

In The Matter Of:

City of Doraville

State of Georgia

Special-Called Meeting

December 31, 2012

American Court Reporting Company, Inc.

52 Executive Park South

Suite 5201

Atlanta, Georgia 30329-2217

(404) 892-1331 - (800) 445-2842

Original File 66259-1.TXT

Min-U-Script®

CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

SPECIAL CALLED MEETING

* * *

Transcript of the meeting held in the
City Council Room at Doraville City Hall,
3725 Park Avenue, Doraville, Georgia, Mayor
Pro Tem Donna Pittman presiding, before
Theresa Bretch, Certified Court Reporter,
commencing at 6:30 p.m., December 31, 2013.

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

Doraville City Council:

- Mayor Donna Pittman
- Councilmember Maria Alexander
- Councilmember Brian Bates
- Councilmember Trudy Jones Dean
- Councilmember Pam Fleming
- Councilmember Karen Pachuta
- Councilmember Robert Paytrick

Sandra Bryant, Deputy City Clerk
Cecil McLendon, Esquire, City Attorney

1 P R O C E E D I N G S

2 MAYOR PITTMAN: Meeting come to order. Call
3 the roll, please.

4 CLERK BRYANT: Councilmember Alexander?

5 COUNCILMEMBER ALEXANDER: Here.

6 CLERK BRYANT: Councilmember Bates?

7 COUNCILMEMBER BATES: Here.

8 CLERK BRYANT: Councilmember Dean?

9 COUNCILMEMBER DEAN: Here.

10 CLERK BRYANT: Councilmember Fleming?

11 COUNCILMEMBER FLEMING: Here.

12 CLERK BRYANT: Coucilmember Pachuta?

13 COUNCILMEMBER PACHUTA: Yes.

14 CLERK BRYANT: Coucilmember Patrick?

15 COUNCILMEMBER PATRICK: Here.

16 MAYOR PITTMAN: And thank you, and welcome,
17 and I appreciate all of you coming out at midnight.

18 Joe?

19 MR. JOE COOLEY: Good morning, Council.

20 This is the final action on the rezoning of properties
21 being annexed into the city that have been annexed
22 into the city as of 12:00 midnight, so they're now in
23 it, and this is the rezoning portion of that. Those
24 properties were from Senate Bill 532, which incor-
25 porated two areas, Tract 1 and Tract 2, into the city

1 effective this morning.

2 The public hearing has already been held.
3 It was properly advertised; it was completed. First
4 action -- or first read was held, and this is for
5 final action, according to the Procedures Act, that is
6 required after it actually becomes part of city.

7 MAYOR PITTMAN: Okay.

8 MR. COOLEY: I'll be glad to answer any
9 questions.

10 You have a copy of the spread sheet entitled
11 "Existing and Proposed Zoning District Classifications
12 for Properties in Annexation Areas Tract 1 and Tract 2
13 as per SB 532." The portions you see in yellow are
14 the corresponding City of Doraville zoning districts,
15 which basically are as close as we could get to the
16 existing Dekalb County zoning districts.

17 MAYOR PITTMAN: Thank you.

18 Ms. Alexander?

19 COUNCILMEMBER ALEXANDER: Nothing.

20 MAYOR PITTMAN: Mr. Bates?

21 COUNCILMEMBER BATES: No.

22 MAYOR PITTMAN: Ms. Pachuta?

23 COUNCILMEMBER PACHUTA: Huh-uh.

24 MAYOR PITTMAN: Ms. Fleming?

25 COUNCILMEMBER FLEMING: I have no question

1 regarding Tract 1 and 2.

2 Could you tell me something about Pull-A-
3 Part, the Pull-A-Part location?

4 MR. COOLEY: Oh. The one that's out -- out
5 -- the one parcel --

6 COUNCILMEMBER FLEMING: The one that was --

7 MR. COOLEY: -- that was not incorporated?

8 COUNCILMEMBER FLEMING: Yes, please.

9 MR. COOLEY: Yes. The way that the
10 ordinance or the Senate bill was written, it was based
11 upon streets and to incorporate those areas that were
12 isolated islands.

13 It did not incorporate -- they missed it
14 somehow -- that one piece that's up there that is the
15 parcel that you're talking about. He has since come
16 in and has applied for annexation into the city
17 through the hundred-percent method, and that's being
18 processed now.

19 COUNCILMEMBER FLEMING: Okay. Thank you.

20 MAYOR PITTMAN: Ms. Dean?

21 COUNCILMEMBER DEAN: I just want to -- to
22 confirm that everyone was sent a certified letter
23 alerting them to the fact that they will be annexed?

24 MR. COOLEY: No, ma'am. It's not required
25 under the -- under this method of annexation. All

1 that's required is a notice in the paper.

2 COUNCILMEMBER DEAN: Do we have a -- do we
3 have an ordinance stipulating that we --

4 MR. COOLEY: It's State statute, ma'am.

5 COUNCILMEMBER DEAN: Okay. And I have
6 another question, and I should have looked at this
7 closer the first time but I didn't.

8 All right. No notice went out to the people
9 being annexed.

10 Under the "Deltronic Enter. Inc" --

11 MAYOR PITTMAN: There was letters that went
12 out but they weren't -- they were not --

13 COUNCILMEMBER DEAN: They weren't certified?

14 MAYOR PITTMAN: -- certified. Correct.

15 COUNCILMEMBER DEAN: Well, that -- and we've
16 had this discussion, "certified," because I was told
17 that a letter came to me, too, and it didn't. So that
18 could be a problem.

19 But anyway, with Deltronic, I see that's
20 going to C-1. Should that be C-2?

21 MR. COOLEY: What page are you on, ma'am?

22 COUNCILMEMBER DEAN: I'm sorry. The pages
23 aren't numbered.

24 MR. COOLEY: Oh, well, if you could give me
25 the line number. Every item is --

1 COUNCILMEMBER DEAN: 73.

2 MR. COOLEY: -- numbered on the left-hand
3 side.

4 COUNCILMEMBER DEAN: Actually, 73 and 74.

5 MR. COOLEY: On Beacon Drive?

6 COUNCILMEMBER DEAN: Uh-huh.

7 MR. COOLEY: No, ma'am. Those were both
8 C-1's in Dekalb County. And when we have a C-1, we're
9 going to C-1; if it was a C-2, we would go into C-2 to
10 be consistent.

11 There will be a number of things, I think,
12 that the Council probably will want to look at a later
13 time to make them probably more consistent with the
14 city's Comp Plan and uses, but at this point, we were
15 basically going straight across the board to make it
16 from C-1 to C-1 --

17 COUNCILMEMBER DEAN: Right.

18 MR. COOLEY: -- etc.

19 COUNCILMEMBER DEAN: Because this looks like
20 a retail business; right?

21 MR. COOLEY: I do not know. We did not look
22 at all the businesses. We were looking at the zoning
23 classifications.

24 COUNCILMEMBER DEAN: And then the other --
25 the other comment, I suppose, is on Beacon Drive and

1 Woodwin Drive, all of that is changed from C-1 too
2 C-1, but we know that there is a big problem with that
3 area, and a lot of it, the part that is in Doraville
4 now is R-1; right? Is that correct?

5 MR. COOLEY: Yes, ma'am.

6 COUNCILMEMBER DEAN: So -- so is this an
7 appropriate change here or --

8 MR. COOLEY: Well, again --

9 COUNCILMEMBER DEAN: -- should it --?

10 MR. COOLEY: -- that's -- that's what we're
11 trying to do in the mass zoning is to go from the
12 closest use from Dekalb County to the closest zoning
13 district in the city of Doraville.

14 At some point, and I think this is probably
15 one that y'all will probably -- And there was another
16 one that Mr. Bates also brought up that may need to be
17 looked at, but those need to be done on an individual
18 basis and where there's full notification, etc.,
19 because that is much more involved and site-specific.

20 COUNCILMEMBER DEAN: Well, that might need
21 some priority, because I've been in that area, and the
22 big trucks that go through those streets, I mean
23 that's dangerous.

24 MR. COOLEY: That's certainly up to Council
25 to --

1 COUNCILMEMBER DEAN: Okay.

2 MR. COOLEY: -- move forward.

3 COUNCILMEMBER DEAN: I think that's it for
4 me.

5 Yeah. And all the condos, they were sent
6 notification, too; right? condo owners?

7 MAYOR PITTMAN: Everybody was sent a letter.
8 So we need a motion, please.

9 COUNCILMEMBER ALEXANDER: Motion to adopt
10 the blanket rezoning, if you will, for all the
11 properties that are being annexed into the city,
12 effective immediately, under Senate Bill 532.

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

14 COUNCILMEMBER PACHUTA: Second.

15 MAYOR PITTMAN: Discussion?

16 COUNCILMEMBER DEAN: This is a continuation
17 of the public hearing, right? and that's why there are
18 no public comments? because someone's asking about
19 public comments.

20 COUNCILMEMBER PACHUTA: We already had them.

21 MR. COOLEY: The public hearing was held and
22 closed. This is the second action; it's not a public
23 hearing.

24 MAYOR PITTMAN: Call the roll, please.

25 MR. TOM HART: This is a Council meeting.

1 MAYOR PITTMAN: Excuse me.

2 Call the roll, please.

3 CLERK BRYANT: Coucilmember Alexander?

4 COUNCILMEMBER ALEXANDER: Yes.

5 CLERK BRYANT: Coucilmember Bates?

6 COUNCILMEMBER BATES: Yes.

7 CLERK BRYANT: Coucilmember Dean?

8 COUNCILMEMBER DEAN: Yes. But that's a good
9 point.

10 Council, this is a Council meeting; right?

11 MAYOR PITTMAN: This is a special called
12 meeting. It's not on the agenda for public comments.

13 CLERK BRYANT: Coucilmember Fleming?

14 COUNCILMEMBER FLEMING: Yes.

15 CLERK BRYANT: Coucilmember Pachuta?

16 COUNCILMEMBER PACHUTA: Yes.

17 CLERK BRYANT: Coucilmember Patrick?

18 COUNCILMEMBER PATRICK: Yes.

19 MAYOR PITTMAN: Thank you.

20 COUNCILMEMBER PACHUTA: Motion to adjourn.

21 MAYOR PITTMAN: Second?

22 COUNCILMEMBER BATES: Second.

23 MAYOR PITTMAN: Discussion?

24 - - -

25 (No response)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- - -

MAYOR PITTMAN: Call the roll, please.

CLERK BRYANT: Coucilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK BRYANT: Coucilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK BRYANT: Coucilmember Dean?

COUNCILMEMBER DEAN: Yes.

CLERK BRYANT: Coucilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK BRYANT: Coucilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK BRYANT: Coucilmember Patrick?

COUNCILMEMBER PATRICK: Yes.

MAYOR PITTMAN: Thank you. Meeting
adjourned. Thank you.

- - -

(Meeting adjourned at approximately 12:08 a.m.)

-o0o-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF GEORGIA]

COUNTY OF DEKALB]

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the proceedings were reduced to typewriting under my direction and control.

I further certify that the transcript is a true and correct record of the evidence given at the said proceedings.

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

This the 7th day of January 2013.

Theresa Bretch, CCR

Permit No. B-755

[SEAL]