 20 the way around it. We want to put in some grass
 21 swales and have the water run into it."
 22 But you'll notice these are mostly some
 23 minor changes, some typos. There's things that we
 24 have to add because of the State. There's more people
 25 that can review these plans or prepare these plans.

1 We had to add that.
 2 So a lot of just cleaning up. We found
 3 several typos, again, and it's just -- it's not major
 4 changes to our ordinances, but it's just something
 5 that they're requiring to do, so.
 6 And the other thing is understand this is
 7 only about half of them. All of the -- anything that
 8 has to do with the Zoning Ordinance has to go through
 9 the Zoning Procedures Act, and public comments, stuff
 10 like this. So this is about half of them; this is the
 11 non-zoning portions of our ordinances.
 12 I underlined everything in red to try and
 13 make it easy to see where the -- where the changes
 14 are, and that's about it, so just here for --
 15 And this is just a first read and discussion
 16 to take any comments or questions that you may have.
 17 And you know, if we have to go back and tweak it or
 18 change it or if there's anything that someone doesn't
 19 particularly like, again, this is just a first read
 20 and discussion of the changes that they're asking us
 21 to -- to implement.
 22 MAYOR PITTMAN: Thank you, Mr. Strickland.
 23 Ms. Alexander, do you have questions?
 24 COUNCILMEMBER ALEXANDER: I'll defer them to
 25 Councilman Bates.

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1 COUNCILMEMBER BATES: I only have one, and
2 that's going to be on page 14 under Section 5, and
3 this is going to be a question that the city attorneys
4 may need to answer as well.
5 Does this section, which is Section
6 17.5-201 -- is that specific only to improvements
7 installed by a developer for a subdivision or is it
8 specific to any improvements installed by a developer
9 no matter the property?
10 So if you guys -- I don't need an answer
11 tonight, but if you guys can look into that and see if
12 that is --
13 MR. STRICKLAND: Right.
14 COUNCILMEMBER BATES: -- applicable to any
15 redevelopment or if it's specific just to subdivision
16 redevelopment.
17 MR. STRICKLAND: Yeah. We'll definitely get
18 that cleared up.
19 What the -- This is a pretty good example.
20 What the -- what the State wants us to do is instead
21 of -- like if you're in a new subdivision, instead of
22 having sidewalks on both sides of the street, you just
23 have sidewalks on one side of the street so you're --
24 basically the amount of concrete that you're putting
25 on the ground for sidewalks would be reduced, so less

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1 impervious.
2 And they also -- I think they want to set
3 the width at four feet, because, again, if you go from
4 a five-foot sidewalk down to a four-foot sidewalk,
5 that's a whole foot of impervious for the entire
6 length that you're -- that you're doing away with.
7 But there is an argument for the other side
8 is, you know, we want sidewalks and stuff like that. I
9 think the idea in a subdivision like a brand new
10 subdivision is you could just, you know, walk across
11 the street. But you know, let's say it's on -- it's
12 on Buford Highway, and we want to make sure we have
13 sidewalks on Buford Highway, so we'll clear that up.
14 But also let us know your wishes if sidewalk
15 on one side, let's say, you know, we say just
16 residential. You know, sidewalk on one side, if
17 that's okay and acceptable to everyone. If not, you
18 know, we can -- we can leave it as is, but I think
19 we'll have to answer the que- -- Do we want to --? A
20 lot of these are giving them options, so we want to
21 say, you know, sidewalk on both sides definitely or,
22 you know, sidewalk on one side per approval or --
23 COUNCILMEMBER BATES: Well, my preference --
24 and again, I want to get you guys to look at that, if
25 it's applicable to any redevelopment or if it's just

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1 subdivisions. But even subdivision, I would want
2 sidewalks in front of where there's houses.
3 MR. STRICKLAND: Right.
4 COUNCILMEMBER BATES: So if there's houses
5 going to be on both sides of the street, then I think
6 having sidewalks on both sides from a safety --
7 MR. STRICKLAND: Yeah.
8 COUNCILMEMBER BATES: -- accessibility --
9 MR. STRICKLAND: I --
10 COUNCILMEMBER BATES: -- makes sense, but
11 again, you-all need to --
12 MR. STRICKLAND: Yeah.
13 COUNCILMEMBER BATES: -- come back and let
14 us know.
15 MR. STRICKLAND: We actually saw them start
16 doing this with cul de sacs. And you have a very
17 short street in a cul de sac, and the sidewalk would
18 go on one side of the street all the way around the
19 cul de sac but then it would stop. Just the idea
20 being that you could, you know, walk across the street
21 and then be on a sidewalk.
22 But you know, it may be that we want -- you
23 know, again, we're probably not going to see large new
24 subdivisions come in, and a lot of these regs deal
25 with, you know, development of raw land, which we have

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1 very little of here, but --
2 ATTORNEY McLENDON: Typically for your
3 subdivision regs, the trigger is the subdividing of a
4 lot into multiple lots, and at that point, whatever
5 regs would be applicable based upon the scope of the
6 development would usually come into play.
7 You know, you have brought up a good point,
8 which I think Steven can -- would look at, which is
9 what I'm hearing is the preference is to have
10 sidewalks on both sides of the street, and that would
11 be a conversation I think Steven and I should have in
12 the context of what EPD is asking us to do --
13 MR. STRICKLAND: Uh-huh.
14 ATTORNEY McLENDON: -- just to make sure
15 that we're not creating great consternation at EPD.
16 But that's a policy issue that I think we
17 can review --
18 MR. STRICKLAND: Yeah.
19 ATTORNEY McLENDON: -- and look at the
20 sidewalks.
21 But generally, if I'm building, if I'm doing
22 an infill on a lot, no. If I'm taking the piece of
23 property and dividing it into one or more lots, yes;
24 if I divide it into a whole bunch, which would be
25 unlikely in Doraville just because we are already

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1 built out.
2 But if you did, suddenly you would be using
3 these regs to create development requirements for the
4 subdivision based upon whatever scope it was, if it's
5 just one lot to two or one lot to a hundred, and this
6 would be the language that --
7 MR. STRICKLAND: Yeah.
8 ATTORNEY McLENDON: -- would be applicable
9 on the stormwater regs.
10 MR. STRICKLAND: And it's -- and it's a good
11 example because, you know, it used to say, "Install
12 along both sides of the street," you know, period, no
13 options, and that's being changed to "at least one
14 side." So the developer can't totally do away with
15 it. He could still do, you know, two if he --
16 So when you have the wording like "at least
17 one side," you're just -- you're giving them options.
18 So we can decide if, you know, we want to
19 allow those options or if we want to say, you know,
20 this is what we want without -- without options, and
21 that's kind of what it comes down to.
22 MAYOR PITTMAN: Thank you, Steve.
23 COUNCILMEMBER BATES: Thank you.
24 MAYOR PITTMAN: Ms. Pachuta?
25 COUNCILMEMBER PACHUTA: I'm fine.

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1 MAYOR PITTMAN: Mr. Patrick?
2 COUNCILMEMBER PATRICK: No questions.
3 MAYOR PITTMAN: Ms. Fleming?
4 COUNCILMEMBER FLEMING: Coming from Mr.
5 Bates' comment, even though that this is designated
6 for new development, we are supposed to be a
7 pedestrian-friendly city, and I would suggest that we
8 maintain both sides --
9 MR. STRICKLAND: Okay.
10 COUNCILMEMBER FLEMING: -- of a residential
11 area. And since we are not in compliance with our own
12 code, how do we propose going about getting sidewalks
13 for all of our residential areas?
14 MR. STRICKLAND: All right. That's -- you
15 know, that's a pretty good debate between having
16 sidewalks for pedestrian access and increasing your
17 impervious, and, you know, there really is no answer
18 to that. There's two sides of that argument. You
19 know, it's like safety versus the environment, so we
20 just have to --
21 And you know, one of the things that in
22 classic EPD fashion, they don't say you have to do
23 this or you have to do that. They're basically
24 saying, "You have to review your ordinances and you
25 have to remove barriers," but the local municipalities

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1 can still choose what -- you know, what they want and
2 what they don't want. It's just as opposed to like
3 not looking at this stuff, not changing it, not
4 considering it. They don't tell us specifically
5 what -- what we have to do; it's a lot of suggestions.
6 What they are saying is that you do have to do the
7 review.
8 Now, if we came back and said, "We don't
9 like any of the idea. We don't want to change
10 anything," I'm not exactly sure what they would say,
11 but we do have, you know, leeway to make local
12 decisions.
13 COUNCILMEMBER FLEMING: Okay. And if I
14 understand, this is an ongoing ordinance that we
15 already presently have on hand, and the items that you
16 have listed in here are the ones that need to be
17 corrected. Is --
18 MR. STRICKLAND: Right. Just --
19 COUNCILMEMBER FLEMING: -- that correct?
20 MR. STRICKLAND: -- they're changes for the
21 most part.
22 COUNCILMEMBER FLEMING: But it doesn't --
23 this isn't just for new construction or new
24 development. It is maintenance of exterior
25 premises --

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1 MR. STRICKLAND: Right.
2 COUNCILMEMBER FLEMING: -- refuse, natural
3 growth, overhangings, ground surface hazards and
4 unsanitary conditions.
5 I'd like to know, I mean if we have this
6 already in the ordinances, who's enforcing all of
7 this.
8 MR. STRICKLAND: Maintenance of the exterior
9 premises would just be the property maintenance.
10 COUNCILMEMBER FLEMING: Okay. But if the
11 person isn't maintaining ground surface hazards and so
12 forth, who is addressing those with the resident to
13 say, "Hey, you've got some hazardous things in your
14 yard?"
15 MR. STRICKLAND: I -- I don't want to
16 speak --
17 COUNCILMEMBER FLEMING: What I'm trying to
18 get at --
19 MR. STRICKLAND: I believe it would be --
20 COUNCILMEMBER FLEMING: There's no --
21 MR. STRICKLAND: -- Quality of Life.
22 COUNCILMEMBER FLEMING: -- sense in having
23 an ordinance if we're not going to enforce it is what
24 I'm trying to get at.
25 ATTORNEY McLENDON: This would be

1 traditionally code enforcement issues. It would be in
2 a set of regulations that code enforcement could
3 utilize to go out and make sure people were
4 appropriately maintaining all these things.

5 COUNCILMEMBER FLEMING: Thank you.
6 MAYOR PITTMAN: Ms. Alexander, did you have
7 anything?

8 COUNCILMEMBER ALEXANDER: I just wanted one
9 thing, because I know you're going to combine it, but
10 we adopted the ICE International Property Maintenance
11 Code.

12 ATTORNEY McLENDON: Uh-huh.

13 COUNCILMEMBER ALEXANDER: And we want to
14 make sure changing language is not going to conflict
15 with that.

16 ATTORNEY McLENDON: Usually it would not,
17 because most of these are impacting more of our
18 stormwater ordinances and the environmental
19 ordinances. And those are going to be ordinances --
20 and correct me if I'm wrong, Steven -- these are
21 usually ordinances that are promulgated by the
22 district or water district and we've having to
23 maintain these as part of operating R and S.

24 Well, usually they won't interfere with each
25 other. By and large, they serve as sort of two

1 separate sets of regulations that can be used to
2 address different issues. Property maintenance will
3 go more to buildings, yards. These will go more to
4 stormwater conveyances --

5 MR. STRICKLAND: New development, right.

6 ATTORNEY McLENDON: -- impervious surface,
7 things that impact the water system, so a little bit
8 separate group of regulations.

9 We'll check it. My initial reaction is I
10 shouldn't have too much overlap of the two, though.

11 MAYOR PITTMAN: Okay. And this is a first
12 read, so if you have any additional comments, if you
13 could please submit those to Mr. Strickland, I would
14 appreciate it, and if we could get this on the next
15 agenda.

16 ATTORNEY McLENDON: And I'm hearing on the
17 next agenda we probably would like to have the
18 sidewalks remain on both sides of the street, and
19 we'll just make sure. That's not --

20 MR. STRICKLAND: Yeah. We'll -- yeah.

21 ATTORNEY McLENDON: -- usually problematic,
22 but I would think it's not --

23 MR. STRICKLAND: Yeah. I --

24 ATTORNEY McLENDON: -- as long as we're
25 doing the rest of the things.

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2 address different issues. Property maintenance will
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21 usually ordinances that are promulgated by the
22 district or water district and we've having to
23 maintain these as part of operating R and S.

24 Well, usually they won't interfere with each
25 other. By and large, they serve as sort of two

1 COUNCILMEMBER ALEXANDER: I guess my only
2 caveat with that is, for example, on Green Oak, you
3 can't have sidewalks on one side of that street. So I
4 would like -- that's our preferred, but if it's
5 topographically challenged -- them to have an out.
6 ATTORNEY McLENDON: You would always be able
7 to get a variance --
8 COUNCILMEMBER ALEXANDER: Okay.
9 ATTORNEY McLENDON: -- for something like
10 that if it were physically impossible, that type of
11 thing.
12 COUNCILMEMBER FLEMING: That would be my
13 preference in the ordinance also is to include that
14 language: our preference is this.
15 MR. STRICKLAND: Uh-huh, yeah. And I read
16 one earlier where they said something about they
17 actually want -- like they want the sidewalk to slope
18 back towards the yard, and then it just says something
19 in there, you know, unless topographically or for
20 whatever reason it's, you know, impossible to do. I
21 mean you can't -- you can't change somebody's front
22 yard.
23 So there is wording out there like that.
24 Again, it's a lot of, "We want you to do this, but if
25 you can't, you can't."

1 MAYOR PITTMAN: Thank you, Mr. Strickland.
2 If we can work on that, and then anything
3 additional you might think of, please submit it.
4 And Sandra, please put it on the next
5 agenda.

6 Thank you so much.

7 MR. STRICKLAND: Thank you.

8 MAYOR PITTMAN: Chief, did you have
9 anything?

10 ---

11 (No audible response)

12 ---

13 MAYOR PITTMAN: Ms. Rivera, did you have
14 anything?

15 ---

16 (No audible response)

17 ---

18 MAYOR PITTMAN: Ms. Henry?

19 MS. TAMMY HENRY: No, I don't.

20 MAYOR PITTMAN: And Rip is on military
21 leave.

22 Mr. Moseley, did you have anything?

23 MR. MOSELEY: No, ma'am.

24 MAYOR PITTMAN: All right. Next on the
25 agenda is the public hearing for the Urban

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1 Redevelopment Plan Amendment, Mr. Howe.
2 MR. HOWE: Yes, ma'am. You --
3 MAYOR PITTMAN: Did you want to talk,
4 though, first, before we do the --? Typically, I have
5 you introduce it and then we'll do --
6 MR. HOWE: I can.
7 MAYOR PITTMAN: -- the public hearing.
8 MR. HOWE: Yes, ma'am.
9 This is an amendment to the one we adopted
10 in August. It amends the -- the plan to include 5407
11 Buford Highway and at the same time it approves an
12 Opportunity Zone application for that parcel.
13 The justification and conditions that
14 necessitate this action have been outlined in the
15 supporting document, so I'm not going to rehash that.
16 So if anybody has any questions, ask them,
17 or we can allow citizens to take the floor.
18 MAYOR PITTMAN: I'm going to take it up with
19 Council first and then we'll do the public hearing.
20 Ms. Alexander?
21 COUNCILMEMBER ALEXANDER: I'm good, thank
22 you.
23 MAYOR PITTMAN: Mr. Bates?
24 COUNCILMEMBER BATES: No questions.
25 MAYOR PITTMAN: Ms. Pachuta?

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1 COUNCILMEMBER PACHUTA: I don't have any
2 questions about this one particularly but I did want
3 to stress in the next few months if we could also
4 contact some of the other property owners in the city
5 that have some low vacancies like Doraville Plaza and
6 see if there's further interest in applying that also
7 to their properties.
8 MR. HOWE: Yes, ma'am. We're going to
9 continue the Urban Redevelopment planning in the
10 foreseeable future. We may do it -- we may amend in
11 bits and pieces or we may just create new plans
12 altogether, but I think properties that have been
13 vacant for at least a year are --
14 COUNCILMEMBER PACHUTA: Yeah, and I think
15 Peachtree Pavilion, I don't know --
16 MR. HOWE: Okay. Yes, ma'am.
17 COUNCILMEMBER PACHUTA: -- if it -- You
18 know, just some of the areas that are low vacancy.
19 MR. HOWE: Yes, ma'am.
20 MAYOR PITTMAN: Mr. Patrick?
21 COUNCILMEMBER PATRICK: No questions.
22 MAYOR PITTMAN: Ms. Fleming?
23 COUNCILMEMBER FLEMING: I have no questions
24 but I have comments. Do you want them now or do you
25 want them during --

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1 MAYOR PITTMAN: It's up to you.
2 COUNCILMEMBER FLEMING: -- the hearing?
3 MAYOR PITTMAN: Whatever you want to do.
4 COUNCILMEMBER FLEMING: In regards to
5 individualizing a zone designation for one specific
6 location, I personally am not in favor of that.
7 There's been proposed other areas that we could add to
8 the opportunity zones, and I think that's something
9 that we really need to be looking into.
10 To me, just identifying one parcel makes me
11 a little bit leery in that we may be waiting for an
12 applicant, a new applicant to come into the city and
13 say, "Hey, I want to buy this piece of parcel but I
14 need the Opportunity Zone," and I don't like that
15 feeling.
16 MR. HOWE: Yes, ma'am. I don't either.
17 COUNCILMEMBER FLEMING: It feels very
18 discretionary to me, and, you know, I -- I really
19 don't like that feeling.
20 So I definitely am in favor of opportunity
21 zones but not -- not site specific as in per parcel.
22 MAYOR PITTMAN: Okay. If there's no
23 additional comments from the Council -- Mr. Howe, if
24 you'd just like to have a seat for a second --
25 MR. HOWE: Yes, ma'am.

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1 MAYOR PITTMAN: -- we will open the floor
2 for the public hearing portion.
3 We're going to open the floor for those
4 wishing to speak for. You have 10 minutes. That's 10
5 minutes altogether, so if you speak for 10 minutes, no
6 one else will be allowed to speak. Ten minutes for
7 those wishing to speak for.
8 ---
9 (No response)
10 ---
11 MAYOR PITTMAN: Okay. Open the floor for
12 those wishing to speak against. Again, it's 10
13 minutes total, not 10 minutes per person. So please
14 line up at the podium if you wish to speak. This is
15 if you are wishing to speak against it.
16 MR. HART: You've all heard the expression,
17 "If it looks -- if it quacks like a duck and walks
18 like a duck, it must be a duck," and I think Ms.
19 Fleming hit upon it.
20 All of a sudden, we have a spot zoning in
21 the city. After Northwoods spent all this time
22 setting up this historic district, to take this
23 building that's been -- had problems, the Moon
24 Lingerie, somebody walked in City Hall and just got a
25 permit for Moon Lingerie, they put a sign up on the

1 building, and it turns out it has to be a hundred
2 percent retail before it could be wholesale.

3 You've heard all the stories. It's called
4 the hookup: It walks like a duck and quacks like a
5 duck; it's called the hookup. This was owned by the
6 union hall people.

7 They came to City Hall. They had somebody
8 that didn't belong there, a wholesale customer. They
9 gave them the permits, anyway. Well, the citizens
10 marched on City Hall with pitchforks. Ah, better
11 change the story. Now we're going to call it a
12 blighted area.

13 There's nothing blighted about that area.
14 It's an historic district. But somebody has to hook
15 up somebody in City Hall.

16 This is about the citizens not being
17 respected in this city. It's about a neighborhood,
18 Northwoods and Gordon Heights not being respected.

19 We're not here to make money for the union
20 hall people. Okay? We're not there to sell their
21 building at the highest price. And if they want to
22 sell the building, they can lower the price. That's
23 how the market works, but we're not there to hook them
24 up.

25 Now, this thing stinks. There's -- there's

1 historically designated slum," on them instead of just
2 a historic designation.

3 And I do -- I agree with Ms. Fleming. This
4 is like spot zoning. And this site is for sale for
5 1.4 million dollars. That's a matter of public
6 record.

7 Why are we doing this? I mean we're being
8 kept completely in the dark as to why all of a sudden
9 you find out the building is for sale and now you want
10 to make it an opportunity zone.

11 I know that you, Mr. Patrick, think that
12 opportunity zones are great and you talk about how
13 good they work in Norcross, but do you have wholesale
14 in your main commercial corridor so that an
15 opportunity zone will invite more in and give them a
16 tax incentive to do so?

17 And you've all told me specifically if
18 there's one wholesale business in a shopping center,
19 then another one can more in. So basically, even
20 though we've got a no-wholesale-in-C2 rule, they can
21 be there until perpetuity because how are we going to
22 get rid of them? There's always going to be one in
23 there, and that's always going to invite others to
24 come in.

25 So I'm against spot zoning because that's

1 all kind of stuff going on in the background about
2 this building with moneys and all kinds of stuff going
3 on that will probably see the light of day.

4 But it's pretty clear here -- and you need
5 to listen -- there's something fishy here, and the
6 citizens know about. So you can do whatever you want
7 to do here; it's going to blow up in your face.

8 Thank you.

9 MS. CINDY BRADFORD: Cindy Bradford,
10 Northwoods.

11 Sometimes y'all remind me of the media and
12 you kind of put words in my mouth. I'm not against
13 opportunity zones, but I am against them for Doraville
14 because I feel like what's going to happen here, we're
15 just going to open ourselves up to invite more
16 wholesalers in, "Here's some more tax incentives; come
17 open your wholesale business," and that's what we're
18 trying to get rid of.

19 And then the historic designation that we're
20 going to have in about a month and now we're going to
21 be declared a slum. And I've read the Urban
22 Redevelopment Act several times, and it specifically
23 says now we're going to be a slum once you approve
24 this for an opportunity zone. So I guess now when we
25 add our plaques, we'll put, "Welcome to Northwoods,

1 exactly what this is, and I have to agree with Mr.
2 Hart's comments as well.

3 Thank you very much.

4 MAYOR PITTMAN: Anyone else wishing to speak
5 against?

6 - - -

7 (No response)

8 - - -

9 MAYOR PITTMAN: Okay. At this time, we're
10 going to close the public hearing portion and bring it
11 back up to the table, Mr. Howe.

12 Council, did you have anything else you
13 wanted to ask or add?

14 COUNCILMEMBER FLEMING: I want to ask
15 counsel -- I mean legal counsel and Mr. Howe, since
16 this is a public hearing for the Urban Redevelopment
17 Plan Amendment, are there any specific guidelines that
18 we have to follow such as the ZPA public hearings?

19 MR. HOWE: Huh-uh.

20 ATTORNEY McLENDON: This is -- it's not a
21 zoning action. This is a designation that's allowed
22 under a different code section regarding these
23 opportunity zones and redevelopment, so really this is
24 not a zoning.

25 What this is is moving forward under the

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1 machinery set out in state law to establish oppor-
 2 tunity zones and then to -- and what happens is
 3 subsequently they would go and allow or disallow some
 4 specific locations with those zones, so the Zoning
 5 Procedures Act would not apply to this.
 6 COUNCILMEMBER FLEMING: So if I understand
 7 you correctly, we did not have to advertise it in our
 8 standard newspaper?
 9 ATTORNEY McLENDON: We had to meet the
 10 requirements of the advertising in the public hearing
 11 for the purposes of establishing the Opportunity Zone,
 12 but that's a different process than the Zoning
 13 Procedures Act which requires the notice, 15/45 days
 14 and the whole --
 15 COUNCILMEMBER FLEMING: But this public
 16 hearing was advertised or it did not have to be
 17 advertised --
 18 ATTORNEY McLENDON: I believe they --
 19 COUNCILMEMBER FLEMING: -- in the newspaper?
 20 ATTORNEY McLENDON: -- they do have to be
 21 advertised as a pubic hearing under the Urban
 22 Redevelopment Act. I can check that actually
 23 relatively quickly for you but I believe they have to
 24 be advertised.
 25 MR. HOWE: The language under the Urban

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1 Redevelopment Act says it has to be sub- -- it has to
 2 constitute a substantial modification in order to
 3 necessitate posting an ad.
 4 Ads cost money. This is not a substantial
 5 modification by any means, so the --
 6 ATTORNEY McLENDON: This --
 7 MAYOR PITTMAN: I really need everyone to
 8 please be quiet.
 9 ATTORNEY McLENDON: And that's fine. Let me
 10 look at that language.
 11 Frankly, Luke deals with this more than me.
 12 Nobody's brought this issue in front of me at this
 13 time. And if that's the case, I'm great with that.
 14 MR. HOWE: Yes, sir.
 15 COUNCILMEMBER FLEMING: That's fine.
 16 ATTORNEY McLENDON: I have not --
 17 COUNCILMEMBER FLEMING: I was just curious.
 18 I was not -- I didn't know the difference, so that's
 19 the reason why I asked.
 20 ATTORNEY McLENDON: It is 100 percent not a
 21 zoning action requiring the Zoning Procedures Act.
 22 And frankly, you know, not having researched
 23 it in advance, I'd defer to Luke until I took a
 24 further look at it, but I will confer with Luke --
 25 MR. HOWE: Yes, sir.

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1 ATTORNEY McLENDON: -- to make sure this was
 2 done correctly.
 3 MR. HOWE: It does specifically say "a
 4 substantial modification," and we're just including
 5 one parcel into an existing zone. "Substantial
 6 modification" would be left to the interpretation of
 7 the governing district.
 8 Any kind of alteration to the implementation
 9 section of the Urban Redevelopment Plan, say we wanted
 10 to issue bonds and we needed to amend the plan
 11 accordingly or we wanted to use eminent -- eminent
 12 domain, that would constitute a substantial change and
 13 a change of direction in the plan and within the
 14 spirit of the plan and the intent.
 15 But again, all we're doing is adding one
 16 parcel to an existing Urban Redevelopment area and an
 17 existing Opportunity Zone.
 18 COUNCILMEMBER FLEMING: Thank you.
 19 I just -- Mayor Pittman, I only have one
 20 other comment.
 21 I just want to make everyone -- again, I
 22 want to restate I am totally in favor of Opportunity
 23 Zones.
 24 I think if we had designated our complete
 25 Opportunity Zones that would have been available to us

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1 other than just the GM property, that GM could have
 2 found a location in Doraville using an Opportunity
 3 Zone to create those thousand or fifteen hundred jobs
 4 here in Doraville rather than going to a city that has
 5 an Opportunity Zone that they're going to take
 6 advantage of.
 7 MAYOR PITTMAN: Mr. McLendon?
 8 ATTORNEY McLENDON: I have actually reviewed
 9 this language while we're here, and it does say a
 10 substantial modification to it.
 11 I think in the context of the entire plan,
 12 adding one parcel is probably not a substantial
 13 modification, so.
 14 MAYOR PITTMAN: Thank you.
 15 COUNCILMEMBER FLEMING: Thank you.
 16 MAYOR PITTMAN: Okay. At this time, if
 17 there's no additional comments, I guess you're asking
 18 for a --
 19 MR. HOWE: Yes, ma'am.
 20 MAYOR PITTMAN: -- motion?
 21 MR. HOWE: I'm requesting a motion that
 22 amends the Urban Redevelopment Plan to include 5407
 23 Buford Highway and approves an Opportunity Zone
 24 application for the property to be submitted to the
 25 DCA.

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1 MAYOR PITTMAN: Okay.
2 COUNCILMEMBER PACHUTA: I'll make that
3 motion -- we have a resolution in front of us -- to
4 approve the resolution that amends the Doraville Urban
5 Redevelopment Plan in that the parcel number
6 1831102014, which is 5407 Buford Highway, be submitted
7 to the Department of Community Affairs for the
8 Opportunity Zone designation.
9 MAYOR PITTMAN: Okay. Do I get a second?
10 COUNCILMEMBER PATRICK: Second.
11 MAYOR PITTMAN: Discussion?
12 ---
13 (No response)
14 ---
15 MAYOR PITTMAN: Call the roll, please.
16 CLERK BRYANT: Councilmember Alexander?
17 COUNCILMEMBER ALEXANDER: Yes.
18 CLERK BRYANT: Councilmember Bates?
19 COUNCILMEMBER BATES: Yes.
20 CLERK BRYANT: Councilmember Fleming?
21 COUNCILMEMBER FLEMING: No.
22 CLERK BRYANT: Councilmember Pachuta?
23 COUNCILMEMBER PACHUTA: Yes.
24 CLERK BRYANT: Councilmember Patrick?
25 COUNCILMEMBER PATRICK: Yes.

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1 MAYOR PITTMAN: Okay. Thank you.
2 Thank you, Mr. Howe.
3 MR. HOWE: Thank you.
4 COUNCILMEMBER BATES: Mayor, can we take a
5 brief --
6 MAYOR PITTMAN: Oh, yes. We're going to
7 take a five-minute break.
8 ---
9 (Whereupon, there was a brief recess.)
10 ---
11 MAYOR PITTMAN: Meeting come back to order.
12 ---
13 (Councilmember Dean arrives)
14 ---
15 MAYOR PITTMAN: Welcome, Ms. Dean.
16 COUNCILMEMBER DEAN: Thank you. Sorry for
17 the delay.
18 MAYOR PITTMAN: That's okay.
19 Okay. Next on the agenda is Finance
20 Department.
21 And I believe we have the 2012 Audit
22 results, and I'm going to actually turn this over to
23 Mr. Whitaker.
24 Welcome, Mr. Whitaker.
25 MR. WHITAKER: Good evening.

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1 We have issued our audit opinion for the
2 year ended June 30, 2012 and have issued an
3 unqualified opinion. I would be glad to go over some
4 of the major statements with the Mayor and Council if
5 they wish, just give a few summary points.
6 If you have your audit, on page one you can
7 see that this is the Statement of Net Assets.
8 Under Governmental Activities, we had total
9 assets of \$14,237,000, total liabilities of
10 \$1,922,000, which left us with net assets of
11 \$12,314,000.
12 The Business Type Activities, which include
13 Sanitation and Stormwater, the total assets amounted
14 to \$2,450,000, only a small amount of liabilities
15 existed, \$4,000 worth of liabilities, and that left
16 you with Net Assets of \$2,446,000.
17 For the year, the Statement of Activities,
18 on page two, the City's Governmental Activities
19 actually had a positive change in net assets of
20 \$924,000 while the Business-Type Activities had a
21 positive change in net assets of \$337,000. This is a
22 good improvement over prior years. And of course
23 those -- those two statements we were talking about
24 were full accrual statements which include long-term
25 assets, long-term liabilities just like a business

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1 reports their type of activities.
2 Beginning on page three, you have your
3 Governmental Funds. The Balance Sheet, you can see
4 under General Government, the General Fund has
5 \$3,876,000 in total assets, \$2,027,000 in liabilities,
6 and this left a fund balance of \$1,849,000.
7 That represents almost 22.8 percent of the
8 total Governmental or total General Fund expenditures
9 for the year. And what you're trying to get to is
10 about a 25 percent reserve, so you're almost there,
11 which is pretty good.
12 The Confiscated Asset Fund, you had \$429,000
13 in assets, \$66,000 in liabilities, and of course those
14 net assets, \$362,000, are restricted for law
15 enforcement purposes.
16 On page five, the Statement of Revenues,
17 Expenditures, and Changes in Fund Balance for
18 Governmental Funds, you can see that the General Fund
19 had total revenues of \$9,154,000, \$8,087,000 in
20 expenditures, which left you with an excess of
21 revenues over expenditures of \$1,066,000. You
22 transferred a net of \$390,000 to other funds, and that
23 left you with a \$672,000 positive change in fund
24 balance, which is another improvement over the prior
25 years. You're going in the right direction.

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1 Confiscated Assets, \$273,000 in revenues,
2 \$200,000 in expenditures, which left you with a
3 positive change of \$72,000 in that fund.
4 On page seven is the budget comparison for
5 the General Fund.
6 The final budget had budgeted \$9,170,000 in
7 revenues; the City actually received \$9,154,000 in
8 revenues. The budget of \$8,607,000 in expenditures;
9 the City actually expended \$8,087,000, which is a
10 positive variance of \$519,000.
11 Overall, the General Fund had a net change
12 -- a net positive variance of \$91,560.
13 Over on page 10, you can see the Statement
14 of Revenues, Expenses and Changes in Fund Balance for
15 Proprietary Funds.
16 The Solid Waste Fund had operating revenues
17 of \$397,000, expenditures of \$367,000 for a net
18 positive operating income of \$29,000, almost \$30,000.
19 Stormwater had operating revenues of
20 \$507,000, expenses of \$200,000, which left a positive
21 operating income of \$306,000 for the year.
22 And just to hit a few of the notes, on page
23 nine, the Long Term Debt of the City, the City
24 continues to not have any capital leases or long-term
25 notes out there, which a lot of cities -- most cities

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1 cannot say.
2 The City does have Accrued Compensated
3 Absences of \$83,000. And something new for 2012 is
4 Accrued Net Pension Obligation of \$158,000, and the
5 reason for that is the actuarial required contribution
6 was \$158,000 more than the City actually contributed
7 for the year.
8 The City also had several significant
9 purchases of assets for the year, capital assets. Of
10 course you had the New Peachtree Road sidewalk project
11 which cost you about \$329,000. You also bought
12 several police cars costing somewhere around \$80,000,
13 and the police also improved their building with solar
14 panels from a grant that they received for \$65,000.
15 And also the Arena had improved their heating and air
16 conditioning unit for \$16,000 under the same grant.
17 I'll be glad to answer any questions if the
18 Council has any.
19 MAYOR PITTMAN: Thank you, Mr. Whitaker.
20 Ms. Alexander?
21 COUNCILMEMBER ALEXANDER: I'm good, thank
22 you.
23 MAYOR PITTMAN: Mr. Bates?
24 COUNCILMEMBER BATES: I'm good, thank you.
25 MAYOR PITTMAN: Ms. Pachuta?

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1 COUNCILMEMBER PACHUTA: I'm fine.
2 MAYOR PITTMAN: Mr. Patrick?
3 COUNCILMEMBER PATRICK: I'm fine.
4 MAYOR PITTMAN: Ms. Fleming?
5 COUNCILMEMBER FLEMING: I have no questions.
6 I just want to thank you so very, very much.
7 You've been a life-saver for me for the last four
8 years, and you've done an outstanding job each year,
9 and --
10 MR. WHITAKER: Well, I appreciate it.
11 COUNCILMEMBER FLEMING: -- I really do
12 appreciate everything you've done for the City.
13 MAYOR PITTMAN: Ms. Dean?
14 COUNCILMEMBER DEAN: I do have questions.
15 I read through this and I read some notes
16 starting with the cover, the cover letter to Mayor and
17 Council.
18 On the second page of under the Management
19 Estimate of the Allowance, you don't quantify that
20 here and --
21 MR. WHITAKER: On page what?
22 COUNCILMEMBER DEAN: Page two of the letter
23 dated December 14th to Mayor and Council.
24 MR. WHITAKER: Okay.
25 COUNCILMEMBER DEAN: Page two under

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1 Significant Audit Findings.
2 MR. WHITAKER: Oh. Okay.
3 COUNCILMEMBER DEAN: All right. You see
4 that?
5 MR. WHITAKER: You got the smaller book.
6 COUNCILMEMBER DEAN: Actually, the cover
7 letter, the cover.
8 MR. WHITAKER: Oh, okay.
9 COUNCILMEMBER DEAN: Okay. You say
10 management estimate of the allowance for doubtful
11 accounts is based on historical loss levels and an
12 analysis of the collectability of individual accounts.
13 How much? I mean you say an allowance, but
14 how much and which accounts? Is it fines? sanitation?
15 So how much estimated is not going to be
16 collected? That's my --
17 MR. WHITAKER: Okay. Look on --
18 COUNCILMEMBER DEAN: That's my bottom-line
19 question.
20 MR. WHITAKER: -- page 23 of the audit
21 report.
22 COUNCILMEMBER DEAN: Okay. Uh-huh.
23 MR. WHITAKER: The City has a lot of -- if
24 you look down there under Note 4, under the General
25 Fund, you can see that there is a reserve for

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1 \$150,000.
2 COUNCILMEMBER DEAN: Uh-huh.
3 MR. WHITAKER: Most of that is for old
4 property taxes, and it's personal property taxes,
5 inventory that's really no longer there and maybe even
6 the company's not there but they're still on the
7 outstanding property tax digest.
8 COUNCILMEMBER DEAN: Okay. And so what's
9 that amount?
10 MR. WHITAKER: \$150,000.
11 COUNCILMEMBER DEAN: Okay.
12 MR. WHITAKER: And it's very, very old
13 property taxes, and the County is now collecting your
14 property taxes and they're doing a superb job.
15 COUNCILMEMBER DEAN: Okay. And under Note
16 16, again, the City's material excesses of expendi-
17 tures over appropriations in its multiple grants fund.
18 Can you quantify that and what are the
19 expenditures and what was appropriated?
20 MR. WHITAKER: Actually, those expenditures
21 were related to the grants I just talked about, the
22 \$65,000 in the solar panels at the police department
23 and the \$16,000 hearing and air conditioning unit at
24 the Arena --
25 COUNCILMEMBER DEAN: Right.

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1 MR. WHITAKER: -- and we just overlooked
2 that budget.
3 COUNCILMEMBER DEAN: We just --
4 MR. WHITAKER: It just was not --
5 COUNCILMEMBER DEAN: -- overlooked that?
6 MR. WHITAKER: -- budgeted for.
7 COUNCILMEMBER DEAN: Okay. Was that, though
8 -- was that something that came out of the City's
9 pocket or was that a grant fully funded by the federal
10 government?
11 MR. WHITAKER: Well, it was a grant fully
12 covered by the government.
13 COUNCILMEMBER DEAN: Okay.
14 MR. WHITAKER: I think it's EECBG or some-
15 thing like that.
16 COUNCILMEMBER DEAN: Okay. All right. And
17 I've asked for a copy of those grants, so that's --
18 that will --
19 MAYOR PITTMAN: I sent that to you today.
20 COUNCILMEMBER DEAN: I haven't had a chance
21 to look at it.
22 MAYOR PITTMAN: Okay.
23 COUNCILMEMBER DEAN: Good. Thank you.
24 And on the due to lack of reconciliation
25 procedures and the deficiencies in internal control

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1 over financing -- over financial reporting, etc.,
2 right under that, in difficulties -- I'm new to this,
3 and my first experience was last year.
4 And so these are repetitive. So with these
5 repetitive audit findings, you come up with reports
6 and audited, but who did these reports?
7 I mean the lack of reconciliation procedures
8 and deficiencies in internal control, so there was a
9 significant amount of additional time required to
10 complete the audit. Well, who did that?
11 MR. WHITAKER: Well, first of all, let me
12 just say that we had a significant amount of findings
13 in the prior year that have been corrected in the
14 current year, and anything that was not corrected in
15 the prior year that is a repeat finding, I have
16 confidence that it is about to be corrected if it
17 hasn't already been corrected.
18 COUNCILMEMBER DEAN: Okay. But you say that
19 there was a significant amount of additional time to
20 complete the audit, so who did --
21 MR. WHITAKER: Okay. Which one --
22 COUNCILMEMBER DEAN: Who did the work?
23 MR. WHITAKER: -- are you talking about?
24 Which point?
25 COUNCILMEMBER DEAN: If you look under

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1 difficulties, the same page.
2 MR. WHITAKER: Oh, okay.
3 COUNCILMEMBER DEAN: Difficulties
4 encountered in performing the audit.
5 MR. WHITAKER: Yeah. Actually, it's just --
6 Who did the work?
7 COUNCILMEMBER DEAN: Yeah. You say that a
8 significant amount of additional time was required to
9 complete the audit because there was a lack of
10 reconciliation --
11 MR. WHITAKER: Well, yeah, but it's nothing
12 like it was in prior years.
13 COUNCILMEMBER DEAN: No. I'm just talking
14 -- I'm just talking about this year.
15 So who? This year, talking about this
16 report and this paragraph --
17 MR. WHITAKER: Okay. In --
18 COUNCILMEMBER DEAN: -- who did the work?
19 MR. WHITAKER: -- accounts payable, we did
20 the work.
21 COUNCILMEMBER DEAN: You did the work?
22 MR. WHITAKER: We did the work with the help
23 of the accounting staff, yes.
24 COUNCILMEMBER DEAN: Well --
25 MR. WHITAKER: And mainly it was in accounts

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1 payable where there were journal entries that were
2 made, and we just had to go through it detail by
3 detail.
4 COUNCILMEMBER DEAN: And what kind of audit
5 was this?
6 MR. WHITAKER: It was a financial audit.
7 COUNCILMEMBER DEAN: No, there -- there
8 was -- wait, I have my notes -- an unqualified
9 opinion.
10 MR. WHITAKER: Unqualified opinion.
11 COUNCILMEMBER DEAN: Can you do that if it's
12 your own work?
13 MR. WHITAKER: Well, I helped reconcile. We
14 did the work while we were auditing. We had to find
15 what the journal entries were, see if they were right
16 or wrong, and if they weren't, we made adjusting
17 journal entries.
18 COUNCILMEMBER DEAN: Okay. But when you
19 have an audit --
20 And I'm learning. I am learning.
21 When you have an audit, you have a third
22 party who is not involved at all looking at the
23 numbers because you don't want there to be any --
24 MR. WHITAKER: We can't audit our own
25 work --

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1 COUNCILMEMBER DEAN: Right.
2 MR. WHITAKER: -- is what you're saying.
3 Right, exactly.
4 COUNCILMEMBER DEAN: But you -- but you did
5 some of this work.
6 MR. WHITAKER: Well, we helped reconcile,
7 yes. I mean we found problems.
8 COUNCILMEMBER DEAN: Right.
9 MR. WHITAKER: And during our audit work, we
10 made adjustments to correct those problems.
11 COUNCILMEMBER DEAN: All right. Okay.
12 What about with the I.T., the system that
13 actually puts in a lot of this work and analyzes a lot
14 of this stuff through the computers? Did you do an
15 audit of that system?
16 MR. WHITAKER: Well, we do a test of like
17 cash disbursements to make sure that it's going
18 through the system properly --
19 COUNCILMEMBER DEAN: Uh-huh.
20 MR. WHITAKER: -- and if the system's
21 handling it properly. We do a test of court receipts
22 to see if it is entered into the computer system
23 properly and it's recorded properly.
24 COUNCILMEMBER DEAN: Uh-huh.
25 MR. WHITAKER: We trace it to the bank to

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1 make sure that the deposits have hit the bank.
2 And so if it was not recorded, if it's -- if
3 it was not recorded properly in the books, then we
4 would make adjustments, yes. We always have
5 adjustments in audits.
6 COUNCILMEMBER DEAN: Okay. And in this, you
7 know, the stewardship function versus the ownership
8 function, are the department heads all doing their own
9 -- their own accounting work, or is it one or is it
10 --? Are you doing the work for everyone? How does
11 this work?
12 MS. FERGUSON: Blanca and I do all of the
13 accounting in the City system for the other depart-
14 ments.
15 COUNCILMEMBER DEAN: Okay. And with the
16 unqualified opinion, there were -- there were a few
17 significant audit findings.
18 How can it be unqualified?
19 MR. WHITAKER: It's unqualified because we
20 do not believe in our opinion that the financial
21 statements are materially misstated.
22 COUNCILMEMBER DEAN: Okay.
23 MR. WHITAKER: We believe the numbers in the
24 audit are -- are materially correct.
25 COUNCILMEMBER DEAN: All right. Okay. Bear

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1 with me. I have some more.
2 And again, I mean I don't know about this
3 stuff, which is why I have so many questions, and I'm
4 learning as I'm going.
5 Okay. So some of the City's departmental
6 expenditures exceeded their respective appropriations.
7 So who, which departments and by how much? Is that in
8 this report?
9 MR. WHITAKER: If you would look at page
10 seven, that's the General Fund, and you can see the
11 departments and the budget variances of each depart-
12 ment.
13 COUNCILMEMBER DEAN: Uh-huh.
14 MR. WHITAKER: The General Government had a
15 negative variance of \$10,412, but that was not a
16 material variance.
17 COUNCILMEMBER DEAN: Okay. What happens
18 when a department continuously exceeds their budget?
19 MR. WHITAKER: Well, actually, if it's
20 materially over, it's a violation of state law. And
21 normally what you have to do with that finding is file
22 a corrective action plan with the State auditor and
23 tell them how you're going to correct it, when you're
24 going to correct it, and who's going to be in charge
25 of correcting it.

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1 COUNCILMEMBER DEAN: Uh-huh, and who does
2 that?
3 MR. WHITAKER: It is done with the audit
4 when we turn in the audit with the -- with the
5 corrective action plan and other qualified -- other
6 required reports.
7 COUNCILMEMBER DEAN: Okay. All right.
8 MR. WHITAKER: It has already been taken
9 care of for the year. Matter of fact, the city
10 auditor -- I mean the State auditor has already
11 approved the audit.
12 COUNCILMEMBER DEAN: Okay. This is a
13 question related to our response to you dated the same
14 date, December 14th.
15 Under the Corrective Action Plan under the
16 Budget Variances, who -- it says, "Management agrees
17 with the finding." Who is management?
18 MR. WHITAKER: Lisa.
19 COUNCILMEMBER DEAN: Lisa?
20 MS. FERGUSON: Uh-huh.
21 COUNCILMEMBER DEAN: Okay. All right.
22 Okay. Under that same thing, the city's
23 financial director. Okay.
24 If we have an oversight, oversight responsi-
25 bility, who will monitor the budget, okay, and what is

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1 a timely manner? Because it says --
2 MR. WHITAKER: Timely manner?
3 COUNCILMEMBER DEAN: -- under this -- Let me
4 -- let me -- let me clarify. "Management agrees with
5 the finding. Management will closely monitor the
6 budget in a timely manner to identify variances that
7 may require budget amendments and will seek approval
8 of the City Council to make such amendments."
9 So the manager is Lisa; right?
10 What is a timely manner? Is it weekly or
11 monthly or --
12 MS. FERGUSON: We review them monthly. And
13 actually, tonight we're doing a mid-year budget review
14 with you so we can point out things that we think we
15 need to move forward with with the budget.
16 COUNCILMEMBER DEAN: Okay. And the
17 consequences, again, that's the -- that's -- we have
18 to file a corrective action plan. Is that with this
19 or is that with --
20 MR. WHITAKER: That's with the audit.
21 That's on an annual basis, yes, ma'am.
22 COUNCILMEMBER DEAN: Okay. And the
23 Segregation of Duties, "The same office clerk that
24 collects occupational taxes also records the
25 collections, prepares the billing statements, makes

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1 adjustments to the individual accounts, prepares the
2 deposit and answers customer questions regarding the
3 corresponding accounts."
4 We had this problem last year, too.
5 MR. WHITAKER: You did.
6 COUNCILMEMBER DEAN: And this is something
7 that maybe even we could like have someone else in the
8 office because this -- there are no checks and
9 balances. I mean that's -- that's --
10 MAYOR PITTMAN: Lisa, would you like to
11 address that?
12 MS. FERGUSON: We have separated some of
13 that to the extent that we can. Blanca does the
14 deposit, she goes back and verifies what Sandra has
15 done. We're also going to do some cross-training with
16 Connie so that we can try to separate that a little
17 bit more.
18 But really and truly, until we get a city
19 clerk, it's going to be very difficult to have enough
20 people, just enough bodies, to make that go away
21 completely.
22 COUNCILMEMBER DEAN: Okay.
23 MAYOR PITTMAN: Thank you, Lisa.
24 COUNCILMEMBER DEAN: And that might be some-
25 thing that we look at and maybe your assistant.

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1 Okay. And then, again, the corrective
2 action plan for the management.
3 All right. "The City's accounting super-
4 visor" on the next page, Reconciling -- Reconciliation
5 of Receivables. Okay. "The City is currently not
6 reconciling the general ledger balance or a control
7 ledger balance for property taxes, stormwater fees or
8 prisoner housing and warrant receivables."
9 Why? Do we know why --
10 MR. WHITAKER: Okay.
11 COUNCILMEMBER DEAN: -- this isn't
12 happening?
13 MR. WHITAKER: It says -- it also says on
14 there property taxes and stormwater fees; right?
15 COUNCILMEMBER DEAN: Right, right.
16 MR. WHITAKER: Yeah. Okay. Well, first of
17 all, she can only do so much in one year, and when she
18 took over, the accounting system was in really bad
19 shape in my opinion. She has done a lot to improve
20 that situation.
21 And she will get control over the
22 receivables. We have already talked about how to do
23 it. And she is getting information from the County
24 Tax Commissioner's Office, I believe, on a monthly or
25 quarterly basis now, so she can reconcile those

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1 receivables.
2 And even though the County's collecting it,
3 it's still the City's responsibility to make sure that
4 what we're receiving from the County is proper. I
5 have seen counties, you know, make \$90,000 mistakes
6 before. So it's very important that we make sure
7 we're getting what's due to us and actually not being
8 overpaid by the County.
9 COUNCILMEMBER DEAN: Is this something --
10 And I -- and just for the record, I think
11 Lisa's doing a fantastic job.
12 But is there some way that the departments
13 could be held accountable or responsible at least in
14 helping this process?
15 MS. FERGUSON: Not with the property tax.
16 COUNCILMEMBER DEAN: Okay. All right.
17 Accrual of Personal Time Off. "The City accrued a
18 liability for personal time off," and I saw -- what
19 was that amount? 250-something thousand dollars?
20 MR. WHITAKER: It could have been, yes,
21 ma'am.
22 COUNCILMEMBER DEAN: It was time off earned
23 but not taken as of June 30th.
24 Okay. Well, we had an H.R. firm in the City
25 for what? six months? nine months?

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1 MAYOR PITTMAN: Uh-huh.
2 COUNCILMEMBER DEAN: So why -- why is this
3 happening? Why -- why did this happen?
4 MR. WHITAKER: Okay. Well, first of all, it
5 was just a misunderstanding that it's accrued
6 compensated absences. And actually, it's not supposed
7 to be recorded at the fund level, and then Lisa did
8 record it at the fund level.
9 And so -- and she may have recorded it at
10 the fund level at her last job. I'm not sure. That
11 may have been their way of doing it. But the City has
12 always considered it to be a long-term liability, and
13 it's recorded at the GASB-34 level, which is the first
14 two reports we went over, but it --
15 COUNCILMEMBER DEAN: Why is this --
16 MR. WHITAKER: -- is not --
17 COUNCILMEMBER DEAN: -- a long --
18 MR. WHITAKER: -- recorded at the fund
19 level, so we had to reverse.
20 COUNCILMEMBER DEAN: Okay. Why would this
21 be considered a long-term liability?
22 MR. WHITAKER: It's the City -- the employee
23 can take it now or they can take it two or three years
24 down the road.
25 COUNCILMEMBER PACHUTA: Not any more. We've

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1 changed that.
2 MR. WHITAKER: Well, that's -- that's
3 changed now, but as of that date, it had not changed.
4 COUNCILMEMBER DEAN: As of June 2012?
5 MR. WHITAKER: Right.
6 COUNCILMEMBER DEAN: So two hundred and --
7 What's the exact amount there? What was that?
8 COUNCILMEMBER FLEMING: But still we -- you
9 know, we have 80 hours. We're allowed to roll over 80
10 hours in --
11 COUNCILMEMBER DEAN: Yeah, but --
12 COUNCILMEMBER FLEMING: -- every single
13 year.
14 COUNCILMEMBER DEAN: -- even with 80 hours,
15 then that means a lot of people are quitting in that
16 \$293,000. So -- so in that amount, \$293,000, I mean
17 I -- I just find -- I find it difficult.
18 MR. WHITAKER: Okay. That was \$293,000
19 where the prior year had not been reversed as far as
20 the accrued liabilities, too. So when you account for
21 that accrued liability at 2011 and the accrued compen-
22 sated absences that she recorded for 2012, you combine
23 those two together and the two ninety-three was
24 actually the amount that was overstated.
25 COUNCILMEMBER DEAN: So this was just a

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1 misunderstanding?
2 MR. WHITAKER: Yes.
3 MS. FERGUSON: Yes.
4 COUNCILMEMBER DEAN: Okay. And the
5 Corrective Action Plan, "Management agrees with the
6 finding. Management will provide training to the
7 accounting personnel," all right.
8 But see, that's irrelevant now because this
9 isn't long-term liability; right? We're on the same
10 page with that? Because we've changed our plan;
11 right?
12 MR. WHITAKER: If y'all want to consider it
13 short-term, you could.
14 COUNCILMEMBER DEAN: It's one year, it's one
15 year, so it's not long-term liability.
16 MR. WHITAKER: But do they have to take that
17 amount --
18 COUNCILMEMBER DEAN: Yeah.
19 MR. WHITAKER: -- within that year?
20 COUNCILMEMBER DEAN: Yeah.
21 MR. WHITAKER: Okay. So it would be
22 considered short-term, then.
23 COUNCILMEMBER DEAN: Okay. Right? That's
24 correct; right?
25 COUNCILMEMBER PACHUTA: It used to be you

1 could accrue it, accrue it and accrue it and, you
2 know, 10 years down the road, take it all.
3 COUNCILMEMBER DEAN: Right.
4 COUNCILMEMBER PACHUTA: So we have changed
5 the policy so that can't happen any more, so whatever
6 accounting needs to happen.
7 COUNCILMEMBER FLEMING: But -- and I have a
8 question in regards to this issue. It's if every
9 employee rolled 80 hours, that's going to be an
10 accrued liability, is it not?
11 MR. WHITAKER: It is going to be an accrued
12 liability, but the question is is it a current
13 liability or a long-term liability.
14 MAYOR PITTMAN: Sssh.
15 COUNCILMEMBER FLEMING: Well, that 80 hours
16 can stay in there as long --
17 MAYOR PITTMAN: I need everyone to please be
18 quiet in the audience.
19 MR. WHITAKER: They can -- they can keep
20 that 80 hours in there for a reserve; right? So --
21 COUNCILMEMBER FLEMING: For as long --
22 MR. WHITAKER: -- they don't have to take --
23 COUNCILMEMBER FLEMING: -- as they wish.
24 MR. WHITAKER: -- it until next year.
25 COUNCILMEMBER FLEMING: Correct.

1 MR. WHITAKER: Well, the reason that is in
2 there is because the -- the account was not reconciled
3 as of twelve thirty -- June 30, 2012, and that is
4 where all the journal entries had been made for last
5 year's liabilities, and it was just --
6 COUNCILMEMBER DEAN: The previous year's?
7 MR. WHITAKER: Yes, and it was just a mess.
8 It was just a lot of journal entries that were made
9 that had to be investigated, and she just did not have
10 that done when I got here to do the audit.
11 It is now being reconciled on a monthly
12 basis.
13 COUNCILMEMBER DEAN: Okay. And the summary
14 of audit findings, your unqualified opinion.
15 So you feel good and comfortable about
16 stating this is an unqualified opinion.
17 MR. WHITAKER: Yes, ma'am, I sure do. I
18 wouldn't have put it down if I didn't.
19 COUNCILMEMBER DEAN: Okay.
20 MR. WHITAKER: Do you know something I
21 don't?
22 COUNCILMEMBER DEAN: Well, what concerns me
23 is that if you helped work on it -- then, again, an
24 audit should be like someone coming in.
25 And in fact when -- when we voted to use

1 MR. WHITAKER: So it could be.
2 COUNCILMEMBER DEAN: But they're not paid
3 out; right? I mean that amount is not paid out to
4 them; right? I mean they --
5 COUNCILMEMBER FLEMING: No, but we have to
6 have those fundings is the reason why it's a
7 liability. We have to have those funds available in
8 case we ever have to pay them out --
9 COUNCILMEMBER DEAN: Right.
10 COUNCILMEMBER FLEMING: -- and that's why --
11 COUNCILMEMBER DEAN: If everyone quits --
12 COUNCILMEMBER FLEMING: -- because --
13 COUNCILMEMBER DEAN: -- on the same --
14 COUNCILMEMBER FLEMING: Correct.
15 COUNCILMEMBER DEAN: -- on the same day.
16 COUNCILMEMBER FLEMING: So I don't know what
17 80 hours for all of our employees would be, so I
18 consider that an accrued liability, personally.
19 MR. WHITAKER: And it is, either at the fund
20 level or at the full accrual level.
21 COUNCILMEMBER DEAN: Okay. All right. "The
22 City is not currently reconciling the general ledger
23 account balance for accounts payable with a detail
24 listing of unpaid bills or other documents."
25 Why not?

1 your firm again, I mean my -- my concern was you have
2 come here so many years. And even now in the
3 legislature they're talking about limiting the amount
4 of time because they don't want familiarity with the
5 city; they want someone to come in, look at numbers
6 objectively and work with those numbers as numbers
7 themselves and not, "Oh, well, we know that this
8 happened here and this happened here." I mean numbers
9 are a very objective, black-and-white kind of thing,
10 and -- and that --
11 MR. WHITAKER: And they're right or they're
12 wrong; right?
13 COUNCILMEMBER DEAN: Right, and they're
14 right --
15 MR. WHITAKER: So --
16 COUNCILMEMBER DEAN: -- or they're wrong.
17 MR. WHITAKER: -- we have to make adjust-
18 ments, right, to correct them?
19 COUNCILMEMBER DEAN: Well, see, I don't
20 think the auditor should make adjustments. I think
21 that the City needs to.
22 But anyway, this is -- now we're getting off
23 track, but that is my concern, okay.
24 All right, and so -- so what systems of
25 access control -- So you don't know about the I.T.

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1 system in terms of what kinds of access control they
2 use and how you came to the conclusion that this is
3 being properly utilized? Nothing?
4 MR. WHITAKER: Through our work, we became
5 aware that it was either working or it wasn't working
6 in various areas, and if it wasn't, we made a comment
7 about it; if it was, then we were happy.
8 The I.T. system did change for the year,
9 though.
10 COUNCILMEMBER DEAN: Well, and that -- yeah,
11 right.
12 MR. WHITAKER: And it did improve and it did
13 create individual funds where there were no individual
14 funds. It became very -- more readable to me. I
15 don't know if it became more readable to y'all, but it
16 did separate out the funds and became more apparent as
17 to what fund was handling what type of transaction;
18 whereas, it was just a combined -- it combined all
19 funds into one general ledger, which was always
20 confusing.
21 COUNCILMEMBER DEAN: On page seven of the
22 Required Reports, the Budget Variances, the condition,
23 "Several of the City's departmental expenditures
24 exceeded their respective appropriations," we've
25 already talked about this.

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1 So which departments and why are they
2 consistently?
3 MR. WHITAKER: Okay. Well, this is a
4 continuation from 2007. For every year since 2007,
5 there has been budget variances. This year, it was in
6 the Multiple Grants Fund, which we did not budget for
7 the capital projects over at the police department for
8 the solar panels or the heating and air conditioning
9 unit at the arena. We did budget properly for the
10 street improvement, the New Peachtree Road improve-
11 ments, sidewalk improvements.
12 COUNCILMEMBER DEAN: Okay. I am still not
13 following this very closely.
14 Lisa, could you send me an e-mail or talk to
15 me about some of this stuff so I can get a better
16 understanding of what this --? Okay.
17 And on the next page, Reconciliation of
18 Receivables, okay, the stormwater -- Okay.
19 Okay. This -- this one was disturbing
20 because we've lost a lot of money through -- through
21 some of the departments in the past and we're still
22 not reconciling the general ledger and the taxes,
23 stormwater, prisoner housing or warrant receivables.
24 Is any of that from the court? Anyone?
25 MR. WHITAKER: That's not the court, no,

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1 ma'am. Well, the prisoner housing and the warrants
2 receivable, I believe the only thing we're doing now
3 are the warrants receivable, are the warrants. We're
4 no longer doing the prisoner housing.
5 COUNCILMEMBER DEAN: Okay. But I'm talking
6 about it says we're currently not reconciling the
7 general ledger.
8 MR. WHITAKER: We have not been reconciling
9 those areas.
10 COUNCILMEMBER DEAN: Okay. The warrant
11 receivables, which department is that?
12 MR. WHITAKER: That would be the police depart-
13 ment.
14 COUNCILMEMBER DEAN: Okay.
15 MR. WHITAKER: And the general ledger.
16 MS. FERGUSON: (Imperceptible)
17 MAYOR PITTMAN: Could you come up here,
18 Lisa? I'm sorry.
19 MS. FERGUSON: We still have the contract
20 with Johns Creek to serve their warrants, and the
21 Finance Department bills them \$1400 every month, and
22 we did not have a spread sheet or anything to indicate
23 what we had billed versus what we had received.
24 We are doing that now. We have a spread
25 sheet and we track it every month, every time we send

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1 out a bill, every time we get something in.
2 COUNCILMEMBER DEAN: Okay. Thank you.
3 All right. We talked about the PTO.
4 Okay. Lisa, what significant audit
5 findings, okay -- regarding significant audit
6 findings, what do you see as the most serious
7 operating deficiency this city has?
8 MS. FERGUSON: Well, there's only one
9 finding that I really don't have a good solution for,
10 and that is the one that relates to the segregation of
11 duties. And like I said, until we get a city clerk,
12 there's really not going to be a lot more that we can
13 do to improve that.
14 COUNCILMEMBER DEAN: And there's no one in
15 City Hall who could help pick up these things to take
16 on some of these duties currently?
17 MAYOR PITTMAN: We could look into your
18 suggestion.
19 COUNCILMEMBER DEAN: Okay. I didn't see any
20 reference made to the revenue cycle, payroll cycle,
21 financial report cycle.
22 Any comments on those or the system that
23 generates reports? We talked about I.T.
24 MS. FERGUSON: With respect to what?
25 COUNCILMEMBER DEAN: Just how things are,

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1 how -- how things are, how the procedure operates. I
2 mean the audit itself.
3 MS. FERGUSON: The only issue that I have is
4 that the accounting system we have is not designed to
5 do governmental accounting and it's impossible to get
6 one report that totals everything up. You have to
7 kind of cobble it together. The financial reports
8 that I give you come out in 35 pieces and I have to
9 put them all together for you.
10 COUNCILMEMBER DEAN: Okay. All right. Bear
11 with me.
12 I think I'm done. Thank you.
13 MAYOR PITTMAN: Thank you.
14 COUNCILMEMBER BATES: Mr. Whitaker, I do
15 have one question for you.
16 You've been doing the City's audit for seven
17 or eight years. In your opinion, what direction is
18 the City going now?
19 MR. WHITAKER: Oh, it's -- right now it's
20 definitely a positive one. As far as the financial
21 accounting and controls, yeah, I have felt better
22 during this audit than I have for the last four or
23 five audits, no two ways about it.
24 COUNCILMEMBER BATES: Thank you.
25 MAYOR PITTMAN: Anyone else?

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1 COUNCILMEMBER FLEMING: I believe, if I'm
2 not mistaken, we only had two -- two new for this
3 year; correct?
4 MR. WHITAKER: Two new findings?
5 COUNCILMEMBER FLEMING: Absolutely, and we
6 reduced a lot from the previous years.
7 MR. WHITAKER: Yes, you have.
8 COUNCILMEMBER FLEMING: And that has a lot
9 to say for Lisa, and we really do appreciate that.
10 MR. WHITAKER: Yes, that's for sure.
11 We did delete a lot of the findings that we
12 had in prior years, and I believe that the ones that
13 are still here are being fixed and will be fixed by
14 the end of the next year, next fiscal year.
15 COUNCILMEMBER DEAN: And again, Lisa, I
16 think you're doing a great job. I mean I truly am
17 just trying to -- to learn as I go. This only comes
18 up like once or twice a year, so it's . . .
19 MR. WHITAKER: Yeah, she's a very capable
20 person in my opinion.
21 MAYOR PITTMAN: Mr. Whitaker, I want to echo
22 Ms. Fleming. We appreciate the years of service and
23 we appreciate you very, very much. Thank you.
24 MR. WHITAKER: Well, I certainly appreciate
25 the opportunity to serve. Thank you.

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1 COUNCILMEMBER FLEMING: Thank you very, very
2 much.
3 MAYOR PITTMAN: Okay. Next on the agenda is
4 the Midyear Budget Review, Ms. Ferguson.
5 MS. FERGUSON: I really just wanted to give
6 you a quick update on where we are in the budget,
7 And so I gave you a real short summary of
8 where we are with the property taxes. It actually
9 says that we have 95 percent as of December 31st.
10 We've collected another significant chunk of that in
11 January, so I am very confident that we will reach a
12 hundred percent of what we budgeted by the end of
13 June.
14 The business licenses and franchise fees
15 have not really started to hit yet, so I'm not
16 particularly concerned about those at this point.
17 The municipal court fees are coming in a
18 little bit less than where I would like for them to
19 be, but I will keep a watch over those, and if they
20 continue to be less, then we may be looking at a
21 reduction in our revenues.
22 COUNCILMEMBER FLEMING: Could you speak up
23 just a little bit or move the microphone closer to
24 you?
25 MS. FERGUSON: (Complying)

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1 COUNCILMEMBER FLEMING: Thank you, ma'am.
2 MS. FERGUSON: Okay. As far as the
3 expenditures go, all of the departments are under
4 budget except for two or three that are like less than
5 a thousand dollars over their budget. So I'm really
6 pleased with where the expenditures are, because if we
7 do have issues with the municipal court, we'll be able
8 to use some of these savings to offset that.
9 We still have a large number of vacancies.
10 In some departments, this results in salary savings.
11 In other departments, it's causing us to use overtime
12 and accumulate comp time, and I think that's probably
13 something that we're going to need to address before
14 the end of this fiscal year as well.
15 I have a list down at the bottom of the
16 second page of budget amendments that I'm going to be
17 looking at. And if there's any other things that we
18 need to look at in a budget amendment in the next
19 month, then I would appreciate you giving me those
20 suggestions.
21 COUNCILMEMBER FLEMING: On that -- we're
22 still on page 3; correct?
23 MS. FERGUSON: Yeah.
24 COUNCILMEMBER FLEMING: Okay. That's where
25 I read it, Council. Road paving project.

1 And because Mr. Howe isn't here, I would
2 like to know what the five street sections that have
3 been identified by Dekalb County assessments as
4 needing repair. I would like to know what those five
5 are.

6 MS. FERGUSON: We -- we can send you that.
7 COUNCILMEMBER FLEMING: Okay, because the
8 two particular -- I mean there's a lot all over
9 everybody's neighborhoods and so forth.

10 But New Peachtree and Park Avenue, I mean
11 the entrances to our city need to be repaired, and if
12 those aren't on the list, they need to be repaired.

13 MS. FERGUSON: Well, we're trying to take
14 advantage of the LMIG program which is -- it used to
15 be LARK. And so we're trying to put some money
16 towards one of those projects, and we may need to work
17 out which project it is, but we'd like to -- we have
18 the opportunity and we'd like to do a little bit.

19 COUNCILMEMBER FLEMING: Okay. Thank you.

20 MS. FERGUSON: As a result of the audit, we
21 decided that the Special Events and the Medic Unit did
22 not need to be separate funds, and so we've already
23 moved the expenditures into the General Fund but we
24 need to revamp the budgets so that they are in the
25 correct place.

1 The city manager budget may need to be
2 adjusted once we get all of the contract dust to
3 settle, but that should not -- that should just be a
4 rearrangement of what's already in that budget, which
5 shouldn't be a huge deal.

6 And then with respect to the comp time, I
7 really think we need to look at how much we've got and
8 possibly raise the cap and/or pay some of that out
9 before the end of the year, but I will bring an agenda
10 item to you to discuss that in detail before we do the
11 budget amendment.

12 And then today after I gave you this agenda
13 item, Ms. Pachuta brought up the DMA, Dekalb Municipal
14 Association dues, and that's about \$10,800. So if we
15 decide we want to participate in that, then we'll need
16 a budget amendment for that as well.

17 COUNCILMEMBER FLEMING: Would that fee be in
18 either Mayor's or Council, I mean a combination of,
19 such as our dues or fees?

20 MS. FERGUSON: It would probably either be
21 put into one budget or the other. I don't see any
22 value in splitting it, but, you know, we would have to
23 take it from a different departmental budget because
24 it's not there right now.

25 So what I'm asking for you guys now is if

1 there's any other priorities that you would like to
2 try to address. We don't have a lot of money to work
3 with, but if there's anything that we need to deal
4 with or you think we want to try to deal with, then if
5 you would send that to me, I will try to research and
6 see what we can do.

7 COUNCILMEMBER ALEXANDER: Just a comment.
8 Ms. Ferguson. On your -- in your budget review, one
9 of the funds, could you retitle that? It says water
10 and sewer on Fund 505, and I think that's supposed to
11 be stormwater.

12 MS. FERGUSON: It is supposed to be
13 stormwater, but that's the DCA designation for that
14 Fund 505. So I can change it, but that -- that's the
15 reason it's there.

16 And if you will notice in all my reports,
17 Quality of Life is titled Code Enforcement because
18 that's the DCA designation for that function.

19 COUNCILMEMBER ALEXANDER: I just didn't want
20 somebody to think we had a utility sewer and water.

21 MS. FERGUSON: Anybody have any questions?

22 MAYOR PITTMAN: Mr. Bates?

23 COUNCILMEMBER BATES: No. I'm good for
24 right now.

25 MAYOR PITTMAN: Ms. Pachuta?

1 COUNCILMEMBER PACHUTA: Huh-uh.

2 MAYOR PITTMAN: Mr. Patrick?

3 COUNCILMEMBER PATRICK: You mentioned the
4 funding priorities that we might have. When would you
5 need those in, ideally speaking?

6 MS. FERGUSON: In the next week or so.

7 MAYOR PITTMAN: Ms. Fleming?

8 COUNCILMEMBER FLEMING: And you're going to
9 give us an agenda of all of the amendments that need
10 to take place or just the specific for the police
11 department?

12 MS. FERGUSON: Well, we need to make a
13 decision on the comp time as far as the cap, and
14 whatever we decide about the cap will then drive
15 whatever budget amendment we need to do.

16 So I'll bring the comp time first and then,
17 after that, we will prepare a budget amendment that
18 encompasses everything that we think we can do.

19 COUNCILMEMBER FLEMING: Thank you.

20 COUNCILMEMBER PATRICK: One more quick
21 question.

22 On some of the balances, it says that
23 they're running at like 69 or greater percentage for
24 this time of year.

25 MS. FERGUSON: What page --

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1 COUNCILMEMBER PATRICK: Mostly like --
2 MS. FERGUSON: -- are you on?
3 COUNCILMEMBER PATRICK: -- workers' compen-
4 sation.
5 COUNCILMEMBER FLEMING: She asked what page.
6 COUNCILMEMBER PATRICK: This one in
7 particular is municipal court. Not targeting them
8 specifically, but what is -- what is driving I guess
9 the cost that we're seeing on some of these things?
10 Is it --
11 MS. FERGUSON: Some of them, I may need to
12 go back and relook -- look at the allocation of the
13 workers' comp, because it appears that it's not
14 hitting the departments the way it is budgeted.
15 COUNCILMEMBER PATRICK: Okay.
16 MS. FERGUSON: For the most part, though, as
17 long as they are under their budget for the bottom
18 line --
19 COUNCILMEMBER PATRICK: That's the main
20 thing.
21 MS. FERGUSON: That's the main thing, yeah.
22 COUNCILMEMBER PATRICK: Okay.
23 MS. FERGUSON: And if you look at -- let me
24 get to that page.
25 If you look at municipal court, they're at

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1 48 percent, and when you've got a \$400,000 budget, two
2 percent is a pretty significant chunk of money, so I'm
3 overall pleased with how they're doing.
4 COUNCILMEMBER PATRICK: Okay.
5 MAYOR PITTMAN: Ms. Fleming? Or Ms. Dean?
6 I'm sorry.
7 COUNCILMEMBER DEAN: And have we -- on this,
8 have we increased the permit clerk's salary and
9 decreased the library clerk's salary?
10 MS. FERGUSON: No. We were going to leave
11 that alone until the next budget. The planning and
12 zoning department is going to absorb it's a three
13 thousand dollar, because it's only for five months,
14 five and a half months.
15 COUNCILMEMBER DEAN: Okay.
16 MS. FERGUSON: It's \$3,000, and they're
17 going to basically eat that until the end of the
18 fiscal year. And then once we do -- we're about to
19 start on the 2014 budget in the next few weeks. We'll
20 address that then.
21 MAYOR PITTMAN: Okay. Anyone else?
22 ---
23 (No response)
24 ---
25 MAYOR PITTMAN: Ms. Ferguson, thank you

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1 very, very much. We appreciate you.
2 And all of the department heads that are
3 here, if you would like to go, we really appreciate
4 you being here tonight. You can run fast.
5 Except for Joe. You don't count. You've
6 got to stay.
7 Thank all of you.
8 Next on the agenda is under Old Business.
9 It's going to be the Commercial Design Standards. We
10 have carried this over several times.
11 Mr. Cooley, I don't know what you want to
12 say on that.
13 MR. COOLEY: Well, just to update you, I did
14 receive a few additional comments from Commissioner or
15 Councilman Bates, and there were some -- I think some
16 good points.
17 The effect of it basically and the intent is
18 good with the verbiage, but the way that it's
19 organized as far as subcategories I think can be
20 clarified, so I'm working on that. So I think that
21 that was a very good point.
22 At the last time we actually met and
23 discussed some of this, there was some -- I guess it
24 was the workshop -- was some questions regarding the
25 architectural metal panels, which information was

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1 given to y'all at a subsequent hearing.
2 There was also some questions I believe
3 regarding just a few minor things: some typos and
4 things of that sort. All that's been cleaned up.
5 And I guess the other major thing that again
6 was incorporated into the last set was something that
7 was brought up here a little bit earlier, was the fact
8 that right now -- previously, the way that it was
9 stated, that the decisions or determinations were made
10 by the director of planning and development with
11 recommendations and help from the legal counsel.
12 What we did is we went back and inserted "or
13 a design review board, if established." And what it
14 does is it creates a situation where if the board or
15 the Council wishes to convene that type of group, you
16 have that authority and power, and it's worked into
17 the ordinance, so it gives you that option if you
18 wish, so it does give a different approach to it.
19 Again, that's all -- was all in the redlined
20 copies that you'd received previously.
21 Other than that --
22 MAYOR PITTMAN: Thank you, Mr. Cooley.
23 I know that it's been suggested that we do a
24 work session. It was your suggestion. Do you want to
25 talk about it?

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1 COUNCILMEMBER PATRICK: I think that the
2 design guidelines are good as a basis but there are
3 some challenges, I guess, some concerns that even
4 members of the Council wanted to work out, and -- and
5 I personally think that it would be ideal to have
6 another workshop to get those addressed.
7 I personally would like to see something
8 that talks about a citizen review board. I have some
9 experience with that, I've worked with some code,
10 where there's a very good relationship between the
11 citizen board and the city staff that ultimately gets
12 a product that the residents are -- are comfortable
13 with.
14 And I'm open to -- to that. I --
15 MAYOR PITTMAN: Did you have a suggestion of
16 a date?
17 COUNCILMEMBER PATRICK: I did. Next Monday,
18 January 28.
19 COUNCILMEMBER PACHUTA: And I had talked to
20 Robert earlier, that I know there's some feeling to
21 wait and pass these until the city manager's or board
22 and can review them.
23 And I can go either way, and I'm fine with
24 waiting. But I do think we still need to hash out
25 some stuff on our own before that, that we can work on

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1 and then get maybe feedback from, you know, the city
2 manager before it's approved.
3 But I think there are things that we
4 ourselves can discuss and still work on in a work-
5 session environment. And I prefer the work sessions
6 where, you know, we're not up here; we're sitting down
7 there in a circle, because I really do think they are
8 much more effective when we do that.
9 MAYOR PITTMAN: Absolutely.
10 COUNCILMEMBER PATRICK: Yeah.
11 COUNCILMEMBER DEAN: Well, I think that I --
12 I got a book on planning, a textbook, to help me
13 better understand exactly what all of this is.
14 And the thing I -- one thing that I found --
15 and I've looked at examples of other architectural
16 designs in other cities, for example, Dunwoody.
17 Dunwoody has a vision for what it is, and with the
18 overlay district, it's colonial; right? And so their
19 designs are geared towards that colonial architectural
20 style.
21 We don't have a vision. We don't have --
22 We haven't defined who we are or what we want to be.
23 So I think that that's first and foremost, which is
24 why I think we need that official, to wait for the --
25 for the city manager, because he seemed to indicate in

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1 the e-mail that he sent to all of us that he has a
2 plan, that given one to two years, he will turn this
3 place around, and he has an idea, a vision and
4 experience on how to facilitate this.
5 Also with these plans -- for example, the
6 streetscape, number one on the first page -- we don't
7 really address the paving, the landscaping plan, I
8 think, street lighting, street furniture, public
9 facilities and private streetscape amenities. And
10 these are things that -- that are relevant, I mean the
11 they're -- they're important, and they're just not --
12 not really big here.
13 And as a base, I think it's good, but I
14 think they require a lot of work, and -- and just for
15 the language, I would rather it be, since -- since --
16 I would rather it be the Planning Commission
17 until a planning review board is established, and on
18 that planning review board, I mean, because it talks
19 -- in my handy-dandy little textbook, it talks about a
20 lot of people who make an ideal board, including
21 architects, planners, landscape architects, and then
22 on a bigger picture, transportation planners,
23 engineers, residential and market analysts,
24 construction cost consultants, private and public
25 finance consultants, and then everyone from -- from

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1 the residential and the business community so that
2 there is -- there is a collaborative effort in
3 developing the city.
4 And this is a huge, huge, huge deal, so I
5 think that -- that we need to do our homework before
6 we start putting, you know, pen to paper and say,
7 "Okay, let's do this, let's do this and let's do
8 this."
9 MR. COOLEY: Well, if I may, I would
10 disagree with you, respectfully disagree with you
11 regarding the vision, because this city before I got
12 here went through and developed through that process
13 an LCI which projected a vision for what the city was
14 going to be in the LCI area.
15 COUNCILMEMBER DEAN: But it was unrealistic
16 because we had no -- we didn't have the funds to make
17 that degree if that's --
18 MR. COOLEY: Well, that's an ideal, long-
19 range plan, and you don't have immediate funds but you
20 create a vision that you work towards and then you
21 development implementation plans to get there --
22 COUNCILMEMBER DEAN: Uh-huh.
23 MR. COOLEY: -- which this is one portion of
24 that.
25 The other aspect I would suggest is --

1 MAYOR PITTMAN: Shhh.
2 MR. COOLEY: -- looking at the Comprehensive
3 Plan and going through that and looking at the vision.
4 Those are where -- those are the documents where the
5 vision is created, and the LCI was incorporated into
6 the land use plan, Comprehensive Plan. So that is
7 where the vision comes in.
8 COUNCILMEMBER DEAN: Uh-huh.
9 MR. COOLEY: Based upon that, different
10 portions and aspects are addressed.
11 Now, this is purely architectural design
12 standards, and that was in response to an interim code
13 or a temporary code that this Council passed quickly,
14 and it was -- Well, I won't get into the legalities of
15 it, but basically it's nonfunctional, it doesn't work,
16 and you couldn't build anything in the city based upon
17 that.
18 COUNCILMEMBER DEAN: So you think we should
19 also wait and develop these a little more.
20 MR. COOLEY: No. I think there's a lot of
21 pieces that need to come together just like you're
22 saying. I mean it's the streetscape. And you will
23 see part of this coming, I think, hopefully, as part
24 of the Smart Code and certainly with this whole
25 process that you're getting.

1 MR. COOLEY: Doraville is interesting
2 because it's at a point where we're trying to -- we're
3 not starting from scratch; we're basically
4 redeveloping.
5 COUNCILMEMBER DEAN: Uh-huh.
6 MR. COOLEY: And what we were trying to do
7 and what the Orange County code did and what this was
8 based upon is to increase the quality of the design
9 but in a way that it's flexible.
10 Now, if the Council comes back and decides
11 Doraville needs to be a colonial, an alpine, Spanish,
12 whatever, you know, motif, that's great. We can do
13 that and, you know, we can set the codes.
14 But I really don't think that's where the
15 city's coming from, especially with -- I mean unless
16 you're trying to create a theme for the entire city.
17 COUNCILMEMBER DEAN: No. That was an
18 example. I mean that was --
19 MR. COOLEY: Yeah.
20 COUNCILMEMBER DEAN: The things that I'm
21 talking, physical constraints, regulatory controls,
22 market overall costs and benefits, economic
23 feasibility, property valuation, basing public input,
24 and experience elsewhere.
25 I mean those are some of the things that we

1 The concern that I have personally is the
2 fact that we do not have any building standards at
3 this point. And what you are seeing is something that
4 was developed and has been in place in a county in
5 Florida which has been -- I know it personally.
6 COUNCILMEMBER DEAN: Which one?
7 MR. COOLEY: Orange County, Florida.
8 COUNCILMEMBER DEAN: Now, this is -- this
9 isn't Seaside: right?
10 MR. COOLEY: This is Orange County.
11 COUNCILMEMBER DEAN: Okay, but -- okay, but
12 with Seaside --
13 MR. COOLEY: Seaside is --
14 COUNCILMEMBER DEAN: -- because I know --
15 MR. COOLEY: Seaside is a different thing
16 altogether. Seaside is a --
17 COUNCILMEMBER DEAN: What form code was
18 based on.
19 MR. COOLEY: -- form code. Well, you know
20 how it developed. That was one of the first models of
21 it, and it's a resort town --
22 COUNCILMEMBER DEAN: Right.
23 MR. COOLEY: -- and it was starting from
24 scratch.
25 COUNCILMEMBER DEAN: Right.

1 could sit down and brainstorm about and talk about in
2 terms of -- I mean because there were just a lot of
3 things, a lot of things lacking in this.
4 MAYOR PITTMAN: And actually, everybody's
5 making some really good points, but I think we all
6 need to address this in a work session because we have
7 a lot of other items that we need to take up, so.
8 COUNCILMEMBER PACHUTA: I think Trudy's
9 points are things that need to be discussed in a work
10 session.
11 COUNCILMEMBER DEAN: Okay.
12 MAYOR PITTMAN: Okay. So --
13 MR. COOLEY: If I may on that, then with
14 that consideration, what I would suggest is going and
15 having -- go ahead and having a work session within
16 the time frame between now and when the city manager
17 comes on board and take care of the advertisement and
18 public hearing after that point.
19 MAYOR PITTMAN: Absolutely we can accomplish
20 that.
21 What I would really appreciate if the
22 Council could just take a look at their calendars --
23 there's been a couple of suggested dates -- and just
24 send your available dates, or I'll send you a couple
25 dates tomorrow and we can kind of --

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1 MR. COOLEY: And if I could --
 2 MAYOR PITTMAN: -- move forward with that.
 3 MR. COOLEY: -- if y'all can get e-mails --
 4 and I appreciate the ones that have been done. If you
 5 can get e-mails about issues, we can start addressing
 6 them before we get to the workshop so at least we have
 7 ideas.
 8 MAYOR PITTMAN: Okay.
 9 MR. COOLEY: But unless I get some feedback
 10 I don't have anything to work from.
 11 MAYOR PITTMAN: Yes. It is very, very much
 12 appreciated to provide the feedback prior to the
 13 meeting so we can be prepared.
 14 I'm sorry. I really need everyone to be
 15 quiet. I've asked about four times. It makes it very
 16 difficult for her to hear. Thank you.
 17 COUNCILMEMBER BATES: Could you send us a
 18 current draft? because what came with the agenda has a
 19 different date than what I was working on. It
 20 actually has an older date. So if you could send us
 21 all a current.
 22 MR. COOLEY: I believe -- I thought you'd
 23 gotten our most current, but I will check on that and
 24 will do that.
 25 In fact, I'll try to go ahead and make those

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1 modifications that you were talking about and those
 2 good points.
 3 COUNCILMEMBER BATES: Does -- does the draft
 4 that's -- that we're working on, does that coincide
 5 with the Commercial Design Standard Guidebook or is
 6 that --
 7 MR. COOLEY: Yes.
 8 COUNCILMEMBER BATES: -- something
 9 completely separate right now?
 10 MR. COOLEY: No. The things we've been
 11 addressing -- and this has been more procedural,
 12 setting up the committee, you know, organization,
 13 visual. But as far as the content of it goes, that is
 14 consistent with it.
 15 COUNCILMEMBER BATES: So we should be
 16 working off both documents concurrently.
 17 MR. COOLEY: Keeping in mind the ordinance
 18 is one thing, the other is purely a reference to a
 19 manual to help people --
 20 COUNCILMEMBER BATES: Understand.
 21 MR. COOLEY: -- understand it.
 22 COUNCILMEMBER BATES: Understand.
 23 MR. COOLEY: Correct.
 24 COUNCILMEMBER PACHUTA: And then can we also
 25 update the draft that's on the Web site? I don't know

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1 when --
 2 MR. COOLEY: That was -- y'all have told us
 3 to take it down, and we haven't taken it down.
 4 Do you want us to take it down or not?
 5 COUNCILMEMBER PACHUTA: Well, I would prefer
 6 it stay up but --
 7 MR. COOLEY: Updated version?
 8 COUNCILMEMBER PACHUTA: -- updated version.
 9 MR. COOLEY: Sure, no problem.
 10 MAYOR PITTMAN: Okay. Mr. Cooley --
 11 COUNCILMEMBER ALEXANDER: Will you please
 12 e-mail us the working draft again because I have no
 13 idea where that is. We got it last year.
 14 COUNCILMEMBER BATES: The design book?
 15 COUNCILMEMBER ALEXANDER: Yeah.
 16 MAYOR PITTMAN: All right. Mr. Cooley,
 17 thank you very much.
 18 MR. COOLEY: You're welcome.
 19 MAYOR PITTMAN: I appreciate it, and we'll
 20 check on the dates tomorrow so we can have a date
 21 certain.
 22 Next on the agenda is Ms. Dean, the second
 23 reading of Ordinance to Revise Agenda or the timeline
 24 for items submitted.
 25 COUNCILMEMBER PACHUTA: I mean really

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1 it's --
 2 COUNCILMEMBER DEAN: Yeah. I mean I was
 3 good last time and I'm good this time.
 4 ATTORNEY McLENDON: Have we got it right?
 5 Because I think we made a couple of changes at the
 6 last meeting, and this appears to reflect where we
 7 were, so.
 8 MAYOR PITTMAN: Any questions from Council
 9 on this item?
 10 So next question I think we asked last time,
 11 is this meaning they got to get their items in
 12 tomorrow?
 13 COUNCILMEMBER DEAN: For the next meeting.
 14 MAYOR PITTMAN: For the next meeting.
 15 ATTORNEY McLENDON: Twelve days in advance.
 16 MAYOR PITTMAN: So anyone on Council that
 17 needs to have something on the agenda, please submit
 18 it by 12 o'clock tomorrow, and I will be sure that the
 19 staff gets that out tonight to the department heads.
 20 COUNCILMEMBER ALEXANDER: Well, this has to
 21 be voted on first.
 22 COUNCILMEMBER BATES: We haven't passed it
 23 yet.
 24 COUNCILMEMBER DEAN: Yeah.
 25 MAYOR PITTMAN: Trudy, you want to make a

1 motion?
2 COUNCILMEMBER FLEMING: Do we not have a
3 start date on this?
4 ATTORNEY McLENDON: You can have an
5 effective date.
6 COUNCILMEMBER FLEMING: I mean because I
7 mean this is -- this is just what you're talking
8 about: we would have to have the stuff tomorrow.
9 ---
10 (Brief inaudible discussions at Council table)
11 ---
12 ---
13 COUNCILMEMBER FLEMING: February 4th. Is
14 that the next meeting?
15 Whatever you want to do. I just -- you
16 know, it would be --
17 COUNCILMEMBER DEAN: No, no, and that's
18 fine.
19 COUNCILMEMBER FLEMING: It would be
20 difficult for the directors to get something --
21 COUNCILMEMBER DEAN: Sure, yeah.
22 COUNCILMEMBER FLEMING: -- ready for
23 tomorrow.
24 COUNCILMEMBER DEAN: Yeah. No, I'm good.
25 All right. So I would like to make a motion

1 COUNCILMEMBER FLEMING: Yeah.
2 COUNCILMEMBER PATRICK: That's when it --
3 COUNCILMEMBER ALEXANDER: So you've got --
4 COUNCILMEMBER PATRICK: I got you.
5 COUNCILMEMBER ALEXANDER: -- less than 12
6 hours, basically, after --
7 COUNCILMEMBER FLEMING: Every meeting.
8 COUNCILMEMBER PACHUTA: I'm sure this will
9 change --
10 COUNCILMEMBER DEAN: Plan ahead.
11 COUNCILMEMBER PACHUTA: -- with the city
12 manager.
13 COUNCILMEMBER DEAN: Plan ahead. That's
14 right.
15 COUNCILMEMBER PATRICK: Yeah, that's --
16 that's good.
17 MAYOR PITTMAN: Okay. That's okay.
18 Call the roll, please.
19 CLERK BRYANT: Councilmember Alexander?
20 COUNCILMEMBER ALEXANDER: Did we get a
21 motion and a second?
22 MAYOR PITTMAN: We did. Did y'all have
23 any --? Okay.
24 Call the roll, please.
25 CLERK BRYANT: Councilmember Alexander?

1 allowing more time for Council to review the packets.
2 What was it? Twelve days?
3 ATTORNEY McLENDON: Just a motion to accept
4 the -- approve the ordinance as presented with an
5 effective date starting at the meeting, February --
6 COUNCILMEMBER DEAN: 4th?
7 ATTORNEY McLENDON: -- 4th meeting.
8 COUNCILMEMBER DEAN: Yeah, thanks. Yeah.
9 COUNCILMEMBER PACHUTA: February --
10 COUNCILMEMBER DEAN: Okay. What he said.
11 MAYOR PITTMAN: February 4th? Is that what
12 you said?
13 COUNCILMEMBER DEAN: Uh-huh.
14 MAYOR PITTMAN: Do I get a second?
15 COUNCILMEMBER PACHUTA: Second.
16 MAYOR PITTMAN: Discussion?
17 ---
18 (No response)
19 ---
20 MAYOR PITTMAN: Call the roll, please.
21 COUNCILMEMBER PATRICK: Could I ask just a
22 quick question just to be clear.
23 So for the February 4th meeting, after that
24 point, that's Wednesday the 6th is when we would have
25 to have from now on. That --

1 COUNCILMEMBER ALEXANDER: No.
2 CLERK BRYANT: Councilmember Bates?
3 COUNCILMEMBER BATES: Yes.
4 CLERK BRYANT: Councilmember Dean?
5 COUNCILMEMBER DEAN: Yes.
6 CLERK BRYANT: Councilmember Fleming?
7 COUNCILMEMBER FLEMING: Yes.
8 CLERK BRYANT: Councilmember Pachuta?
9 COUNCILMEMBER PACHUTA: Yes.
10 CLERK BRYANT: Councilmember Patrick?
11 COUNCILMEMBER PATRICK: Yes.
12 MAYOR PITTMAN: Okay. Thank you.
13 Next is the Ordinance to Revise City Charter
14 for City Manager Transition. This is the first read.
15 As a side note, the second reading will be
16 at the second February meeting because legal wants to
17 advertise that a little bit longer.
18 Mr. McLendon?
19 ATTORNEY McLENDON: And again, this is an
20 ordinance we have looked at many times. And
21 hopefully, I've hit the changes as we discussed in the
22 last meeting, appropriately, but I'm wide open to any
23 questions or suggestions.
24 If I've appropriately gotten it there, we
25 can start moving through the process.

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1 MAYOR PITTMAN: Okay. Ms. Alexander?
 2 COUNCILMEMBER ALEXANDER: I'm good, thank
 3 you.
 4 MAYOR PITTMAN: Mr. Bates?
 5 COUNCILMEMBER BATES: I'm good.
 6 MAYOR PITTMAN: Ms. Pachuta?
 7 COUNCILMEMBER PACHUTA: I'm good.
 8 MAYOR PITTMAN: Mr. Patrick?
 9 COUNCILMEMBER PATRICK: I'm fine, thank you.
 10 MAYOR PITTMAN: Ms. Fleming?
 11 COUNCILMEMBER FLEMING: The ordinance as it
 12 states is fine.
 13 I am opposed to it because I'm still having
 14 an issue with myself, I guess, that it shouldn't be
 15 Home Rule, number one, and number two, HB 544
 16 indicated January 1, '14.
 17 MAYOR PITTMAN: Okay. Thank you.
 18 Ms. Dean?
 19 COUNCILMEMBER DEAN: I'm good.
 20 MAYOR PITTMAN: All right. And we'll put
 21 this on the second February meeting for a second read.
 22 Did you --
 23 ATTORNEY McLENDON: Right.
 24 MAYOR PITTMAN: Okay. Thank you.
 25 COUNCILMEMBER BATES: Is that the 18th?

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1 COUNCILMEMBER FLEMING: 19th.
 2 COUNCILMEMBER PACHUTA: 19th.
 3 COUNCILMEMBER FLEMING: President's Day.
 4 MAYOR PITTMAN: It's President's Day, yeah.
 5 ATTORNEY McLENDON: February 19th would be
 6 the next.
 7 MAYOR PITTMAN: Okay. Next under New
 8 Business, the Administrative Approval for New
 9 Equipment for Existing Cell Tower, Mr. Cooley.
 10 MR. COOLEY: Good evening again.
 11 This is an administrative approval for new
 12 equipment for an existing cell tower at 6102 New
 13 Peachtree Road. It's presented by DSJ General
 14 Contractors acting for Verizon Wireless.
 15 This is required because they're doing two
 16 things. One is they're putting replacement antennas
 17 up for what they've got, and then --
 18 You can see the difference I think between
 19 the photos and what you see in the package that you've
 20 got with their plans.
 21 Then also you've got what causes this not to
 22 be just to be a permitted use but a special permit,
 23 administrative approval required, is they are putting
 24 additional boxes on the site, and as per code
 25 23-706(e)(2)(b), it requires they get administrative

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1 approval.
 2 The applicant I believe is here. But just
 3 one thing I would like to point out, in the packet
 4 that you've got, as a note, there is a -- on page --
 5 page two of the report that's in your packet that's
 6 actually numbered page two, two of four, bring your
 7 attention to the structural analysis data, item three
 8 that's in bold, and basically saying that the report's
 9 based upon reinforcing the monopole as per plans dated
 10 10/18/12, so regardless. Otherwise, this basically,
 11 the engineer disavows his report unless those modifi-
 12 cations are done.
 13 And again on page three of that under --
 14 down in Monopole Reinforcing Design Results, bring to
 15 your attention that they have developed a monopole
 16 reinforcement design in conjunction with the proposal.
 17 And while that is not part of the required adminis-
 18 trative use, it's something that certainly needs to be
 19 addressed. If nothing else, in the approvals given by
 20 this, it would have to be addressed within the
 21 building permit for this. So I just wanted to make
 22 sure you-all were aware of that.
 23 And at that point, I'll -- unless you've got
 24 questions for me, I'll turn it over to the applicant.
 25 COUNCILMEMBER ALEXANDER: So they will have

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1 to apply for a building permit?
 2 MR. COOLEY: Yes, ma'am.
 3 MR. LANNIE GREENE: Good evening. My name
 4 is Lannie Greene and I'm here tonight representing
 5 T-Mobile.
 6 Basically what we're doing and many of the
 7 carriers throughout the nation are now upgrading our
 8 equipment. You've probably seen the advertisements
 9 for LTE. This was just a part of that process for
 10 upgrading the equipment.
 11 We're actually not adding an additional
 12 equipment cabinet to the ground; we're actually
 13 replacing one. So there is actually no additional
 14 footprint to the ground, no additional concrete for a
 15 pad. We're just removing one and replacing another.
 16 The antennas, there's currently six up
 17 there. We're taking down three but we're going to add
 18 another six, so there will be a total of nine antennas
 19 on there.
 20 Mr. Cooley's correct, there will be some
 21 modifications required to the monopole tower. But
 22 that's something that's typically done in this
 23 industry, especially now. Since we're more and more
 24 reliable on existing structures, modifications do have
 25 to be done because many of these poles have been up

1 for several years. And there are some times -- with
2 the additional equipment that's been added since it
3 was built and with our additional equipment, there
4 will be modifications required, but it will be and it
5 has been designed by a professional engineer licensed
6 in the state of Georgia.

7 So that will all be submitted as a part of
8 our building permit package that can be reviewed. And
9 if you have any questions regarding this project, I'm
10 here to answer them. Thank you.

11 MAYOR PITTMAN: Thank you very much.

12 Ms. Alexander?

13 COUNCILMEMBER ALEXANDER: I'm good. Thank
14 you.

15 COUNCILMEMBER BATES: Just want to clarify
16 that this is not adding to the height of the pole;
17 it's just replacing existing antennas.

18 MR. GREENE: Yes, sir. Well, actually there
19 will be a new -- The current tower is 88 feet, and
20 T-Mobile is located at 75 feet. We will be putting a
21 new mount on the pole which is shown on the site plans
22 on sheet -- sheet three, the new antenna orientation.
23 This was just because of the equipment, there will be
24 a new mount placed up there, but that once again has
25 been designed by an engineer.

1 COUNCILMEMBER BATES: Right; but it's not
2 increasing the height of --

3 MR. GREENE: No, sir.

4 COUNCILMEMBER BATES: -- the pole.

5 MR. GREENE: We will not be increasing the
6 height. There will be no additional -- there will be
7 no lights added to it or anything like that.

8 MAYOR PITTMAN: Ms. Pachuta? Mr. Patrick?
9 Ms. Fleming?

10 COUNCILMEMBER FLEMING: I have a question,
11 yes.

12 You said you are replacing three and adding
13 six more.

14 MR. GREENE: Yes, ma'am. Basically what
15 it'll end up being is nine total antennas.

16 COUNCILMEMBER FLEMING: Okay. Is there any
17 possible way I could convince you to make sure that
18 they look like trees --

19 MR. GREENE: Well, the tower --

20 COUNCILMEMBER FLEMING: -- tree branches?

21 MR. GREENE: -- itself -- the tower itself

22 is a monopole. There wouldn't be --

23 COUNCILMEMBER FLEMING: I know the tree
24 branches because there are some at North Druid Hills
25 that --

1 MR. GREENE: Right.

2 COUNCILMEMBER FLEMING: -- absolutely look
3 like trees.

4 MR. GREENE: Well, the tower itself is
5 designed as a monopole tower and it's been there for
6 several years. For us just to add one branch, I don't
7 think --

8 COUNCILMEMBER FLEMING: You're -- I mean
9 you're -- Did you not tell me that you were doing nine
10 other, I mean --

11 MR. GREENE: We're doing nine antennas, and
12 that's --

13 COUNCILMEMBER FLEMING: Yes.

14 MR. GREENE: -- that's not the actual. The
15 actual tree design that you're speaking of, that's not
16 the antennas, the limbs. That would -- the antennas
17 are actually hidden behind the branches.

18 But what you're asking for is totally
19 redesigning that tower, and as a matter of fact,
20 T-Mobile doesn't own the tower. Verizon Wireless owns
21 the tower. We're just looking to add three additional
22 antennas basically to improve the service for
23 T-Mobile.

24 COUNCILMEMBER FLEMING: Okay. I'm going to
25 repeat it again.

1 MR. GREENE: No, ma'am. From a structural
2 standpoint, no, ma'am, we couldn't do that.

3 COUNCILMEMBER FLEMING: Okay. And I'll
4 repeat it again. You said you're replacing three and
5 adding six is what you said.

6 MR. GREENE: Yes, ma'am.

7 COUNCILMEMBER FLEMING: Okay. So you're --
8 you're doing nine configurations up there now for
9 T-Mobile.

10 MR. GREENE: Nine antennas.

11 COUNCILMEMBER FLEMING: Thank you.

12 MAYOR PITTMAN: Ms. Dean?

13 COUNCILMEMBER DEAN: No. Actually I was
14 going to ask him to disguise it as well.

15 MR. GREENE: No, ma'am. That's -- that's
16 engineering, and, you know, we couldn't do that with
17 the existing pole.

18 COUNCILMEMBER DEAN: Okay. That's it.

19 MAYOR PITTMAN: Okay. Thank you, sir.

20 MR. GREENE: Thank you.

21 COUNCILMEMBER ALEXANDER: I've got an
22 additional question --

23 MAYOR PITTMAN: Oh, I'm sorry, Maria.

24 COUNCILMEMBER ALEXANDER: -- based on your
25 comment.

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1 You're T-Mobile, and Verizon owns --
2 MR. GREENE: Yes, ma'am.
3 COUNCILMEMBER ALEXANDER: -- the monopole.
4 So who is going to be the responsible party
5 for the reinforcements?
6 MR. GREENE: T-Mobile. T-Mobile has hired
7 Walker Engineering, or through Verizon Wireless.
8 If you notice, the structural engineer wrote
9 the letter to Verizon Wireless because they own the
10 pole. But Walker Engineering does these throughout
11 the state of Georgia and the Southeast, and they're
12 used by all the different carriers, and Walker, and
13 but T-Mobile is responsible for the costs of
14 modifications.
15 COUNCILMEMBER ALEXANDER: Thank you.
16 MAYOR PITTMAN: Thank you.
17 Okay. At this point, do we get a motion?
18 COUNCILMEMBER FLEMING: I'd like to ask
19 Mr. Cooley a question.
20 MR. COOLEY: Yes, ma'am.
21 COUNCILMEMBER FLEMING: Who will be the
22 responsible party for inspecting the fact that he took
23 care of these two items?
24 MR. COOLEY: The two items being?
25 COUNCILMEMBER FLEMING: The structural

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1 procedures where they have to -- the scope of work. I
2 mean the two that you pointed out.
3 MR. COOLEY: They will have to be certified
4 by their engineer in a final inspection by their
5 engineer. We do not do that.
6 Quite honest with you, I'm not sure what,
7 whether the federal agency comes out and inspects it
8 or who actually inspects the engineer's or the
9 constructor's work. I really --
10 COUNCILMEMBER FLEMING: So do --
11 MR. COOLEY: -- don't know who actually does
12 the physical inspection.
13 MAYOR PITTMAN: Mr. Greene, do you have that
14 answer: who would do the --
15 COUNCILMEMBER FLEMING: I mean if it's being
16 required to be done before it gets, you know, I would
17 like to know who's doing the inspection.
18 MR. GREENE: Typically -- typically the
19 process it would go through is we basically submit our
20 building plans. And if it's required by the
21 ordinance, we'll submit whatever documentation is
22 required prior to building permit and after building
23 permit, and if that is required as a part of the
24 building permit and if we have to do a post
25 inspection, we will -- we will do so.

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1 But typically, you know, the engineers stamp
2 this and say this will be, and the -- you know, these
3 towers, you don't hear about them falling too often.
4 If you did, I think there would be a public uproar,
5 but you just don't hear about it.
6 And like I said, these modifications are
7 done all the time. We've actually done in some cases
8 where -- not in this case, but in some cases where
9 they've gone in and extended towers. You just don't
10 hear about any kind of failure, and like I said,
11 industry-wide, they take a lot of great care in
12 ensuring that, so.
13 But whatever's required by the ordinance as
14 a part of us receiving a building permit, we will take
15 care of that.
16 MR. COOLEY: And typically, you -- you would
17 have your engineers do a certified inspection and sign
18 and seal that it meets their --
19 MR. GREENE: Well --
20 MR. COOLEY: -- standards?
21 MR. GREENE: -- if -- if the Council
22 desires, if they want to make it as a part of our --
23 you know, the approval that we provide a post
24 inspection report, we can -- we can do that.
25 MR. COOLEY: But that would be by y'all's

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1 engineer?
2 MR. GREENE: It would be done by the
3 engineer.
4 MR. COOLEY: Right.
5 And what that could be done is made a
6 condition onto the certificate of completion, and you
7 know, any time the work's done, we --
8 MAYOR PITTMAN: I think that's -- and I see
9 heads nodding, so I think if we can make that part of
10 the motion.
11 COUNCILMEMBER PATRICK: Just a curiosity, is
12 it possible to have it so that the IBC special
13 inspections code or special inspector code, there is a
14 section that talks about special inspectors --
15 MR. GREENE: Well, the --
16 COUNCILMEMBER PATRICK: -- in that book.
17 MR. GREENE: -- the standards it meets as a
18 part of the IBC, It's the EIA/TIA standards, and the
19 current wind loading and, you know, whatever.
20 COUNCILMEMBER PATRICK: I guess my concern
21 is is could we get someone that is a special inspector
22 to certify that that's been done?
23 MR. GREENE: You know, I suppose so. I
24 don't know --
25 COUNCILMEMBER PATRICK: Okay.

1 MR. GREENE: -- of anybody off the top of my
2 head, but, you know, typically, you know, this --
3 You know, this was kind of different for us,
4 because in most cases this is kind of an adminis-
5 trative review by staff, and as long as we meet the
6 codes that's provided, it's approved. So this was
7 kind of the first, actually, that we've actually had
8 to come before mayor and council for -- for this
9 approval. So, you know, with past other
10 jurisdictions, you know, it was just a matter of us
11 submitting what's required, having everything stamped
12 and sealed by the proper engineer, and whatever post
13 inspection reports they require, we would do so.

14 COUNCILMEMBER PATRICK: Pretty familiar with
15 the process, but --

16 MR. GREENE: Then, you understand.

17 COUNCILMEMBER PATRICK: I do. Thank you.

18 COUNCILMEMBER FLEMING: And I personally
19 don't have a problem with Walker Engineering coming
20 back and saying, "Yes, you've completed the reinforce-
21 ment design," because they're saying that if it's not
22 installed as designed, then this analysis is void.

23 So I don't have a problem with Walker coming
24 back in and verifying that they've done what they felt
25 needed to be done, personally.

1 MR. COOLEY: And we -- again, what we could
2 do if you-all desire is just incorporate that as
3 before a certificate of completion is, and we'd have
4 to have that certification from Walker Engineering.

5 MAYOR PITTMAN: Okay. So do I get a motion?

6 COUNCILMEMBER ALEXANDER: I'd like to make a
7 motion to approve -- issue administrative approval to
8 install new antenna equipment on the tower located at
9 6102 New Peachtree Road. As a condition of that is to
10 have Walker Engineering [sic] perform the work as
11 outlined in the scope of work, WEI job number
12 0502-056RE dated 10/18/12, and having Walker
13 Engineering submit to City Hall a certificate of
14 completion and inspection saying that said work was
15 completed.

16 MAYOR PITTMAN: Okay. Do I get a second?

17 COUNCILMEMBER PACHUTA: Second.

18 MAYOR PITTMAN: Discussion?

19 ---
20 (No response)

21 ---
22 MAYOR PITTMAN: Call the roll, please.

23 CLERK BRYANT: Councilmember Alexander?

24 COUNCILMEMBER ALEXANDER: Yes.

25 CLERK BRYANT: Councilmember Bates?

1 That's a real problem for me. I think if
2 you've already got somebody that's over budget,
3 whether it's a thousand dollars or not, you need to
4 bring it to their attention and just say, "Hey, you're
5 already a little over budget."

6 You know, we all know how that works. You
7 can keep going over budget and over budget and over
8 budget, and then suddenly you're \$10,000 over budget
9 and you can't fix it.

10 So I think that's something that need to be
11 addressed. I'm a little concerned we would address
12 that out of our savings.

13 To some comments that were passed earlier
14 about architectural standards and whatnot, we've got a
15 lot of studies we've already paid some dear money for
16 that we just really need to go back and look at. Now
17 mind you, and those two of them were all done around
18 the GM site but they also included this immediate area
19 around here as well.

20 And in particular, we had the one done in
21 2011. It was the Livable Centers Initiative for the
22 Downtown Master Plan, and right here it clearly states
23 the Doraville Town Center. And we talk about what we
24 want in our town center here and if it could ideally
25 be connected to GM, so we've got a vision already

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1 there.

2 Let's go to the Georgia Institute of

3 Technology Department of City/Regional Planning Study

4 we did back in 2006. We talked about it there again.

5 And then even further in that particular

6 study, it references in 2005 we did an LCI study and

7 it goes on further to state, "The LCI study did not

8 include the Doraville GM site but meticulously and

9 thoroughly captured the desires and visions expressed

10 by its stakeholders for the future development of the

11 city as a whole."

12 People, we don't need to reinvent the wheel.

13 We already have the car and the wheels; we just need

14 to drive it.

15 Thank you.

16 MR. CRAWFORD: Ben Crawford, Oakcliff

17 Estates.

18 I've been working for state government for

19 about 17 years, and we handle permits throughout the

20 whole state. We make it a point to -- and actually

21 it's written in our boiler regs for inspections to be

22 done within three days, and emergency replacements.

23 We make it a point to try and take pride in the -- to

24 try to get inspections done within three days.

25 And to me, it seems like we're in a city

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1 both commercial and residential where it would be good

2 for us to have a backup plan when we need to have

3 inspections done.

4 So I think we should -- the City Council

5 should look into maybe training one of the -- one of

6 the code inspectors that probably has a background in

7 it and maybe offering some training and getting

8 somebody else we could train that could fill in.

9 You know, you can't expect one person to

10 cover all bases all at one time. But if we're looking

11 to build the city and get bigger, you don't want to

12 stop a job because we can't get an inspection done, I

13 mean. And also residences that have problems that

14 crop up, it would be nice to -- to be able to take

15 care of stuff in a timely fashion.

16 So I think it would be something worthwhile

17 for City Council look into is to take one of the

18 Quality of Life people that have a background in that

19 and look at how much it would take to get them trained

20 as a -- as a fill-in inspector. It would make perfect

21 sense to me. Then we'd have some backup.

22 Thank you.

23 MAYOR PITTMAN: Thank you, Mr. Crawford.

24 COUNCILMEMBER FLEMING: Thank you, Ben.

25 MR. HART: Thought you had a good idea, Pam,

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1 about the tree.

2 The whole thing about the cell tower, I

3 mean, it -- it just highlights the problem with the

4 city. And we've heard this over and over again, when

5 they make a mistake from the poop factory over here on

6 285, etc., is that it's an enforcement issue.

7 It's like somebody in the front office opens

8 the gate and lets the 10,000 horses out. Then they go

9 hire 50 people to go gather up the horses if you find

10 them all. Okay.

11 Wouldn't it be a little smarter to like have

12 somebody at the gate that doesn't open the gate every

13 day and cause the problem?

14 The cell tower is conditional uses, okay.

15 We're going to have a condition that somebody inspects

16 it. I know that our electrician here found out today

17 that -- that if the contractor comes in here, you can

18 self inspect.

19 Well, we got buildings built on other

20 people's property; nobody's looking at anything.

21 We've got a sinkhole in front of Drive Time down here.

22 We've got Brook Park with -- with the fencing around

23 the original sinkhole back again.

24 Nobody's watching what's going on around

25 here. When they built the sidewalk on Central Avenue,

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1 nobody ever inspected it. Some of the concrete's a

2 half inch thick.

3 Now, this cell tower points out you've got a

4 leak here, folks. Somebody's not doing their job.

5 When we had Chuck here, he went out and looked at the

6 buildings as they're -- did inspections as they're

7 building them. That is not occurring. Nobody's

8 watching what's going on here.

9 Now, this new city manager, he's going to

10 find out real quick that nobody's home here if he's

11 got anything going on at all.

12 But I'm glad you made a work session for the

13 standards because there are problems that, you know,

14 we have to come up with something better for that.

15 And another thing with the audit, I don't

16 know why we're counting \$350,000 drawings as an asset

17 for New Peachtree Road when New Peachtree Road right-

18 of-way doesn't belong to the City of Doraville.

19 You know, every time we look at these

20 things, we're putting things down as assets, and, you

21 know, there's a sidewalk in front of Robert's house

22 that Dekalb County went out, came out and put a

23 sidewalk in because then the right-of-way belonged to

24 Dekalb County.

25 And then we go down the street on New

1 Peachtree Road and we're getting this big chunk of
 2 money from the federal government because the right-
 3 of-way belongs to us? No, it doesn't. It belongs
 4 either to GDOT or Dekalb.
 5 We're not doing our jobs here, and it's
 6 starts in this building office. It starts in the
 7 front office. People are letting the horses out of
 8 the gate and then they blame it on enforcement to go
 9 gather them up.
 10 MAYOR PITTMAN: Your time's up. Thank you.
 11 MR. HART: Thank you.
 12 MR. JOHN MALONEY: John Maloney, Stewart
 13 Road.
 14 First of all, I would like to thank the
 15 Mayor and City Hall for getting the lights fixed under
 16 the 285 bridge. It had been out too many years, and I
 17 feel like that's been a safety issue for people
 18 walking.
 19 MAYOR PITTMAN: Thank you.
 20 MR. MALONEY: The second thing I would like
 21 to comment on is Mr. Cooley's comment two -- two
 22 meetings ago. I'm not saying he's incorrect in what
 23 he said, but when he was questioned about changing
 24 the date on a zoning sign after it's --
 25 Let me use the hotel for instance. The

1 zoning change sign was October the 15th and the
 2 special use permit was extended till December like the
 3 17th.
 4 He said the date did not need to be changed.
 5 Maybe by code or by what, legally, it may not be. But
 6 as far as right and wrong, it's not correct, because
 7 if I as a resident go by that sign after October 15th
 8 and look at it, then I'm going to say that's just a
 9 sign that has not been taken down.
 10 And I think that it needs to be looked at,
 11 and any time that we could extend out a hearing, we
 12 need to change the sign. It shouldn't be hard to put
 13 a piece of duct tape with the date across it on it,
 14 something simple.
 15 And I still feel like we need a two-sided
 16 sign where it can be put perpendicular with the road
 17 where it can be seen better.
 18 The third thing is is the 30 dollar pick-up
 19 fee is still not working on Stewart Road. It may work
 20 everywhere else in Doraville but it's not working on
 21 Stewart Road.
 22 MAYOR PITTMAN: That's been changed.
 23 MR. MALONEY: It has?
 24 MAYOR PITTMAN: We have eliminated that. So
 25 Advanced Disposal has put that on the Web, I hope. If

1 not, we will get it out there. That is, you call
 2 Advanced. There's a number that's going to be listed
 3 on Monday for pickup I believe on Wednesday. Don't
 4 quote me on that, but --
 5 MR. MALONEY: Sure.
 6 MAYOR PITTMAN: -- that's been eliminated.
 7 MR. MALONEY: Okay. Thank you very much.
 8 MAYOR PITTMAN: Thank you, sir.
 9 All right. Motion to adjourn?
 10 COUNCILMEMBER ALEXANDER: So moved.
 11 MAYOR PITTMAN: Second?
 12 COUNCILMEMBER BATES: Second.
 13 MAYOR PITTMAN: Discussion?
 14 ---
 15 (No response)
 16 ---
 17 MAYOR PITTMAN: Call the roll, please.
 18 CLERK BRYANT: Councilmember Alexander?
 19 COUNCILMEMBER ALEXANDER: Yes.
 20 CLERK BRYANT: Councilmember Bates?
 21 COUNCILMEMBER BATES: Yes.
 22 CLERK BRYANT: Councilmember Dean?
 23 COUNCILMEMBER DEAN: Yes.
 24 CLERK BRYANT: Councilmember Fleming?
 25 COUNCILMEMBER FLEMING: Yes.

1 CLERK BRYANT: Councilmember Pachuta?
 2 COUNCILMEMBER PACHUTA: Yes.
 3 CLERK BRYANT: Councilmember Patrick?
 4 COUNCILMEMBER PATRICK: Yes.
 5 MAYOR PITTMAN: Thank you.
 6 ---
 7 (Meeting adjourned at approximately 8:50 p.m.)
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