

**In The Matter Of:**

*City Council Meeting  
City of Doraville*

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*Before Mayor Ray Jenkins  
November 17, 2008*

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

Transcript of the proceedings held in  
the City Council Room at Doraville City  
Hall, 3725 Park Avenue, Doraville, Georgia,  
Mayor Ray Jenkins presiding, before  
Theresa Bretch, Certified Court Reporter,  
commencing at approximately 7:00 p.m. on  
Monday, November 17, 2008.

\* \* \*

[1] P R O C E E D I N G S  
[2] **MAYOR JENKINS:** Meeting come to order.  
[3] Call the roll, please.  
[4] **CLERK BLACKMON:** Councilmember  
[5] Alexander?  
[6] **COUNCILMEMBER ALEXANDER:** Here.  
[7] **CLERK BLACKMON:** Councilmember Bates?  
[8] **COUNCILMEMBER BATES:** Here.  
[9] **CLERK BLACKMON:** Councilmember Fleming?  
[10] **COUNCILMEMBER FLEMING:** Here.  
[11] **CLERK BLACKMON:** Councilmember Pittman?  
[12] **COUNCILMEMBER PITTMAN:** Here.  
[13] **CLERK BLACKMON:** Councilmember Roche?  
[14] **MR. ROCHE:** Here.  
[15] **CLERK BLACKMON:** Councilmember  
[16] Spangler?  
[17] **COUNCILMEMBER SPANGLER:** Here.  
[18] **MAYOR JENKINS:** All right. Under  
[19] Mayor's comments, we got two or three things we  
[20] need to take care of.  
[21] I want Mr. Doug [sic] Winoker to come  
[22] up to the microphone, please.  
[23] On Doraville Days, our road race made  
[24] \$1430, so we're going to donate this to the  
[25] Childrens Healthcare Center. I want to present

[1] **APPEARANCES:**  
[2] Doraville City Council:  
[3] Hon. Ray Jenkins, Mayor  
[4] Councilmember Maria Alexander  
[5] Councilmember Brian Bates  
[6] Councilmember Robert Spangler  
[7] Councilmember Donna Pittman  
[8] Councilmember Bob Roche  
[9] Councilmember Pam Fleming  
[10] Murray J. Weed, City Attorney  
[11] Ms. Rhonda Blackmon, City Clerk  
[12] Scott Haeberlin, Planning Department  
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[14]  
[15]  
[16]  
[17]  
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[22]  
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[25]

[1] that to you.  
[2] - - -  
[3] (Applause)  
[4] - - -  
[5] **MAYOR JENKINS:** We appreciate y'all.  
[6] **MR. WINOKER:** Thank you so much.  
[7] Thank you very much. On behalf of all  
[8] the families and the patients we serve, thank  
[9] you very much. We appreciate it.  
[10] **COUNCILMEMBER PITTMAN:** Thank you.  
[11] **COUNCILMEMBER FLEMING:** Thank you, sir.  
[12] - - -  
[13] (Applause)  
[14] - - -  
[15] **MAYOR JENKINS:** Mr. Stephe Koontz, come  
[16] up to the microphone, please.  
[17] **MS. KOONTZ:** I missed the last meeting.  
[18] I didn't realize it was going to be a week from  
[19] the other one. But in the same vein, the  
[20] Kiwanis Club wants to thank the City for your  
[21] help and cooperation with the car show we did.  
[22] And we made about right at \$1600 that we're  
[23] giving to children's charities around the city,  
[24] and we gave some to Cary Reynolds and some other  
[25] places. And I just wanted to present the Mayor

[1] with this token of our appreciation, and thanks.

[2] ---  
[3] (Applause)  
[4] ---

[5] **MAYOR JENKINS:** Thank you.  
[6] **MS. KOONTZ:** Thanks a lot.  
[7] **MAYOR JENKINS:** I want to approve the  
[8] minutes for 11/03/08 and 11/07/08. May I have a  
[9] motion?

[10] **COUNCILMEMBER BATES:** So moved.  
[11] **MAYOR JENKINS:** Second?

[12] **COUNCILMEMBER PITTMAN:** Second.  
[13] **MAYOR JENKINS:** Call the roll, please.

[14] **CLERK BLACKMON:** Councilmember  
[15] Alexander?

[16] **COUNCILMEMBER ALEXANDER:** Yes.  
[17] **CLERK BLACKMON:** Councilmember Bates?

[18] **COUNCILMEMBER BATES:** Yes.  
[19] **CLERK BLACKMON:** Councilmember Fleming?

[20] **COUNCILMEMBER FLEMING:** Yes.  
[21] **CLERK BLACKMON:** Councilmember Pittman?

[22] **COUNCILMEMBER PITTMAN:** Yes.  
[23] **CLERK BLACKMON:** Councilmember Roche?

[24] **COUNCILMEMBER ROCHE:** Yes.  
[25] **CLERK BLACKMON:** Councilmember

[1] As far as my understanding, that was the only  
[2] reason for the moratorium. In fact, I thought  
[3] at the time once we fixed and passed the M1/M2,  
[4] then we're going to lift the moratorium.

[5] So I mean somehow we threw C1 and C2  
[6] into all of this. And with all due respect, I  
[7] think we should have, you know, ended the  
[8] moratorium back when we did the M1/M2, because  
[9] if I'm a business person out there and I'm  
[10] trying to decide what to do about Doraville, and  
[11] one day I hear, "Oh, as soon as they get M1/M2,  
[12] the moratorium's done," and then no, we changed  
[13] our mind, you know.

[14] **MR. HAEBERLIN:** Okay.  
[15] **COUNCILMEMBER ROCHE:** I mean I would be

[16] in favor of lifting the moratorium unless  
[17] there's some compelling reason. I mean if  
[18] there's some use that you're concerned that's  
[19] going to sneak in in the next three weeks that  
[20] we don't want or that --

[21] **MR. HAEBERLIN:** There still is some  
[22] contradictory language in C1 and C2. I do want  
[23] you guys to be aware of that. And there are  
[24] some definitions that need to be addressed as  
[25] well as some other items that were part of the

[1] Spangler?  
[2] **COUNCILMEMBER SPANGLER:** Yes for 11/03  
[3] but no for 11/07 because I didn't attend that  
[4] meeting.

[5] **MAYOR JENKINS:** Thank you.  
[6] Moratorium extension. Did we decide  
[7] that we wanted to go ahead and extend the  
[8] moratorium on business license?

[9] **COUNCILMEMBER ALEXANDER:** Mr. Haeberlin  
[10] or Mr. Weed?

[11] **MR. HAEBERLIN:** I'll be glad to address  
[12] this just in light of C1 and C2 is advertised  
[13] for December 1st as well as we've got some other  
[14] upcoming positions and give consideration as to  
[15] whether you would extend the moratorium which  
[16] expires, I believe, the 25th.

[17] **CLERK BLACKMON:** 25th.  
[18] **MR. HAEBERLIN:** And extend it out from

[19] the 25th at least until the evening of December  
[20] 1st.

[21] **COUNCILMEMBER ROCHE:** The original  
[22] purpose of the moratorium was to correct the  
[23] problems in the M1/M2 to make sure we didn't  
[24] have anymore, you know, uses that were there and  
[25] people moving in that we didn't want to move in.

[1] moratorium.  
[2] **COUNCILMEMBER PITTMAN:** So is your  
[3] recommendation for us to continue it until  
[4] December?

[5] **MR. HAEBERLIN:** Yes. My  
[6] recommendation, yes, is to -- for you to  
[7] consider it the night of December 1st because,  
[8] like I said, there's still some items we're  
[9] working on, and I think that the week of  
[10] Thanksgiving, it's unlikely that the hearing  
[11] would take place on Friday, anyway, because City  
[12] Hall is closed, so. It is a short period of  
[13] time.

[14] But I've talked over it with the  
[15] attorney, and he feels comfortable going at  
[16] least till that day but no further.

[17] **COUNCILMEMBER PITTMAN:** So Mayor, do we  
[18] need a motion?

[19] I'd like to make a motion that we  
[20] extend the moratorium until December 1st, 2008.

[21] **MAYOR JENKINS:** Do I get a second?

[22] **COUNCILMEMBER ALEXANDER:** Do we need to  
[23] state in the motion the reasons that were  
[24] previously stated in the motion?

[25] **ATTORNEY WEED:** I don't think you need

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[1] to restate the reasons; however, if you will  
[2] acknowledge that -- those reasons which are  
[3] still valid. We did pass the low-flow ordinance  
[4] but we still haven't gotten around to the  
[5] architectural design ordinance, and that was  
[6] part of the consideration.  
[7] So if you would just -- if you could  
[8] make a statement that the portions of the reason  
[9] for the moratorium that haven't been completed  
[10] yet, we're still working on those.  
[11] **COUNCILMEMBER PITTMAN:** Okay. So I  
[12] make a motion to extend the moratorium to  
[13] December 1st, 2008, based on the fact that --  
[14] Help me out here, Mr. Weed.  
[15] **ATTORNEY WEED:** That the work  
[16] originally assigned to staff underneath the  
[17] original moratorium is not yet completed,  
[18] including some of the studies. And studies need  
[19] to be done before the actual ordinances are  
[20] written, and those studies, some of them have  
[21] not been done -- for example, in the  
[22] architectural design portion.  
[23] **COUNCILMEMBER PITTMAN:** Some of the  
[24] items that are not complete in C1 and C2.  
[25] **ATTORNEY WEED:** Actually, no, we can't

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[1] -- you can't do it that way --  
[2] **COUNCILMEMBER PITTMAN:** Okay.  
[3] **ATTORNEY WEED:** -- because it's not a  
[4] zoning moratorium. I want to say that for the  
[5] record. It's not a zoning moratorium at all.  
[6] **COUNCILMEMBER ROCHE:** Could we make an  
[7] amendment to the moratorium -- to the motion to  
[8] say that it will not be extended past December  
[9] 1st?  
[10] **ATTORNEY WEED:** Absolutely.  
[11] **COUNCILMEMBER ROCHE:** I'd like to make  
[12] that --  
[13] **COUNCILMEMBER FLEMING:** Will we have  
[14] been presented all of the corrections and needed  
[15] changes by that date?  
[16] **MR. HAEBERLIN:** Correct. We are  
[17] anticipating actually having C1 and C2  
[18] corrected, the finalized version to you by this  
[19] Friday. So you'll have from this Friday till  
[20] December 1st, which is the public hearing, to  
[21] review those items and comment to us as well.  
[22] **COUNCILMEMBER PITTMAN:** But if we put  
[23] them in there, in the event that something's  
[24] not, then --  
[25] **MR. HAEBERLIN:** It is scheduled for

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[1] public hearing. Like I said, it has been  
[2] advertised for December 1st.  
[3] **COUNCILMEMBER ALEXANDER:** But that  
[4] doesn't mean we'll pass it December 1st,  
[5] obviously.  
[6] **MR. HAEBERLIN:** That is correct.  
[7] **COUNCILMEMBER ALEXANDER:** There's a  
[8] chance we won't without some changes.  
[9] **ATTORNEY WEED:** The moratorium is like  
[10] any ordinance or resolution. The moratorium was  
[11] done in the form of a resolution, actually. And  
[12] as long as you have a majority vote, even if you  
[13] put language in it that said it would not go  
[14] beyond a certain date, if the majority wanted to  
[15] extend it beyond that date, you could. It's no  
[16] different than an ordinance.  
[17] **COUNCILMEMBER ROCHE:** Yeah. Again, I'm  
[18] just concerned that we're spending -- you know,  
[19] this moratorium just continues to grow, and  
[20] December 1st is a Monday. That's the first  
[21] Monday.  
[22] **MAYOR JENKINS:** I feel like the  
[23] moratorium is working well. It makes the  
[24] Council as well as the Mayor know exactly what's  
[25] going into an establishment, and we have stopped

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[1] a number of them by questioning them such as  
[2] foot massage and stuff like that. I think it  
[3] would be good to extend it on to -- what did you  
[4] say? December?  
[5] **MR. HAEBERLIN:** December 1st.  
[6] **COUNCILMEMBER PITTMAN:** December 1st.  
[7] **COUNCILMEMBER ROCHE:** Well, that would  
[8] be an extension of -- (counting) one, two,  
[9] three, four, five -- six days. So that's fine.  
[10] I'll go with that.  
[11] **MAYOR JENKINS:** Do I get a second?  
[12] **COUNCILMEMBER SPANGLER:** Second.  
[13] **MAYOR JENKINS:** Call the roll, please.  
[14] **CLERK BLACKMON:** Councilmember  
[15] Alexander?  
[16] **COUNCILMEMBER ALEXANDER:** Yes.  
[17] **CLERK BLACKMON:** Councilmember Bates?  
[18] **COUNCILMEMBER BATES:** Yes.  
[19] **CLERK BLACKMON:** Councilmember Fleming?  
[20] **COUNCILMEMBER FLEMING:** Yes.  
[21] **CLERK BLACKMON:** Councilmember Pittman?  
[22] **COUNCILMEMBER PITTMAN:** Yes.  
[23] **CLERK BLACKMON:** Councilmember Roche?  
[24] **COUNCILMEMBER ROCHE:** Yes.  
[25] **CLERK BLACKMON:** Councilmember

[1] Spangler?  
[2] **COUNCILMEMBER SPANGLER:** Yes.  
[3] **MAYOR JENKINS:** Street lights on Buford  
[4] Highway. We've run into a situation on the  
[5] lights that are on Buford Highway. The county  
[6] put them in. I say "the county." Our DOT put  
[7] those lights in. As far as I know, the City did  
[8] not know anything about them at the time.

[9] Now, as of January the 1st, we're going  
[10] to have to have a contract with Georgia Power  
[11] which is \$800 a month. All that covers is  
[12] putting new bulbs in. And if anybody runs over  
[13] a pole, we have to pay to put it back. And  
[14] we'll have to pay 11 cents -- 11 cents a week, I  
[15] believe it is, for each pole. We have 168  
[16] poles. So we're adding \$2500 to our budget each  
[17] month on just these lights.

[18] And my only comment is we had nothing  
[19] to do with it.

[20] I've talked to Kathy Brannon in  
[21] Chamblee. She's the only other one that is  
[22] confronted with this at that time. And they're  
[23] studying it too. And we cannot -- candlepower  
[24] or no candlepower, we cannot take the upper  
[25] lights down. Those upper lights have to stay.

[1] you know, the City can't necessarily be forced  
[2] to pay for them. But we'll just have to wait  
[3] and see about the origin.

[4] **MAYOR JENKINS:** They're very pretty.  
[5] We understand that. It makes our streets look  
[6] better. There's no doubt about it.

[7] But anyway, it will be a big expense,  
[8] so we'll put this on the next agenda. Everybody  
[9] think about it.

[10] But is there any comments on it?

[11] **COUNCILMEMBER ALEXANDER:** Yes, sir. I  
[12] have some questions.

[13] So you're estimating that the \$2500 per  
[14] month includes the \$840 per month for the  
[15] maintenance.

[16] **MAYOR JENKINS:** Yes.

[17] **COUNCILMEMBER ALEXANDER:** Did they ever  
[18] fix the light at Chestnut that was run over?

[19] **MAYOR JENKINS:** They did not fix  
[20] anything on that. We took and hired an  
[21] electrician to go underground and rehook them  
[22] under the sidewalk. It didn't include the --

[23] **COUNCILMEMBER ALEXANDER:** Okay. So we  
[24] fixed that? We had that one fixed ourselves?

[25] **MAYOR JENKINS:** We just had it put

[1] Those were put there years ago. We pay for  
[2] those.

[3] And I don't know if there's any  
[4] recourse we have besides having to pay for  
[5] those. We had nothing to do with them.

[6] But as I said, I've talked to Kathy  
[7] Brannon because her and I will be -- this  
[8] Council and her Council will be the ones that's  
[9] involved in deciding what to do. But she says  
[10] what they're going to try to do is cut every  
[11] other one off or take every other one up.  
[12] They're too close together, to start with.

[13] And the solution to this, I do not  
[14] know. I want the Council to think about it.  
[15] We'll put it on the agenda for the next meeting  
[16] and we'll decide what we will do; we'll fight  
[17] them or whatever we have to do.

[18] I'll have to ask Murray if we will have  
[19] a chance to try to keep from having to pay that  
[20] or part of it.

[21] Do you know what I mean?

[22] **ATTORNEY WEED:** Yes, sir. We'll need  
[23] to do some investigation about how the lights  
[24] came to be, to begin with. But as a general  
[25] rule and the City didn't authorize the lights,

[1] underground. We did not fix it back.

[2] **COUNCILMEMBER ALEXANDER:** Okay. I  
[3] guess one of my questions to Georgia Power would  
[4] be I would like to see a pricing schedule on  
[5] their labor rates. In here, it just says what  
[6] they will fix under the maintenance agreement.  
[7] I don't see any -- like their labor rate is \$150  
[8] an hour and you get a \$50 service call. I would  
[9] like to see more costing out of Georgia Power.

[10] Also, we just passed the LEEDs  
[11] ordinance. How energy efficient are these  
[12] lights? I don't know if they're metal halide or  
[13] what they are. So I would like to see the  
[14] energy efficiency rating of these lights. I  
[15] know in some municipalities they actually have  
[16] street lights that are similar but they're solar  
[17] operated.

[18] So those were some of the questions  
[19] that I had.

[20] **MAYOR JENKINS:** Those are good  
[21] questions.

[22] **COUNCILMEMBER BATES:** Cost of  
[23] conversion on those from juice to solar.

[24] **COUNCILMEMBER SPANGLER:** Or even  
[25] natural gas.

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[1] **COUNCILMEMBER BATES:** Or even.

[2] **MAYOR JENKINS:** My understand on the

[3] contract with Georgia Power, they only cover the

[4] bulbs.

[5] **COUNCILMEMBER ALEXANDER:** Correct.

[6] **MAYOR JENKINS:** So if a pole is run

[7] over, we have to replace it or whatever.

[8] **COUNCILMEMBER ALEXANDER:** Correct. And

[9] I'd like to see, like I said, a sheet of their

[10] labor rates or whatever regarding how much they

[11] charge for work to repair one of those.

[12] **COUNCILMEMBER BATES:** To follow up on

[13] that, one of my concerns is, item two, it says,

[14] "Customer and GPC agree that GPC will perform

[15] routine maintenance on a monthly basis.

[16] Maintenance shall consist of repairs to wiring

[17] and fixtures from the hand-hole of the pole up

[18] through the fixture that fails due to normal

[19] use."

[20] Are we responsible for the maintenance

[21] cost as well?

[22] **MAYOR JENKINS:** Well, I mean you see --

[23] **COUNCILMEMBER BATES:** "These items will

[24] be repaired/replaced with permission at cost-

[25] plus rates."

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[1] So we could be signing a contract that

[2] could be every month they're out there doing

[3] repair and maintenance at 150 bucks an hour or

[4] 50 bucks an hour or 400 bucks an hour, and we

[5] don't know what it is. We're just going to get

[6] a bill every month.

[7] **MAYOR JENKINS:** You're right.

[8] My understanding is the contract of

[9] \$800 is only for the bulbs.

[10] **COUNCILMEMBER BATES:** Right, plus --

[11] **MAYOR JENKINS:** The other would be --

[12] **COUNCILMEMBER BATES:** Plus any

[13] maintenance that's -- I'm -- I will tell you I

[14] will vote no on that until we get more

[15] information.

[16] **COUNCILMEMBER FLEMING:** I think the

[17] routine maintenance schedule, item number 2,

[18] needs to be redefined, because I was reading,

[19] Mr. Bates, "These items will be

[20] repaired/replaced with permission at cost-plus

[21] rates for those that are knocked down," not

[22] necessarily, you know, a per-hourly rate to

[23] repair the wiring, for instance.

[24] **MAYOR JENKINS:** I think the wiring and

[25] the bulbs is in the contract, but like you say,

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[1] the other would be --

[2] **COUNCILMEMBER FLEMING:** But I think it

[3] needs to be redefined.

[4] **MAYOR JENKINS:** Yes. If you want her

[5] to come to Council maybe the next time, maybe

[6] she'll come and talk to us.

[7] **COUNCILMEMBER ALEXANDER:** Mr. Weed, do

[8] you have a copy of this?

[9] **ATTORNEY WEED:** I don't have a copy.

[10] It may have been put in my box today. I don't

[11] know yet.

[12] **MAYOR JENKINS:** Will you make him a

[13] copy of it?

[14] **CLERK BLACKMON:** Okay.

[15] **MAYOR JENKINS:** I had copies made. I

[16] don't know what happened.

[17] **ATTORNEY WEED:** It may be in my box,

[18] Mayor.

[19] **MAYOR JENKINS:** No, it isn't.

[20] Okay. Any more on that? We'll just

[21] defer this until the next meeting when we have

[22] more information.

[23] Collection agency through GMA. I gave

[24] everybody the paperwork on this. And it's

[25] through Pam Helton with GMA, and it would be

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[1] through GMA. It wouldn't be an outside company.

[2] But I gave you the information, and I believe,

[3] if I remember correctly, they get 19 percent on

[4] anything they collect.

[5] And what I would like to do rather than

[6] make this a long drawn-out thing is see if I can

[7] set Pam Helton up for our next meeting and have

[8] her come and present to us how she'll do it and

[9] whatever. And I don't think we need a motion on

[10] that except that I will call -- well, I guess we

[11] need a motion if you want me to set her up for

[12] the next meeting.

[13] **COUNCILMEMBER ALEXANDER:** Is this

[14] contract viewed as a state contract?

[15] **ATTORNEY WEED:** No, I would not

[16] classify it as that.

[17] **COUNCILMEMBER ALEXANDER:** Okay. So it

[18] would not be exempt to sending out for bid.

[19] I guess the question would be we would

[20] have to try to calculate a percentage of the

[21] bills we would send out for collection. So I

[22] would recommend that we get an estimated dollar

[23] amount of funds that we would be seeking

[24] collection upon to try to help us calculate the

[25] dollar amount that we would have to pay a

[1] revenue recovery service. And we would probably  
[2] have to send this out for competitive bids since  
[3] this would not be considered a sole-source  
[4] provider or is not recognized as a state  
[5] contract.

[6] **COUNCILMEMBER FLEMING:** And I believe  
[7] we also would need to form a policy for  
[8] delinquent accounts as far as are we going to  
[9] just send a 30-day delinquent account out for  
[10] collection or are we, you know, making a  
[11] specific six months out, for instance?

[12] And I notice that they do, you know,  
[13] utility bills such as our trash, also the  
[14] parking tickets, our delinquent taxes and court  
[15] fines. So we may want to tweak it a little bit  
[16] on each one of those as far as how much  
[17] delinquency we will allow before we send them to  
[18] a collection agency is my thought on these.

[19] **MAYOR JENKINS:** Okay. Do we need to  
[20] get a motion to have the lady come before the  
[21] Council? Do I have a motion?

[22] **COUNCILMEMBER BATES:** So moved.

[23] **MAYOR JENKINS:** Do I get a second?

[24] **COUNCILMEMBER ALEXANDER:** Second.

[25] **MAYOR JENKINS:** Call the roll.

[1] **CLERK BLACKMON:** I have an amount prior  
[2] to '05 that's still outstanding.

[3] **COUNCILMEMBER FLEMING:** And of that  
[4] amount, is it broken down per 60-day, 90-day,  
[5] 120 days?

[6] **CLERK BLACKMON:** That's 120 days.

[7] **COUNCILMEMBER BATES:** What's the  
[8] property tax that's from prior to '05?

[9] **CLERK BLACKMON:** \$40,568.00.

[10] **MAYOR JENKINS:** What other do we need  
[11] to get information on?

[12] **CLERK BLACKMON:** Whatever else they're  
[13] interested in, yes, sir. I guess tickets and  
[14] red-light camera. What else was listed on  
[15] there?

[16] **COUNCILMEMBER FLEMING:** Court cost,  
[17] fines and fees.

[18] **ATTORNEY WEED:** With regard to that,  
[19] under Title 17 of the code, you can actually  
[20] collect fines, costs and fees of that nature  
[21] with regard to criminal type of elements, you  
[22] can collect those as back taxes, FYI. You could  
[23] actually -- if you could find the defendant, you  
[24] could sell the property on the courthouse steps.

[25] **COUNCILMEMBER ROCHE:** Does it have to

[1] **COUNCILMEMBER ROCHE:** Can I modify that  
[2] motion to say we also by the next meeting know  
[3] how much money is outstanding that we're trying  
[4] to collect?

[5] **COUNCILMEMBER ALEXANDER:** By category?

[6] **COUNCILMEMBER ROCHE:** Right.

[7] **COUNCILMEMBER ALEXANDER:** Sanitation?

[8] **COUNCILMEMBER FLEMING:** Absolutely.

[9] **CLERK BLACKMON:** I have sanitation and  
[10] property tax prior to '05, but that's all that  
[11] encompasses this building. I couldn't do  
[12] tickets and red-light camera and all of that.

[13] **COUNCILMEMBER SPANGLER:** Can you get us  
[14] that information?

[15] **COUNCILMEMBER ROCHE:** Before '05?

[16] **CLERK BLACKMON:** The sanitation  
[17] outstanding at this moment is \$122,903.68.

[18] **COUNCILMEMBER FLEMING:** And of that, do  
[19] you have any idea how -- are you saying that's  
[20] from '05?

[21] **CLERK BLACKMON:** No, no. This is  
[22] sanitation.

[23] Property tax, we don't do anymore.  
[24] Dekalb collects it for us.

[25] **COUNCILMEMBER FLEMING:** Okay.

[1] be property inside the city limits?

[2] **ATTORNEY WEED:** No, sir.

[3] **MAYOR JENKINS:** Anymore discussion?

[4] - - -

[5] (No response)

[6] - - -

[7] **MAYOR JENKINS:** Call the roll, please.

[8] **CLERK BLACKMON:** Councilmember  
[9] Alexander?

[10] **COUNCILMEMBER ALEXANDER:** Yes.

[11] **CLERK BLACKMON:** Councilmember Bates?

[12] **COUNCILMEMBER BATES:** Yes.

[13] **CLERK BLACKMON:** Councilmember Fleming?

[14] **COUNCILMEMBER FLEMING:** Yes.

[15] **CLERK BLACKMON:** Councilmember Pittman?

[16] **COUNCILMEMBER PITTMAN:** Yes.

[17] **CLERK BLACKMON:** Councilmember Roche?

[18] **COUNCILMEMBER ROCHE:** Yes.

[19] **CLERK BLACKMON:** Councilmember  
[20] Spangler?

[21] **COUNCILMEMBER SPANGLER:** Yes.

[22] **MAYOR JENKINS:** 911 building rental.

[23] Would you come up to the microphone, please,  
[24] sir?

[25] The 911 building, which is our brick

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[1] building next to the Civic Center, has been  
 [2] unoccupied for quite some time. We have a man  
 [3] that wants to put a coffee shop and a hot dog  
 [4] shop into that facility.  
 [5] There's a number of things we have to  
 [6] do, and I'll let Scott explain this. But tell  
 [7] me what you run into when you had the county  
 [8] come out and talk to you.  
 [9] **MR. BART:** My name is Eric Bart,  
 [10] (spelling) B-A-R-T.  
 [11] **MAYOR JENKINS:** Okay. Go ahead.  
 [12] **MR. BART:** I called the fire marshall  
 [13] on Wednesday. They came out scheduled for  
 [14] Friday. They said any time between 9:00 and  
 [15] 3:00. They didn't show until 5 minutes to 3:00,  
 [16] so we sat there all day waiting for them.  
 [17] And after they came out, they said that  
 [18] the City is responsible for making any changes  
 [19] to the building that would have to be ADA  
 [20] acceptable with wiring, plumbing and things like  
 [21] that.  
 [22] **MAYOR JENKINS:** Okay. Scott, do you  
 [23] have some information?  
 [24] We're going to have to do the --  
 [25] **MR. HAEBERLIN:** Correct. The fire

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[1] marshall's requested that the interior work on  
 [2] the facility, which we own, actually will be  
 [3] permitted by the City as though we were simply  
 [4] hiring somebody to do work for us. And you guys  
 [5] will work out how you're going to share that  
 [6] cost, if any, with the applicant.  
 [7] The health department will also be  
 [8] going to the facility, and then Mr. Calcaterra  
 [9] has been through the facility as well to inspect  
 [10] it, just to simply bring it up to code for the  
 [11] occupancy that they're wanting to do.  
 [12] And of course in the lease agreement we  
 [13] will work out the details of signage, exterior  
 [14] changes, et cetera.  
 [15] So right now, it could be routed  
 [16] basically as an interior work for the City.  
 [17] **MAYOR JENKINS:** The question is, his  
 [18] particular -- what he wants to bring into the  
 [19] building, is it legal and can we work it out?  
 [20] We'll ask the Council if they're in agreement to  
 [21] doing this.  
 [22] The property is actually zoned O/I, but  
 [23] it is a City property. Now -- and this would be  
 [24] a legal question -- is the use -- if we lease  
 [25] the building, is it subject to the use

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[1] restrictions within O/I or is it exempt simply  
 [2] because it is a City piece of property?  
 [3] **ATTORNEY WEED:** Ordinarily, city  
 [4] properties are deemed to be exempt from your own  
 [5] ordinances unless you have a code that you've  
 [6] adopted that specifically says that you intend  
 [7] to be bound by the code itself. An example of  
 [8] that would be the LEED ordinance. We actually  
 [9] adopted a code there that you bound yourself to  
 [10] comply with it.  
 [11] Ordinarily, however, you are not bound  
 [12] by your own codes. And the reason for that, by  
 [13] the way, is because you don't have an end use.  
 [14] In other words, there's no one ultimately for  
 [15] the City to pass the cost on to and you're  
 [16] hampered by how much -- you know, what you can  
 [17] collect in taxes as opposed to the private  
 [18] sector that can always put a cost out to some  
 [19] other point.  
 [20] **COUNCILMEMBER FLEMING:** Scott, the fire  
 [21] marshall's requirements would stand for any type  
 [22] of business going in there if we decided to  
 [23] lease it or is it just for this specific --  
 [24] **MR. HAEBERLIN:** He's looking for this.  
 [25] But I mean this is foodservice, so, you know, it

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[1] should be equitable for other uses. In other  
 [2] words, I'm saying this is probably the most  
 [3] difficult use I can think of that could be put  
 [4] in there, it being foodservice and the  
 [5] preparation of food.  
 [6] **COUNCILMEMBER FLEMING:** So if we  
 [7] elected to lease the property, whether it be to  
 [8] Mr. Bart or not, we would need to bring it up to  
 [9] fire code, handicapped accessible and so forth?  
 [10] **MR. HAEBERLIN:** Correct. If you look  
 [11] at the site right now, actually the handicap  
 [12] space belongs to that of the civic facility, and  
 [13] there are some parking that's down grade from  
 [14] the facility. There is a handicap bathroom  
 [15] which is in the basement of the facility. So  
 [16] there are some things based on its previous  
 [17] occupancy.  
 [18] There are some things that will need to  
 [19] be addressed in terms of sharing city parking,  
 [20] maybe trade off. And we would probably want the  
 [21] business to have some on grade parking close to  
 [22] the door to make it successful, and we could do  
 [23] a trade between our parking for the civic  
 [24] facility and the parking that's present there.  
 [25] **COUNCILMEMBER PITTMAN:** You said a

[1] coffee shop and a hot dog --  
 [2] **MR. BART:** Uh-huh.  
 [3] **COUNCILMEMBER PITTMAN:** That's the same  
 [4] hot dog stand that --  
 [5] **MR. BART:** -- was at the Doraville  
 [6] Days, which turned out to be really successful.  
 [7] **COUNCILMEMBER BATES:** Sir, is this the  
 [8] hot dog stand that was being planned for pool?  
 [9] **MR. BART:** Yes.  
 [10] This would be a little bit more  
 [11] successful due to the fact that there is -- you  
 [12] know, the coffee shop would be for retail. It  
 [13] also would have the meeting room so if the Mayor  
 [14] and some other people wanted to get together and  
 [15] have a private meeting other than in his office,  
 [16] or the Council, anybody would be able to use the  
 [17] meeting room.  
 [18] The downstairs unit would be rehabbed  
 [19] to allow if the -- if a Rotary Club wanted to  
 [20] have a meeting down there or the Kiwanis, one of  
 [21] the whatever, we would be, you know, willing to  
 [22] do that.  
 [23] **MAYOR JENKINS:** I think what we're  
 [24] trying to find out, if the Council wants to go  
 [25] into this before we go any further redoing the

[1] **MAYOR JENKINS:** -- it would be fine.  
 [2] **MR. BART:** Right.  
 [3] Dekalb County requires that you have  
 [4] one bathroom and it can be unisex. So there's  
 [5] no expansion. It's just that the bathroom -- I  
 [6] don't know if anybody has actually seen the  
 [7] bathroom, but if you sit on the toilet, your  
 [8] face is in the sink. And you just can't --  
 [9] **MAYOR JENKINS:** Well, that will have to  
 [10] be improved. That's not what I'm saying.  
 [11] **MR. BART:** Yeah. But I mean it --  
 [12] **MAYOR JENKINS:** We know what's up  
 [13] there.  
 [14] **MR. BART:** -- would be remodeled. It  
 [15] would be expanded so a wheelchair can get in and  
 [16] be utilized by both sexes.  
 [17] **COUNCILMEMBER BATES:** Would this  
 [18] potential lease agreement be similar to the one  
 [19] that was presented to the City for the pool as  
 [20] far as --  
 [21] **MR. BART:** No. Be totally different.  
 [22] **COUNCILMEMBER BATES:** I guess I'd like  
 [23] to see a little bit more information, a business  
 [24] plan on making it successful; you know, what the  
 [25] expenses or costs that are going to be incurred

[1] bathrooms or this gentleman putting any money  
 [2] into it until we decide if we really want to  
 [3] lease the building.  
 [4] **COUNCILMEMBER FLEMING:** I would like to  
 [5] see us bring us up to code on paper; you know,  
 [6] find out what the estimated cost is to bring us  
 [7] up to code to be able to lease it before we go  
 [8] into making the decision as to whether we're  
 [9] going to lease it or not.  
 [10] **MAYOR JENKINS:** In other words,  
 [11] handicap bathrooms.  
 [12] The gentleman says he only needs  
 [13] unisex bathrooms; that's all. There is a  
 [14] handicap downstairs.  
 [15] **COUNCILMEMBER FLEMING:** How do they get  
 [16] down-stairs?  
 [17] **MR. BART:** You can't.  
 [18] **COUNCILMEMBER ALEXANDER:** You have to  
 [19] go outside.  
 [20] **MR. BART:** You can roll down the hill  
 [21] but you can't roll back up. So anybody that's  
 [22] in a wheelchair is just tough out of luck.  
 [23] **MAYOR JENKINS:** Well, I mean if you do  
 [24] the bathroom like you talked to me about --  
 [25] **MR. BART:** Yeah.

[1] by the City versus the cost incurred by you and  
 [2] how you would recoup those costs through sales  
 [3] or what-not.  
 [4] I'm all in favor of getting that  
 [5] property leased out and making it ADA-compliant.  
 [6] I want to make sure that we're in a good  
 [7] relationship with whatever goes in there. And a  
 [8] coffee shop is something that the city has been  
 [9] requesting for a very long time, so that's very  
 [10] exciting.  
 [11] I would encourage you to think about a  
 [12] bakery of some sort for breakfast items --  
 [13] **MR. BART:** Already got that lined up.  
 [14] **COUNCILMEMBER BATES:** -- just as  
 [15] something to think about.  
 [16] **MR. BART:** The only thing that's  
 [17] holding it up is getting this thing resolved so  
 [18] we can go ahead and get, you know, the business  
 [19] permits or the business license.  
 [20] What we're looking at is actually  
 [21] starting operation in January. That would give  
 [22] the City enough time to go in and do the stuff  
 [23] that they needed to do, and then we were going  
 [24] to do the cosmetic stuff on the inside.  
 [25] **COUNCILMEMBER ROCHE:** How quickly can

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[1] we get the numbers so we know what we have to  
 [2] spend to make it usable?  
 [3] **MR. HAEBERLIN:** As far as an estimate,  
 [4] you know, I don't see that as a problem. I mean  
 [5] we're not committing ourselves to any funds.  
 [6] We're just finding estimates.  
 [7] **MAYOR JENKINS:** It's something we have  
 [8] to do anyway.  
 [9] **COUNCILMEMBER ROCHE:** I agree.  
 [10] **MR. HAEBERLIN:** Actually, if we were to  
 [11] occupy in city offices, we would need to do  
 [12] this.  
 [13] **COUNCILMEMBER ROCHE:** Right. I  
 [14] understand, and I agree completely. I just --  
 [15] **MR. HAEBERLIN:** Sure.  
 [16] **COUNCILMEMBER ROCHE:** January is a very  
 [17] short time frame. I mean it's sitting there  
 [18] empty now, but --  
 [19] **MAYOR JENKINS:** There don't seem to be  
 [20] much to do other than the bathrooms. The only  
 [21] other thing is cosmetics. You might say the  
 [22] building is essentially in good shape.  
 [23] **COUNCILMEMBER BATES:** Do you have a  
 [24] proposed floor plan on how it would be laid out  
 [25] and --

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[1] **MR. BART:** Yeah. I gave that to Scott  
 [2] this morning.  
 [3] **COUNCILMEMBER BATES:** So can we use  
 [4] that to get a contractor to give us --  
 [5] **MAYOR JENKINS:** He wants to do the  
 [6] cosmetics and floors.  
 [7] **COUNCILMEMBER BATES:** But the plumbing  
 [8] and the electrical things to make it ADA-  
 [9] compliant will need to be done to code by a  
 [10] certified, approved electrician and plumber;  
 [11] correct?  
 [12] **MR. HAEBERLIN:** Correct.  
 [13] **MAYOR JENKINS:** We can --  
 [14] **COUNCILMEMBER SPANGLER:** This is  
 [15] something that's going to have to be done to  
 [16] this building before we can rent it to anyone.  
 [17] **COUNCILMEMBER ALEXANDER:** Yes.  
 [18] **COUNCILMEMBER SPANGLER:** This is  
 [19] something that it is a must-do as far as making  
 [20] it ADA-compliant.  
 [21] **COUNCILMEMBER PITTMAN:** So is this the  
 [22] name you are going to be using?  
 [23] **MR. BART:** Yes, ma'am.  
 [24] **MAYOR JENKINS:** It's a very good  
 [25] location for that particular thing, especially

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[1] if you add some kind of maybe breakfast stuff  
 [2] with your coffee and you got outside and have  
 [3] people outside in the summer. It's a very good  
 [4] location for that.  
 [5] But we want to make sure the Council is  
 [6] aware and wants something like this in there. I  
 [7] don't know that we'll ever have to have the  
 [8] building in the future, but I don't think so at  
 [9] this time.  
 [10] **COUNCILMEMBER ALEXANDER:** And the  
 [11] sidewalk for that facility, does it lead to the  
 [12] upper part of the civic center parking?  
 [13] **MR. HAEBERLIN:** Yes, it does. And  
 [14] that's where, again, I would think that a  
 [15] tradeoff would be necessary.  
 [16] To make him successful, he will need  
 [17] some on-grade parking, particularly for the  
 [18] location of the handicap space, and so do a  
 [19] tradeoff and perhaps put some parking on the  
 [20] lower side or the less desirable, less close  
 [21] side to the building. So we're going to have  
 [22] some simple signage that says, "Reserved,"  
 [23] "Civic Center-Reserved," whatever.  
 [24] **COUNCILMEMBER ALEXANDER:** What would  
 [25] your anticipated hours of operation be?

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[1] **MR. BART:** Breakfast would be starting  
 [2] at 6 o'clock in the morning and probably the hot  
 [3] dog business would go to about 8:00 or 9:00. So  
 [4] breakfast would be from like 6:00 to 10:30 and  
 [5] then we would start lunch and go from there.  
 [6] **COUNCILMEMBER SPANGLER:** So it would  
 [7] close at 9:00?  
 [8] **MR. BART:** Close at 9 o'clock, and we'd  
 [9] be closed on Sundays.  
 [10] **MAYOR JENKINS:** Do we need a motion to  
 [11] go forward with this or just get the information  
 [12] for the next meeting and you come to the next  
 [13] meeting?  
 [14] I don't think we need a motion.  
 [15] **COUNCILMEMBER ROCHE:** No. It's more  
 [16] about the numbers.  
 [17] **COUNCILMEMBER FLEMING:** We just want  
 [18] the numbers.  
 [19] **MAYOR JENKINS:** We'll get all the  
 [20] information in.  
 [21] **COUNCILMEMBER ALEXANDER:** Do you  
 [22] anticipate any alcohol sales or just --  
 [23] **MR. BART:** No.  
 [24] **MAYOR JENKINS:** No.  
 [25] **COUNCILMEMBER ALEXANDER:** Okay.

[1] **MR. BART:** No. It's just going to be  
 [2] straightforward.  
 [3] **COUNCILMEMBER ALEXANDER:** Soft drinks  
 [4] and waters.  
 [5] **MR. BART:** Right.  
 [6] **MAYOR JENKINS:** Okay.  
 [7] **MR. BART:** Thank you very much.  
 [8] **MAYOR JENKINS:** See you at the next  
 [9] meeting.  
 [10] **MR. BART:** Okay. And when will that  
 [11] be?  
 [12] **CLERK BLACKMON:** December 1st.  
 [13] **COUNCILMEMBER BATES:** November 17th.  
 [14] Oh. Today is November 17th.  
 [15] **COUNCILMEMBER ALEXANDER:** Okay, Brian.  
 [16] **MR. BART:** Oh. I'm not going to be  
 [17] able to make it. I'm going to be out of the  
 [18] country.  
 [19] **MAYOR JENKINS:** We'll do our homework  
 [20] while you're gone.  
 [21] **MR. BART:** Okay. I'll get everything  
 [22] that I can together --  
 [23] **MAYOR JENKINS:** Okay.  
 [24] **MR. BART:** -- and then when I get back,  
 [25] we'll get together.

[1] So I'm going to bring it up to the  
 [2] Council and see what they want to do. If we're  
 [3] going to go to Mayor's Day, we need to register  
 [4] by the 26th or it'll cost a lot more for us to  
 [5] register as time goes on before January. So I  
 [6] want some comments from the table.  
 [7] **COUNCILMEMBER ROCHE:** How much does  
 [8] each class cost?  
 [9] **MAYOR JENKINS:** \$210 early, \$215 late  
 [10] for each class.  
 [11] **COUNCILMEMBER ROCHE:** I understand.  
 [12] And this is a Monday -- this is a day  
 [13] trip. It's not like we're spending the night or  
 [14] anything.  
 [15] **MAYOR JENKINS:** That's just a Saturday  
 [16] trip. It's nothing to do with -- unless Council  
 [17] wants to stay.  
 [18] But the whole packet -- other than the  
 [19] courses, the registration fee is 260, 275 and  
 [20] 290 for the early, late and on-site  
 [21] registration, which is the last. That's  
 [22] December 31st. You have to register, and then  
 [23] you pay the other price for the courses. But  
 [24] you don't have to go to -- I don't believe we  
 [25] have to register to go to the classes. Now, at

[1] **MAYOR JENKINS:** Okay.  
 [2] **MR. BART:** Sounds good. Thank you very  
 [3] much.  
 [4] **MAYOR JENKINS:** Thank you.  
 [5] The annexation referendum, Dan Weber is  
 [6] running just a little bit late, and if it's all  
 [7] right with Council, I'm going to move that down  
 [8] until Mr. Weber gets here and wants to talk to  
 [9] us about the referendum for the annexation.  
 [10] Rhonda?  
 [11] **CLERK BLACKMON:** Yes. I just listed  
 [12] the distribution of variance packet for 3604  
 [13] Wilton Avenue, owner, Steve Alderman, so that  
 [14] Council would have it for the upcoming public  
 [15] hearing. We haven't posted it in the paper. We  
 [16] haven't put the signs out yet. This is just the  
 [17] beginning of it. I just wanted them to have the  
 [18] packet. They can start looking it over.  
 [19] **MAYOR JENKINS:** Okay. I have one other  
 [20] thing. On the Mayor's Day, the deadline on  
 [21] Mayor's Day to get the cheaper rate for  
 [22] everybody going to Mayor's Day is on the 26th,  
 [23] and we've had some questions on if we should be  
 [24] doing this on City money or whatever, just  
 [25] speaking plain about it.

[1] one time, we did.  
 [2] **COUNCILMEMBER FLEMING:** I believe,  
 [3] Mayor, it says for Sunday and Monday, does it  
 [4] not? The registration is for Sunday and Monday?  
 [5] **MAYOR JENKINS:** Yes.  
 [6] **COUNCILMEMBER FLEMING:** Yes, sir. So I  
 [7] don't think that we have to based on how that  
 [8] reads. If we just do the class --  
 [9] **MAYOR JENKINS:** Correct, because the  
 [10] course is on Saturday.  
 [11] **COUNCILMEMBER FLEMING:** Correct. If we  
 [12] just do the class --  
 [13] **MAYOR JENKINS:** So if you just do the  
 [14] classes and don't go to all the other stuff, you  
 [15] won't have to pay.  
 [16] **COUNCILMEMBER ROCHE:** Was this budgeted  
 [17] for in our regular budget?  
 [18] **MS. MURPHY:** There is usually enough  
 [19] money because the Council has went in the past,  
 [20] the regular meetings.  
 [21] **MAYOR JENKINS:** I see no problem with  
 [22] why the Council can't go to the courses if they  
 [23] care to, and then if we want to designate one  
 [24] person to go to all the other stuff and bring it  
 [25] back to the Council or to people, whatever,

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[1] rather than everybody going.

[2] **COUNCILMEMBER FLEMING:** The classes are

[3] very educational as far as I'm concerned.

[4] **MAYOR JENKINS:** They're very good.

[5] **COUNCILMEMBER FLEMING:** And there are

[6] several that are offered this time that are

[7] required for Council members, that I believe

[8] that a lot of us have not taken the course.

[9] **COUNCILMEMBER ROCHE:** Well, that's

[10] true.

[11] **COUNCILMEMBER FLEMING:** That would be

[12] my opinion.

[13] **COUNCILMEMBER ROCHE:** And it's always

[14] been my experience that any money spent on

[15] training like this is usually cost effective. I

[16] mean I remember I got a lot out of going last

[17] time. It was just that one day. But like I

[18] say, for myself, I'm not going to charge mileage

[19] downtown and mileage back for myself or

[20] anything.

[21] **COUNCILMEMBER FLEMING:** But Mayor, I

[22] feel that -- I mean it is a Mayor's conference,

[23] so I feel that obviously you should be

[24] registered for the entire event.

[25] **MAYOR JENKINS:** I don't go to those

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[1] things. I used to. But I mean some councilmen

[2] have never been to this. If they want to go,

[3] they can go if somebody wants to. I've been to

[4] a number of them, and it's very interesting,

[5] yes. But everybody seems to want to cut back,

[6] so that's the way it is.

[7] **COUNCILMEMBER FLEMING:** It's up to the

[8] Council.

[9] **MAYOR JENKINS:** What does the Council

[10] want to do, please?

[11] - - -

[12] (No response)

[13] - - -

[14] **MAYOR JENKINS:** Okay. I'll talk to

[15] Council later. If one person wants to go to all

[16] the functions, we'll let them go. Anybody can

[17] sign up on these, but you need to do it by the

[18] 26th so it'll save a little money.

[19] December the 12th, Christmas tree

[20] lighting. Everybody think about it. We're

[21] going to be sending letters to the schools and

[22] everything like that.

[23] We've had a lot of questions with I.T.

[24] services in the City. And I think we -- Ronnie

[25] is here, and he's willing to answer any

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[1] questions you might have about it.

[2] And I don't know how far along a

[3] contract is. Do you know, Ronnie? Come on up

[4] to the microphone, Ronnie.

[5] And if anybody has any questions for

[6] Ronnie, he's here to answer questions and do the

[7] best he can with them, and I think this is a

[8] good time to get it straightened out.

[9] **MAYOR JENKINS:** Ronnie, are you working

[10] hard?

[11] **MR. MURPHY:** Not at the moment.

[12] **MAYOR JENKINS:** Are you keeping up our

[13] I.T. services real good?

[14] **MR. MURPHY:** We're running. We're

[15] running, so I would say yeah.

[16] **COUNCILMEMBER PITTMAN:** Ronnie, do you

[17] have an update on any of the questions that

[18] might have been previously asked? You have a

[19] list there.

[20] **MR. MURPHY:** You mean the responses?

[21] **COUNCILMEMBER FLEMING:** No, no. I have

[22] the responses.

[23] **COUNCILMEMBER PITTMAN:** Yeah, but did

[24] you have anything you wanted to comment on?

[25] **MR. MURPHY:** Just from the audit, I

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[1] mean it brought out a couple things I already

[2] knew, I'd already discussed with the Chief about

[3] ahead of time. I mean network storage at the

[4] Police Department, a better backup solution, and

[5] updated servers. That's the biggest thing, and

[6] City hall, arena, court, they're all good.

[7] **COUNCILMEMBER ROCHE:** Well, I think we

[8] want to relocate these servers to get them into

[9] some kind of secure facility.

[10] **MR. MURPHY:** Well, again --

[11] **COUNCILMEMBER ROCHE:** I mean the whole

[12] chain is not really what I call secure.

[13] **MR. MURPHY:** Well, that's up to you

[14] guys. I mean I talked to the Mayor about

[15] putting up a door.

[16] **MAYOR JENKINS:** That was originally put

[17] there for that reason. There was only one

[18] person that ever touched that server back there,

[19] and we put the chain up, and we haven't had any

[20] problems since then that I know of.

[21] Have we had any problem with anybody

[22] breaking in?

[23] **MR. MURPHY:** In eight years, no, but --

[24] **COUNCILMEMBER ROCHE:** I just have this

[25] vision of a burglar breaking into City Hall.

[1] Then he says, "Oh, no. There's a little chain  
[2] across there."

[3] **MR. MURPHY:** Well, there's a window  
[4] right there at it. So even if we put a  
[5] partition, I guess they could break into the  
[6] window and just pull them right now.

[7] **COUNCILMEMBER ROCHE:** But seriously, I  
[8] mean this was cited and is part of the audit. I  
[9] mean it didn't surprise me that that was cited.

[10] You know, if something should happen  
[11] where someone broke the window and who knows  
[12] what, just -- you know, you could destroy a  
[13] machine with --

[14] **MR. MURPHY:** Yeah.

[15] **COUNCILMEMBER ROCHE:** -- with a Coca-  
[16] Cola --

[17] **MS. MURPHY:** Right.

[18] **COUNCILMEMBER ROCHE:** -- you know, and  
[19] we have absolutely no physical security. I mean  
[20] the risk -- and you know, and I understand that  
[21] we need a better backup system than what we have  
[22] today.

[23] **MR. MURPHY:** That's pretty much only --

[24] **COUNCILMEMBER ROCHE:** We're at risk  
[25] right now.

[1] outside?

[2] **MR. MURPHY:** DVD holds 4 gigs, unless  
[3] we go up to a Blue Ray and they can hold about  
[4] 20 gigs.

[5] But then when you need -- when an open  
[6] records officer needs something, then we'd have  
[7] to pull them back.

[8] **COUNCILMEMBER ROCHE:** Well, true.

[9] **MR. MURPHY:** So I'm looking at  
[10] something where we can hold probably one to two  
[11] years on the network storage and then maybe put  
[12] the stuff like -- I think we started in 2006  
[13] with these digital video files.

[14] So we could pull all of 2006 off to  
[15] like Blue Ray since I can put 20 gig on Blue Ray  
[16] or put it on like two different tapes.

[17] But even with two different tapes,  
[18] there still is retention. Tapes only last so  
[19] long --

[20] **COUNCILMEMBER ROCHE:** Right.

[21] **MR. MURPHY:** -- even if you're not  
[22] using them, so --

[23] **COUNCILMEMBER ROCHE:** Okay. So you got  
[24] a number for us?

[25] **MR. MURPHY:** I got an estimated number.

[1] **MR. MURPHY:** That's pretty much only at  
[2] the Police Department because that drive, the  
[3] drive that was there failed during the beginning  
[4] of the I.T. audit, and I was told not to get  
[5] anything until the audit was complete.

[6] **COUNCILMEMBER ROCHE:** So I guess my  
[7] question would be what do you think we would  
[8] need probably initially just to kind of correct  
[9] some of the glaring infrastructure inadequacies  
[10] that we have now with servers and security and  
[11] bringing every -- bringing them all up to the  
[12] same level?

[13] **MR. MURPHY:** My priority list would be  
[14] network storage and backup solution at the  
[15] Police Department --

[16] **COUNCILMEMBER ROCHE:** Right.

[17] **MR. MURPHY:** -- which is going to --  
[18] that's a major investment for the kind of  
[19] network storage we need over there for all the  
[20] digital video coming from the police cars now.

[21] **COUNCILMEMBER ROCHE:** Right.

[22] **MR. MURPHY:** Because I'd estimate we're  
[23] adding about 20 gigs every four days.

[24] **COUNCILMEMBER ROCHE:** Can't they burn  
[25] those off onto DVDs or something and store them

[1] It can go up from there. But to do the backup  
[2] and network storage, I'll say that's probably  
[3] about one twenty to one thirty to get the kind  
[4] of storage that we need -- thousand.

[5] **COUNCILMEMBER ROCHE:** Uh-huh. Yeah, I  
[6] know.

[7] **MR. MURPHY:** The servers. We probably  
[8] need thirty to forty on that.

[9] **MAYOR JENKINS:** You're talking about  
[10] thousand?

[11] **MR. MURPHY:** Yes, sir. I mean I could  
[12] play around with virtual server, like doing one  
[13] server with VMware.

[14] **COUNCILMEMBER ROCHE:** That sounds  
[15] right. I just --

[16] **MR. MURPHY:** But still, with the  
[17] licenses we got to have --

[18] **COUNCILMEMBER ROCHE:** Right.

[19] **MR. MURPHY:** -- I would still estimate  
[20] -- and I will try to keep it down from that, but  
[21] I'd rather estimate high than low. So I'd say  
[22] thirty to forty. So what's that?

[23] **COUNCILMEMBER SPANGLER:** A hundred and  
[24] seventy.

[25] **COUNCILMEMBER ROCHE:** Plus the

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[1] installation and your time --

[2] **MR. MURPHY:** Yeah.

[3] **COUNCILMEMBER ROCHE:** -- and loading

[4] and --

[5] **MR. MURPHY:** And that just covers the

[6] major, what I think is the major thing. I mean

[7] I need that or the P.D. needs that now, not next

[8] week.

[9] **COUNCILMEMBER ROCHE:** Right.

[10] **MR. MURPHY:** The arena's pretty -- I

[11] would say is pretty secure. The P.D. is secure.

[12] City Hall I guess is the most lacking

[13] one for secureness on the server. I mean we

[14] could close in the window with sheetrock and

[15] then put a partition or we can move it somewhere

[16] else if we can come up with a place.

[17] **COUNCILMEMBER ROCHE:** I think there was

[18] some talk about the --

[19] **MR. MURPHY:** Well, I --

[20] **COUNCILMEMBER ROCHE:** -- civic center?

[21] **MS. MURPHY:** What was it? Two years

[22] ago, maybe? I think I brought up or several of

[23] us brought up maybe move a lot of the service to

[24] the bottom of the civic center just as a central

[25] location, and it was a "maybe" but nothing ever

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[1] come out of it.

[2] **MAYOR JENKINS:** John?

[3] **CHIEF KING:** Sir, I know that me and

[4] Ronnie have spoken about the video storage, sir.

[5] I can contribute to the -- I can contribute the

[6] one twenty if that's a figure.

[7] **MS. MURPHY:** I think it was one thirty,

[8] Chief.

[9] **MR. MURPHY:** Well, one twenty to one

[10] thirty. That's with a backup in the --

[11] **CHIEF KING:** I can take care of that if

[12] the City will --

[13] We're more concerned about the infra-

[14] structure setting in the city. We can take care

[15] of it because we are the ones that generate all

[16] this video and all of this requirement for

[17] archiving. I have enough money in asset

[18] forfeiture, and that's part of what I already

[19] planned, that we could take care of the one

[20] twenty to one thirty.

[21] But the one thing that we need some

[22] help is the servers and the network, the actual

[23] architecture to set up --

[24] **COUNCILMEMBER ROCHE:** Right.

[25] **CHIEF KING:** -- successfully.

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[1] **COUNCILMEMBER ROCHE:** Either that or we

[2] could just take all the cameras out of the

[3] police cars.

[4] **CHIEF KING:** That is a technique, sir.

[5] Not something that I would recommend.

[6] **COUNCILMEMBER ROCHE:** That's not

[7] anything I that I recommend.

[8] **COUNCILMEMBER SPANGLER:** So Mr. Murphy,

[9] with that covered, the \$130,000, what is your

[10] estimation now that we immediately need?

[11] **MR. MURPHY:** I'd say we still need --

[12] **COUNCILMEMBER SPANGLER:** Forty

[13] thousand?

[14] **MR. MURPHY:** -- thirty to forty for the

[15] servers because they're still lacking hard drive

[16] space.

[17] That's one of the reasons the backup

[18] software doesn't work.

[19] That's the reason I can't put in or one

[20] of the reasons I can't put in service packs and

[21] hot fixes. I just don't have the space.

[22] If I tried to install any of that, it's

[23] going to create zero kilobytes on the C parti-

[24] tion which will end up shutting some of the

[25] services down, so the server's going to not

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[1] work.

[2] **COUNCILMEMBER ALEXANDER:** What size is

[3] the hard drives on the server?

[4] **MR. MURPHY:** It varies but --

[5] **COUNCILMEMBER ALEXANDER:** Is it RAID 1?

[6] RAID 5? What is it?

[7] **MR. MURPHY:** RAID 5.

[8] **COUNCILMEMBER ALEXANDER:** RAID 5? And

[9] you have three -- so you run into your hard

[10] drives?

[11] **MR. MURPHY:** At least three.

[12] **COUNCILMEMBER ALEXANDER:** And what size

[13] are they?

[14] **MR. MURPHY:** Anywhere from 70 to 140

[15] apiece.

[16] **COUNCILMEMBER ALEXANDER:** Okay.

[17] **MR. MURPHY:** And I've pulled everything

[18] I can off the C. But see, what --

[19] **COUNCILMEMBER ALEXANDER:** What backup

[20] software are you running on it?

[21] **MR. MURPHY:** Backup Exec.

[22] **COUNCILMEMBER ALEXANDER:** Okay.

[23] **MR. MURPHY:** And I'm looking at the 120

[24] or 130. I'm looking at something more than

[25] enterprise level, that it's called Networker

[1] from a company called EMC, who's partnered with  
[2] Dell. All this will come from Dell on Dell  
[3] invoices.

[4] EMC has been in the business for a long  
[5] time. They have really high end enterprise  
[6] hardware and software. So the software I'm  
[7] looking at is a lot better than Backup Exec.

[8] **COUNCILMEMBER SPANGLER:** And how long  
[9] would it take us to implement the system?

[10] **MR. MURPHY:** I would have to estimate  
[11] this, but maybe by the end of December because I  
[12] have to wait on getting all of it quoted out.

[13] **COUNCILMEMBER BATES:** And for these  
[14] servers, would we send this out for competitive  
[15] pricing or is that a single source?

[16] **MR. MURPHY:** In the past, we've always  
[17] just got everything from Dell.

[18] **MS. MURPHY:** Government prices.

[19] **CHIEF KING:** It's because it's a GSA  
[20] contract, government contract, so that --  
[21] I'm sorry, sir.

[22] **MR. MURPHY:** They give us pretty --

[23] **CHIEF KING:** Yeah.

[24] I'm sorry, Ronnie. Go ahead.

[25] **MR. MURPHY:** Think back to my other

[1] software anywhere on any of these servers or  
[2] anywhere.

[3] **MR. MURPHY:** Well, I try to do that.

[4] But some of the other vendors, they put stuff on  
[5] but. So I ask for the licenses or copies of  
[6] license but I don't get it. So I guess --

[7] **COUNCILMEMBER ROCHE:** Uh-huh. Okay.

[8] **MR. MURPHY:** -- I would need a  
[9] directive from you guys --

[10] **COUNCILMEMBER ROCHE:** Again, it's not a  
[11] high priority.

[12] **MR. MURPHY:** -- to give to them.

[13] **COUNCILMEMBER ROCHE:** It's something to  
[14] do.

[15] **COUNCILMEMBER BATES:** Ron, how much of  
[16] the work you do is reactive versus proactive as  
[17] in planning for the next stage of I.T.  
[18] development versus reacting to "My printer  
[19] doesn't work?"

[20] **MR. MURPHY:** I'd say 98/99 percent is  
[21] reactive because pretty much -- what was it?  
[22] February/March I was asked, on my bills, put  
[23] down who requested it, so it's --

[24] The only time I do proactive stuff is  
[25] if I'm there already working on something that's

[1] clients, of course they're small business. They  
[2] give the City excellent prices, excellent  
[3] prices.

[4] **CHIEF KING:** And they are a GSA  
[5] guaranteed government supplier, so that the  
[6] federal government goes and does the multiple  
[7] sourcing, and that's --

[8] **MR. MURPHY:** And so does the State of  
[9] Georgia.

[10] **COUNCILMEMBER ROCHE:** And that would be  
[11] the licensing and software, everything to go  
[12] with the servers?

[13] **MR. MURPHY:** I try to get everything  
[14] from Dell.

[15] **COUNCILMEMBER ROCHE:** No. I'm just  
[16] saying it's already in the cost?

[17] **MR. MURPHY:** Yeah, the licensing, the  
[18] hardware --

[19] **COUNCILMEMBER ROCHE:** Because the only  
[20] thing --

[21] **MR. MURPHY:** -- software.

[22] **COUNCILMEMBER ROCHE:** -- I'd like to  
[23] see happen is -- maybe it's not as high a  
[24] priority but it's definitely a priority is we  
[25] want to make sure we don't have any unlicensed

[1] tore up. Then if I see something, I'll go ahead  
[2] and do it as part of what I'm -- since I'm  
[3] already there, like the antiviruses or service  
[4] pack if I know I can install the service pack or  
[5] hot fixes.

[6] Like in the responses, one of the  
[7] things, I don't just install service packs  
[8] willy-nilly. I talk to the vendors to make sure  
[9] it's not going to mess up the application that  
[10] each department uses first.

[11] **COUNCILMEMBER BATES:** So it would be  
[12] safe to say, then, that the 64,000 in systems  
[13] consulting and 70,000 in capital improvements in  
[14] the budget is all reactive budgeting and not  
[15] proactive budgeting.

[16] **MR. MURPHY:** I would say probably yes  
[17] unless some of that is hardware or software.

[18] **MS. MURPHY:** That 70,000 is hardware.

[19] **COUNCILMEMBER BATES:** Right. Capital  
[20] improvement items, right.

[21] **MR. MURPHY:** Yes, that part.

[22] **COUNCILMEMBER BATES:** Right.

[23] So we've got that in the budget as a  
[24] stop-gap in case something breaks, but not as --  
[25] not as in a move as to the next level preven-

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[1] tive maintenance. It's only there in case  
[2] something happens but not to be proactive in  
[3] fixing it in advance.  
[4] **MR. MURPHY:** Or purchasing anything  
[5] that we decide at some point that we want or  
[6] need. So yes, I would say yes.  
[7] **COUNCILMEMBER FLEMING:** The 40,000 that  
[8] we're discussing for the servers, being an  
[9] immediate item, would that not -- Mr. Bates, do  
[10] you not feel that that would come out of the  
[11] 70,000 because it's an item that we definitely  
[12] have to have?  
[13] **COUNCILMEMBER BATES:** I would say that  
[14] if we can pull it out of the seventy if that's  
[15] not going to hamstring us for something that's  
[16] potentially waiting around the corner, I would  
[17] absolutely agree to do that. But it's broken  
[18] down into 40,000 for Police, 10,000 in Code  
[19] Enforcement, 20,000 in City Hall. So you know,  
[20] I don't know what the anticipated uses were for  
[21] those capital-improvement items.  
[22] **MS. MURPHY:** Well, the part in City  
[23] Hall was part of just in case something  
[24] happened, so some of it could be redistributed  
[25] in mid-year review. And some of it in the

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[1] Police Department is in case something happens  
[2] also, so part of that could be used.  
[3] **COUNCILMEMBER BATES:** Yeah. If we've  
[4] got just-in-case money that is there as kind of  
[5] a reactive, this is certainly qualifying for a  
[6] reactive response or somewhat proactive.  
[7] **COUNCILMEMBER ALEXANDER:** What type of  
[8] a firewall are you running and do you have a  
[9] spam blocker program installed or --  
[10] **MR. MURPHY:** Well, on the firewall, we  
[11] have a managed firewall from NuVox, who's  
[12] handling the telecommunications, the telephone  
[13] and the data over at the Police Department.  
[14] **COUNCILMEMBER ALEXANDER:** Is it like a  
[15] separate DHCP server or exactly what --  
[16] **MR. MURPHY:** No. I run my own --  
[17] **COUNCILMEMBER ALEXANDER:** -- is it? A  
[18] DPM box?  
[19] **MR. MURPHY:** We run our own internal  
[20] DHCP server.  
[21] The firewall is Fortinet, and Blue Box  
[22] takes care of that so I don't -- all I do is  
[23] call them and tell them to open up ports that  
[24] the vendors need like for like the patrol car  
[25] software or the Citric server.

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[1] **COUNCILMEMBER ALEXANDER:** So DH --  
[2] **MR. MURPHY:** It -- it only runs --  
[3] **COUNCILMEMBER ALEXANDER:** -- CP, is it  
[4] a standalone and that's all it does is serves is  
[5] the firewall?  
[6] **MR. MURPHY:** I'm sorry?  
[7] **COUNCILMEMBER ALEXANDER:** That DHCP  
[8] server, is it standalone and that's all it  
[9] serves is the firewall?  
[10] **MR. MURPHY:** No. The DHCP server  
[11] doesn't have anything to do with firewall. The  
[12] DHCP server just hands out I.P. addresses.  
[13] **COUNCILMEMBER ALEXANDER:** Right. Our  
[14] DHCP also acts as our firewall connected through  
[15] the VPM on ours.  
[16] **MR. MURPHY:** No. The firewall is just  
[17] a firewall. It handles all the incoming and  
[18] outgoing requests or it actually tries to stop  
[19] all the incoming requests but it handles all the  
[20] outgoing requests for either e-mail or web site  
[21] requests. The DHCP server just hands out I.P.  
[22] addresses, and that's handled on an internal  
[23] domain controller.  
[24] **COUNCILMEMBER ALEXANDER:** Okay.  
[25] **MR. MURPHY:** It's part of Windows 2003

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[1] now.  
[2] **COUNCILMEMBER ALEXANDER:** It is not a -  
[3] - that's not its only job. It does have  
[4] different functions.  
[5] **MR. MURPHY:** The server or the  
[6] firewall?  
[7] **COUNCILMEMBER ALEXANDER:** The DHCP.  
[8] **MR. MURPHY:** Well, the server is a  
[9] domain controller, a DNS server and a DHCP  
[10] server.  
[11] **COUNCILMEMBER ALEXANDER:** Okay, becaus  
[12] e  
[13] that's not how we operate ours. That's why I  
[14] was asking those questions.  
[15] **MR. MURPHY:** Well, that way, it all  
[16] goes through active directory. I like it being  
[17] there so I can see everything that's happening.  
[18] The firewall, like I said, is separate  
[19] from DHCP, DNS or active directory.  
[20] **COUNCILMEMBER ALEXANDER:** And what type  
[21] of spam software are you running as far as we  
[22] get an e-mail every day that says, "The  
[23] spam blocker has caught these e-mails. Do you  
[24] want them or delete them?" Do you have anything  
[25] like that?  
**MR. MURPHY:** Well, there's two things.

[1] One, we have a Barracuda spam device that  
[2] handles all the incoming and outgoing e-mail.  
[3] It checks it for spam and viruses.

[4] In addition to that, each of the work  
[5] stations and the servers have Symantec antivirus  
[6] on it. With the version I've got on there now,  
[7] it has an antispymware portion also, so there's  
[8] two -- two lines of defenses there for spyware.

[9] **COUNCILMEMBER ALEXANDER:** But we have  
[10] had instances where the e-mail address has been  
[11] cloned and has spammed outgoing. Is that  
[12] correct?

[13] **MR. MURPHY:** There's one device that  
[14] supposedly, according to NuVox, was trying to  
[15] send out e-mails, but the NuVox firewall stopped  
[16] it from doing that, and I just have to find the  
[17] -- I think I finally got the --

[18] Somehow, a SMTP server got set up on it  
[19] that's not part of Windows. So I mean that's  
[20] going to happen no matter what. Nothing, no  
[21] antivirus, no anti-spyware is a hundred percent.  
[22] No anti-spam is a hundred percent.

[23] **COUNCILMEMBER BATES:** What's our  
[24] capacity on e-mail addresses? I know  
[25] there was some talk or at least I heard a few

[1] **COUNCILMEMBER BATES:** -- be active?  
[2] **MR. MURPHY:** Yes, sir. Probably at  
[3] least by Friday.

[4] **COUNCILMEMBER BATES:** The other  
[5] question is where are we on the integration with  
[6] the P.D. and the courts on the ticket  
[7] nomenclature so that we don't have to duplicate  
[8] entry?

[9] **MR. MURPHY:** That's been working for  
[10] months.

[11] **COUNCILMEMBER BATES:** We're up to  
[12] speed?

[13] **MR. MURPHY:** Yeah.

[14] **COUNCILMEMBER BATES:** Okay. Good.

[15] **MR. MURPHY:** We've still got some  
[16] issues with some tickets coming out of Eagle  
[17] having the wrong code going -- coming out of  
[18] Eagle, but I'm working with ComNetics to try to  
[19] figure out why, why that's happening. But as  
[20] far as the interface, it's working great now for  
[21] Corally.

[22] **COUNCILMEMBER BATES:** Thank you.

[23] **COUNCILMEMBER ROCHE:** And how are we  
[24] going to get to our e-mails now?

[25] **MR. MURPHY:** Over the web.

[1] months ago that we had hit our capacity on new  
[2] e-mail addresses.

[3] **MR. MURPHY:** Addresses is determined by  
[4] license. We were out of license.

[5] I've got the e-mail licenses now, and I  
[6] just got the Windows 2003 server licenses last  
[7] week. So I can add more licenses now.

[8] The other problem was the old Exchange  
[9] 2000 server had a 16 gig limit on the database,  
[10] but it failed to start one Friday so I had to  
[11] upgrade it to 2003, which we already had  
[12] licenses for. So now I've got like a 75 gig  
[13] limit. And if y'all want to take it unlimited,  
[14] I can go to enterprise version.

[15] But probably by the end of this week, I  
[16] can start adding -- well, actually, I could  
[17] start adding now some more e-mail, probably 20  
[18] more e-mail addresses --

[19] **COUNCILMEMBER BATES:** And so our e-mail  
[20] --

[21] **MR. MURPHY:** -- which was going to be  
[22] you guys.

[23] **COUNCILMEMBER BATES:** Our e-mail  
[24] addresses are going to --

[25] **MR. MURPHY:** Yes.

[1] **COUNCILMEMBER ROCHE:** Okay.

[2] **MR. MURPHY:** You'll go to the web site  
[3] address I'll give you that runs Outlook --

[4] **COUNCILMEMBER ROCHE:** We all requested

[5] --

[6] **MR. MURPHY:** -- web access.

[7] **COUNCILMEMBER ROCHE:** -- an e-mail and  
[8] business card with the new job title.

[9] **MR. MURPHY:** It'll be the same way the  
[10] P.D., the driving patrol cars will access their  
[11] e-mail in the cars.

[12] **COUNCILMEMBER ROCHE:** Okay.

[13] **COUNCILMEMBER FLEMING:** Do we need to  
[14] make a motion?

[15] **COUNCILMEMBER ROCHE:** To move forward  
[16] with the I.T. contract?

[17] **COUNCILMEMBER FLEMING:** To move forward  
[18] with the purchase of the servers needed.

[19] **COUNCILMEMBER ALEXANDER:** Where do we  
[20] stand on getting the situation with the video  
[21] conversion handled? In other words, from the  
[22] videotapes to DVD's, is that now operational and  
[23] you're good to go?

[24] **CHIEF KING:** What we did, ma'am, is we  
[25] used asset forfeiture, and what we did is we

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[1] replaced all the standard video cameras, VCR  
[2] cameras, in the patrol cars and we bought 10  
[3] digital video cameras. So now all our patrol  
[4] cars are running off of digital video, and  
[5] that's what Ronnie was talking about, how to  
[6] increase our storage.  
[7] What we've done is we converted --  
[8] because we have a retention -- you know, we have  
[9] a five-year retention requirement for video. So  
[10] what we did is we took the most recent years and  
[11] converted that to digital video. And basically,  
[12] the longer the time passes, the less of the old  
[13] videos that we have to --  
[14] So basically, we work our way, I think,  
[15] to two years. Perhaps we're probably going to  
[16] do one more year and then we're going to stop  
[17] there as time progresses.  
[18] **COUNCILMEMBER ALEXANDER:** You don't  
[19] have to keep those longer in case a case comes  
[20] up?  
[21] **CHIEF KING:** No, ma'am. Five years is  
[22] what the Secretary of State's Office requires  
[23] us.  
[24] **COUNCILMEMBER BATES:** Even for a  
[25] felony?

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[1] **COUNCILMEMBER ALEXANDER:** For felony  
[2] arrests?  
[3] **CHIEF KING:** Well, a felony arrest is  
[4] different. Those are for life.  
[5] **ATTORNEY WEED:** If there's a lawsuit or  
[6] some pending action, you have to retain them  
[7] until that's completed.  
[8] **COUNCILMEMBER ALEXANDER:** I mean, you  
[9] know, a case can be --  
[10] **CHIEF KING:** But that --  
[11] **COUNCILMEMBER ALEXANDER:** -- in Dekalb  
[12] for --  
[13] **CHIEF KING:** -- that, we have to --  
[14] **COUNCILMEMBER ALEXANDER:** -- how many  
[15] years?  
[16] **CHIEF KING:** -- be informed that those  
[17] videos will be required, and then basically we  
[18] save that as part of the package.  
[19] But as a matter of law, a matter of  
[20] operations, it's a five-year retention schedule  
[21] on video cameras with videos from patrol cars,  
[22] all our in-house videos.  
[23] **COUNCILMEMBER ALEXANDER:** So --  
[24] **COUNCILMEMBER ROCHE:** I was going to  
[25] say, what about these video cameras

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[1] (indicating)?  
[2] **CHIEF KING:** Those are kept on the same  
[3] servers as inside the Police Department security  
[4] videos.  
[5] **COUNCILMEMBER SPANGLER:** What is the  
[6] retention on these?  
[7] **CHIEF KING:** Whatever you say, sir. I  
[8] think --  
[9] **COUNCILMEMBER ROCHE:** Now, these videos  
[10] have no sound at all.  
[11] **CHIEF KING:** Yes, sir, they don't have  
[12] any sound whatsoever.  
[13] **COUNCILMEMBER ROCHE:** No capability or  
[14] whatever.  
[15] **CHIEF KING:** The Mayor requested it  
[16] that way. I mean that could be changed if you  
[17] decided otherwise, but --  
[18] **COUNCILMEMBER ROCHE:** Well, no. I mean  
[19] the concern would be obviously Executive  
[20] Session.  
[21] **COUNCILMEMBER SPANGLER:** From the time  
[22] those were installed until now, we have a record  
[23] of every day that --  
[24] **CHIEF KING:** I don't know if I can  
[25] answer that question accurately. I would have

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[1] to ask the vendor.  
[2] I think so, sir. I'm not sure.  
[3] **COUNCILMEMBER SPANGLER:** Could you find  
[4] that out?  
[5] **CHIEF KING:** Sure, I could find it.  
[6] Give me a couple of days to contact the company.  
[7] **MAYOR JENKINS:** Do you want to make a  
[8] motion on something?  
[9] **CHIEF KING:** I just don't know where  
[10] the, you know --  
[11] **COUNCILMEMBER SPANGLER:** I mean you  
[12] would store them here, though, wouldn't you?  
[13] **CHIEF KING:** They're kept somewhere on  
[14] the computer, yes. I don't look at that video,  
[15] sir.  
[16] **COUNCILMEMBER ALEXANDER:** But I guess  
[17] so you're going to have a policy when this new  
[18] system is set up, when the videos become a  
[19] certain age, then they'll --  
[20] **CHIEF KING:** Yeah.  
[21] **COUNCILMEMBER ALEXANDER:** -- be copied  
[22] to --  
[23] **CHIEF KING:** It's part --  
[24] **COUNCILMEMBER ALEXANDER:** -- disk or --  
[25] **CHIEF KING:** It's part of the automatic

[1] controls on the video management software.  
 [2] The issue that -- what we're trying to  
 [3] bring to you, and I think what Ronnie's trying,  
 [4] is when the court requires them, we ought to be  
 [5] able to just enter into the computer a time, a  
 [6] date, and the officer, and the computer  
 [7] retrieves that video to cut down on the costs  
 [8] associated with a person going through a bunch  
 [9] of boxes, going through DVD's or video. Like  
 [10] you have boxes of videos at the courthouse. I  
 [11] think some of y'all have seen those. And the  
 [12] manpower required, it takes a long time. The  
 [13] computer will do that.

[14] **COUNCILMEMBER ALEXANDER:** Just make  
 [15] sure we have a maintenance plan in place so he  
 [16] doesn't come back two years from now and say he  
 [17] needs another server, because I want to make  
 [18] sure he's got a thing in place that --

[19] **CHIEF KING:** Well, I think, you know --

[20] **MR. MURPHY:** That's for sure on that.

[21] **COUNCILMEMBER ALEXANDER:** We're going  
 [22] to have a policy of when he's got video on there  
 [23] that you know now is whatever, he can download  
 [24] to DVD's.

[25] **CHIEF KING:** Our plan has been as the

[1] **CHIEF KING:** -- right now --  
 [2] **MR. MURPHY:** Yeah.  
 [3] **CHIEF KING:** -- of I.T.  
 [4] **COUNCILMEMBER FLEMING:** But in regards  
 [5] to Ms. Alexander's question, I mean would you  
 [6] not do a policy of like purging it every 90 days  
 [7] or purging it every six months or --

[8] **CHIEF KING:** Yes, ma'am.

[9] **COUNCILMEMBER FLEMING:** -- you know,  
 [10] something to set a --

[11] **MR. MURPHY:** We can do it.

[12] **COUNCILMEMBER FLEMING:** -- specific  
 [13] time so that it doesn't overwhelm you.

[14] **CHIEF KING:** Luckily, ma'am, the video,  
 [15] it is a set procedure. I mean the State of  
 [16] Georgia has published this in the retention  
 [17] schedule. I have no options on the retention  
 [18] policy.

[19] Now, on other stuff, yes, ma'am. My  
 [20] recommendation would be 90 days. And then if  
 [21] the information is of no longer use for the  
 [22] operation of the city or it's not covered under  
 [23] a state -- from the department of state, then  
 [24] they're discarded and we clear out the -- the  
 [25] space on the server.

[1] videos become not required in the courtroom, you  
 [2] know, or they're not anticipated to be required,  
 [3] they're burned into a DVD and then, as a backup,  
 [4] they're stored off site. That way, if something  
 [5] -- you know, if we have a catastrophic crash on  
 [6] the system, we have a backup where we could  
 [7] retrieve this information.

[8] Now, in all fairness, I know Ronnie's  
 [9] talking to you about additional servers. I have  
 [10] to be realistic. You're going to require --  
 [11] there's going to be more I.T. The City of  
 [12] Doraville is becoming more mature in their I.T.  
 [13] You're going to the pay online. You're going to  
 [14] require additional I.T. infrastructure as time  
 [15] progresses.

[16] We can't, I don't think -- well,  
 [17] Ronnie, I don't know if Ronnie will do that, but  
 [18] I can tell you that you can expect some  
 [19] additional I.T. work and capacity as the years  
 [20] come in the future.

[21] **MR. MURPHY:** As we're adding more and  
 [22] more stuff --

[23] **CHIEF KING:** Because we're in the  
 [24] infancy --

[25] **MR. MURPHY:** -- digital.

[1] **COUNCILMEMBER FLEMING:** And at that  
 [2] time, you burn them to Blue Ray, as you call it;  
 [3] is that correct?

[4] **CHIEF KING:** Those are just videos,  
 [5] ma'am.

[6] I'm talking about all the other stuff.

[7] **COUNCILMEMBER FLEMING:** Oh, I'm sorry.

[8] **MR. MURPHY:** Well, we can still Blue --  
 [9] well, depending on what the Chief says --

[10] **COUNCILMEMBER FLEMING:** Well, the  
 [11] question --

[12] **MR. MURPHY:** -- we can burn them to  
 [13] Blue Ray now.

[14] **COUNCILMEMBER ALEXANDER:** I was  
 [15] addressing the videos because of the size of the  
 [16] files.

[17] **CHIEF KING:** Yes.

[18] **COUNCILMEMBER ALEXANDER:** The largest  
 [19] files, obviously, he's going to have to put on  
 [20] there.

[21] **CHIEF KING:** Yes, ma'am. They will be  
 [22] saved, and the policy would be in compliance  
 [23] with the law.

[24] Sorry, Ronnie.

[25] **MR. MURPHY:** No problem, Chief. That's

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[1] fine.

[2] **COUNCILMEMBER SPANGLER:** So you started

[3] to make a motion?

[4] **COUNCILMEMBER FLEMING:** Yes. I wanted

[5] to make a motion to authorize the purchase of

[6] the additional servers not to exceed \$40,000 but

[7] I believe that we would like to see the

[8] quotation first.

[9] **MR. MURPHY:** Okay.

[10] **COUNCILMEMBER ROCHE:** I'll second that.

[11] Obviously, we'll have to move some

[12] money around in the budget from one department

[13] to the other.

[14] **ATTORNEY WEED:** And you obviously

[15] intend this to be a sole-source-vendor under 2-

[16] 90; correct?

[17] **COUNCILMEMBER ALEXANDER:** Does that

[18] have to be added to the motion?

[19] **ATTORNEY WEED:** I'd like you just to be

[20] aware that that's what you intend to do.

[21] **COUNCILMEMBER ALEXANDER:** Okay.

[22] **COUNCILMEMBER BATES:** Be a multi-

[23] government?

[24] **COUNCILMEMBER ALEXANDER:** Contract.

[25] **ATTORNEY WEED:** Okay. Well, that's --

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[1] then it's exempt under 2-90 but it's either --

[2] either it applies or it's exempt, so that's good

[3] enough for me.

[4] **COUNCILMEMBER ALEXANDER:** The quote

[5] will be from a GSA-approved vendor.

[6] **MAYOR JENKINS:** Call for the motion.

[7] **CLERK BLACKMON:** Councilmember

[8] Alexander?

[9] **COUNCILMEMBER ALEXANDER:** Yes.

[10] **CLERK BLACKMON:** Councilmember Bates?

[11] **COUNCILMEMBER BATES:** Yes.

[12] **CLERK BLACKMON:** Councilmember

[13] Fleming?

[14] **COUNCILMEMBER FLEMING:** Yes.

[15] **CLERK BLACKMON:** Councilmember Pittman?

[16] **COUNCILMEMBER PITTMAN:** Yes.

[17] **CLERK BLACKMON:** Councilmember Roche?

[18] **COUNCILMEMBER ROCHE:** Yes.

[19] **CLERK BLACKMON:** Councilmember

[20] Spangler?

[21] **COUNCILMEMBER SPANGLER:** Yes.

[22] And while we got you up here,

[23] Mr. Murphy, is there anything else that we need

[24] right away?

[25] **MR. MURPHY:** Well, I guess this would

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[1] fall under the \$5,000 limit, but I want to

[2] change out the antivirus because the Seagate

[3] just doesn't seem to be doing the job that I

[4] need it to do.

[5] **COUNCILMEMBER ALEXANDER:** You mean the

[6] Symantec?

[7] **MR. MURPHY:** Symantec. I'm sorry.

[8] Symantec.

[9] **COUNCILMEMBER ALEXANDER:** And what are

[10] you looking going to?

[11] **MR. MURPHY:** AVG. It does an excellent

[12] job of finding viruses, does an excellent job of

[13] getting rid of them. In probably six years,

[14] I've only had two instances where when AVG was

[15] trying to get rid of something that it actually

[16] blew up Windows where I had to rebuild the whole

[17] thing, and Symantec just isn't finding the

[18] viruses nowadays or the spyware.

[19] **COUNCILMEMBER ALEXANDER:** What about

[20] Trend?

[21] **MR. MURPHY:** I haven't really tried

[22] Trend. I've just tried the AVG, because on a

[23] lot of the individual clients, I've been using

[24] the AVG free, but we can't do that for

[25] government. So I think it's just as cheap if

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[1] not cheaper to go with AVG, and I've talked with

[2] a couple of the vendors that we use for other

[3] things, and they use AVG at their site and

[4] they're real happy with it.

[5] **COUNCILMEMBER SPANGLER:** So do you need

[6] to go through the Mayor or do you need to go

[7] through the Council for this or --

[8] **MR. MURPHY:** That's up to you guys. I

[9] think what I'm looking at is like \$4,400, I

[10] think, for the whole -- it would be for the

[11] whole city, all servers, work stations, laptops.

[12] **COUNCILMEMBER SPANGLER:** Well, Mayor,

[13] we can approve that.

[14] **CLERK BLACKMON:** Yes.

[15] **MAYOR JENKINS:** Can I?

[16] **COUNCILMEMBER SPANGLER:** Sure.

[17] **MR. MURPHY:** When I get the final

[18] quote, he can, if y'all so approve.

[19] **COUNCILMEMBER FLEMING:** Chief, we

[20] appreciate you authorizing the purchase --

[21] **CHIEF KING:** Absolutely.

[22] **COUNCILMEMBER FLEMING:** -- out of your

[23] asset forfeiture. Thank you very much.

[24] **MS. MURPHY:** Ronnie, you want a

[25] contract while you're up there?

[1] **MR. MURPHY:** That's up to you.  
[2] **COUNCILMEMBER ROCHE:** If I understand  
[3] it correctly, the I.T. contract was pretty much  
[4] the same. The only thing different was the  
[5] hourly rate?  
[6] **ATTORNEY WEED:** That is correct.  
[7] **COUNCILMEMBER ROCHE:** So it's actually  
[8] ready to go.  
[9] **ATTORNEY WEED:** The current version  
[10] would give Mr. Murphy more access to more areas  
[11] under the theory that he needs to be in more  
[12] places --  
[13] **COUNCILMEMBER ROCHE:** Of course.  
[14] **ATTORNEY WEED:** -- during more  
[15] irregular hours. That's the major difference  
[16] between the two of them.  
[17] **MAYOR JENKINS:** How long will the  
[18] contract be for?  
[19] **ATTORNEY WEED:** One year.  
[20] **MAYOR JENKINS:** Do I have a motion?  
[21] **COUNCILMEMBER ROCHE:** I make a motion  
[22] we accept the I.T. contract from MIS.  
[23] **COUNCILMEMBER ALEXANDER:** And you are  
[24] getting --like you stated, whoever calls you,  
[25] you're putting that on your invoice?

[1] behooves us to maintain this relationship.  
[2] I don't know of anyone else that could  
[3] come in and sit down and figure out what was  
[4] going on, put it that way, without it costing us  
[5] a lot of money first.  
[6] **COUNCILMEMBER BATES:** How long have you  
[7] been with us, with the City?  
[8] **MR. MURPHY:** I've been doing City Hall  
[9] since 2000 and I've been at the Police  
[10] Department since 2003.  
[11] **COUNCILMEMBER BATES:** So were we in a  
[12] mess when you inherited it or --  
[13] **CHIEF KING:** 2002.  
[14] **MR. MURPHY:** 2002?  
[15] **COUNCILMEMBER BATES:** -- has it become  
[16] worse?  
[17] **CHIEF KING:** 2002.  
[18] **MS. MURPHY:** We're a lot better than we  
[19] were.  
[20] **CHIEF KING:** Yeah.  
[21] **MR. MURPHY:** Well, I won't tell you in  
[22] this meeting, but it's a lot better than it was  
[23] when I took over.  
[24] **COUNCILMEMBER ROCHE:** When you don't do  
[25] preventive maintenance and you don't have an

[1] **MR. MURPHY:** Yes.  
[2] **COUNCILMEMBER ALEXANDER:** So if someone  
[3] calls you that wasn't authorized to call you,  
[4] then they're --  
[5] **MR. MURPHY:** I'll --  
[6] **COUNCILMEMBER ALEXANDER:** -- they're  
[7] taken care of?  
[8] **MR. MURPHY:** I'll usually call. If  
[9] it's an emergency and it's 2:00 in the morning,  
[10] I may wait till 8:00 in the morning. I may fix  
[11] it, but then I'll call a captain, a lieutenant  
[12] or a captain, to make sure they're okay. I mean  
[13] usually they're okay, because they tell me, "If  
[14] it's down, fix it. So don't wait."  
[15] The only trouble I would have is if you  
[16] want me to do proactive stuff.  
[17] **COUNCILMEMBER ROCHE:** Yeah. We just  
[18] authorized proactive stuff.  
[19] **MAYOR JENKINS:** Do I get a second?  
[20] **COUNCILMEMBER SPANGLER:** Second.  
[21] **COUNCILMEMBER ROCHE:** The only other  
[22] discussion is, nothing against anybody, but  
[23] obviously our I.T. infrastructure is a mess. At  
[24] least we need to have someone who understands  
[25] the mess, so to speak, and so I think it

[1] overall direction; when you don't change the  
[2] oil, you know, when you don't mow the lawn --  
[3] **MR. MURPHY:** Well --  
[4] **COUNCILMEMBER ROCHE:** -- or you don't  
[5] weed --  
[6] **MR. MURPHY:** -- like I said, I keep it  
[7] updated as I find the problems, but as far as  
[8] proactive and myself telling me of --  
[9] **COUNCILMEMBER ROCHE:** I understand.  
[10] **MR. MURPHY:** I'm guessing you just told  
[11] me I can?  
[12] **MAYOR JENKINS:** Thank you.  
[13] Call the roll, please.  
[14] **CLERK BLACKMON:** Councilmember  
[15] Alexander?  
[16] **COUNCILMEMBER ALEXANDER:** No.  
[17] **CLERK BLACKMON:** Councilmember Bates?  
[18] **COUNCILMEMBER BATES:** No.  
[19] **CLERK BLACKMON:** Councilmember Fleming?  
[20] **COUNCILMEMBER FLEMING:** Yes.  
[21] **CLERK BLACKMON:** Councilmember Pittman?  
[22] **COUNCILMEMBER PITTMAN:** Yes.  
[23] **CLERK BLACKMON:** Councilmember Roche?  
[24] **COUNCILMEMBER ROCHE:** Yes.  
[25] **CLERK BLACKMON:** Councilmember

[1] Spangler?  
 [2] **COUNCILMEMBER SPANGLER:** Yes.  
 [3] **MAYOR JENKINS:** Thank you.  
 [4] **ATTORNEY WEED:** Mr. Mayor, just one  
 [5] last thing. Mr. Murphy had asked that the  
 [6] Council direct him to deal with the licensing  
 [7] issue, and, as your lawyer, I would advise that  
 [8] you give him that direction so he can get that  
 [9] taken care of.  
 [10] **MR. MURPHY:** You mean with the vendor?  
 [11] **ATTORNEY WEED:** Yes.  
 [12] **MR. MURPHY:** Because everything I put  
 [13] on, I make sure I have a license --  
 [14] **ATTORNEY WEED:** I know.  
 [15] **MR. MURPHY:** That's why I wouldn't do  
 [16] the e-mail --  
 [17] **ATTORNEY WEED:** Yeah.  
 [18] **MR. MURPHY:** -- until I had the  
 [19] license.  
 [20] **ATTORNEY WEED:** Right.  
 [21] But we need to get that cleaned up, and  
 [22] I'd like you to authorize him to get that done.  
 [23] **COUNCILMEMBER ALEXANDER:** Do we have a  
 [24] central location? I would assume the Clerk's  
 [25] office would maintain all of that information.

[1] **CLERK BLACKMON:** Councilmember  
 [2] Alexander?  
 [3] **COUNCILMEMBER ALEXANDER:** Yes.  
 [4] **CLERK BLACKMON:** Councilmember Bates?  
 [5] **COUNCILMEMBER BATES:** Yes.  
 [6] **CLERK BLACKMON:** Councilmember Fleming?  
 [7] **COUNCILMEMBER FLEMING:** Yes.  
 [8] **CLERK BLACKMON:** Councilmember Pittman?  
 [9] **COUNCILMEMBER PITTMAN:** Yes.  
 [10] **CLERK BLACKMON:** Councilmember Roche?  
 [11] **COUNCILMEMBER ROCHE:** Yes.  
 [12] **CLERK BLACKMON:** Councilmember  
 [13] Spangler?  
 [14] **COUNCILMEMBER SPANGLER:** Yes.  
 [15] **MAYOR JENKINS:** All right, Maria.  
 [16] **COUNCILMEMBER ALEXANDER:** One of the  
 [17] items that's been brought to my attention by  
 [18] multiple residents is large goods pickup. And  
 [19] I've got a copy of the Advanced Disposal  
 [20] contract, and it says what they will and will  
 [21] not pick up.  
 [22] I guess part of the problem is --  
 [23] pardon me if I'm wrong, Rhonda, but all the  
 [24] large goods are picked up on Friday, city-wide.  
 [25] **CLERK BLACKMON:** Right.

[1] **COUNCILMEMBER BATES:** All the licenses  
 [2] or --  
 [3] **CHIEF KING:** They're in the server  
 [4] room.  
 [5] **MR. MURPHY:** I have them in different  
 [6] places at different sites. But if you want them  
 [7] like in the safe, we can put them in the safe at  
 [8] City Hall --  
 [9] **COUNCILMEMBER ALEXANDER:** I think that  
 [10] might be, yeah --  
 [11] **MR. MURPHY:** -- unless the Chief  
 [12] disagrees.  
 [13] **COUNCILMEMBER ALEXANDER:** -- a good  
 [14] idea.  
 [15] **CHIEF KING:** No. That's fine. It's a  
 [16] safety depository.  
 [17] **COUNCILMEMBER ROCHE:** I make a motion  
 [18] that we resolve the licensing issues and verify  
 [19] that we don't have any unlicensed software.  
 [20] **MR. MURPHY:** I mean I tried again  
 [21] before the I.T. audit in case the Mimsware asked  
 [22] for them, but I couldn't get them.  
 [23] **MAYOR JENKINS:** Second?  
 [24] **COUNCILMEMBER PITTMAN:** Second.  
 [25] **MAYOR JENKINS:** Call the roll.

[1] **COUNCILMEMBER ALEXANDER:** I guess the  
 [2] situation is working people obviously do work on  
 [3] weekends, and then if they clean out their  
 [4] garage, they put their stuff out there and it  
 [5] sits out there almost a week.  
 [6] I don't know. I'm looking for  
 [7] discussion on a better way for us to handle this  
 [8] because it is quite an eyesore and sometimes  
 [9] it's even traffic hazards. And I've seen  
 [10] refrigerators and things like that, that even  
 [11] though the doors are removed, a child still  
 [12] could be injured by them. So I'm looking for  
 [13] input from Council regarding how to address this  
 [14] issue.  
 [15] One of the things I noticed that I  
 [16] believe it's Roswell is doing or it may be  
 [17] Smyrna to save money on their large good  
 [18] pickups, what they're doing is they're actually  
 [19] sending out like a scout in a small city  
 [20] vehicle, and they are writing down the addresses  
 [21] of where the goods are before they send out the  
 [22] big truck, which obviously uses more fuel.  
 [23] So that might be a cost savings there.  
 [24] No need to ride down every single city street if  
 [25] that street doesn't have any items there.

[1] But this is something that's been  
[2] brought to my attention multiple times, and I --  
[3] I don't exactly know about the ordinance of  
[4] Qualify of Life writing a citation or a warning  
[5] about these items, because I guess there's some  
[6] gray area there. I'm really not sure. So I'm  
[7] open to how can we improve this.

[8] **COUNCILMEMBER SPANGLER:** Well, I think  
[9] it would make more sense to pick these items up  
[10] on a Monday if the Maintenance Department or  
[11] Advanced -- I think the Maintenance Department  
[12] picks up all these goods. I don't think it's --

[13] **COUNCILMEMBER ALEXANDER:** I think  
[14] you're right.

[15] **COUNCILMEMBER SPANGLER:** -- Advanced  
[16] Disposal.

[17] **COUNCILMEMBER ALEXANDER:** I think  
[18] you're right.

[19] **COUNCILMEMBER SPANGLER:** So I think we  
[20] should get with the Maintenance Department and  
[21] ask if we could change from Friday to Monday.

[22] **MAYOR JENKINS:** Actually, we get  
[23] certain areas each day.

[24] **COUNCILMEMBER SPANGLER:** I think on  
[25] those large --

[1] **COUNCILMEMBER ALEXANDER:** Uh-huh.  
[2] **MAYOR JENKINS:** -- as you're referring  
[3] to.

[4] **COUNCILMEMBER ALEXANDER:** But I think  
[5] that Monday would be a better day if that could  
[6] be arranged because I think more people are  
[7] doing --

[8] **COUNCILMEMBER SPANGLER:** Well, like you  
[9] said --

[10] **COUNCILMEMBER ALEXANDER:** -- tasks on  
[11] the weekends.

[12] **COUNCILMEMBER SPANGLER:** Yeah, right.

[13] **COUNCILMEMBER BATES:** At the very  
[14] minimum, just have a crew from the department  
[15] drive around and scout the city on a Monday  
[16] morning and then send the clam truck out to pick  
[17] up the --

[18] **MAYOR JENKINS:** And these people could  
[19] call in.

[20] **COUNCILMEMBER ALEXANDER:** I guess the  
[21] other thing that I had a little bit of gray area  
[22] on is I had a resident call me that put out yard  
[23] trimmings and all on Monday, and then Mr. Bates  
[24] had put some items out at his location on  
[25] Monday, and his got picked up but the Oakcliff

[1] **COUNCILMEMBER ALEXANDER:** It's only on  
[2] Friday.

[3] **COUNCILMEMBER SPANGLER:** -- goods, it's  
[4] only one day a week, Mayor.

[5] Now, I think you can, depending on the  
[6] time of the year. If the Maintenance  
[7] Department's not covered up, I think you could  
[8] probably get them out --

[9] **CLERK BLACKMON:** If you request.

[10] **COUNCILMEMBER SPANGLER:** -- on a  
[11] special request. But again --

[12] **MAYOR JENKINS:** If you put out a  
[13] refrigerator, if you call us, we can get those.

[14] **CLERK BLACKMON:** I think that's the key  
[15] right there. We --

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

[17] And the way it is set up now, as far as  
[18] I know, certain areas each day. But on large  
[19] items, if you'll call them, they'll come.

[20] **COUNCILMEMBER ALEXANDER:** I guess it's  
[21] the commu-nications of these citizens to -- to  
[22] take that effort.

[23] **MAYOR JENKINS:** Well, until we get the  
[24] word out to the citizens, we can do some  
[25] scouting --

[1] resident's didn't.

[2] **COUNCILMEMBER SPANGLER:** Normally, they  
[3] do on a Monday.

[4] **COUNCILMEMBER ALEXANDER:** Right. And I  
[5] don't know what --

[6] **MAYOR JENKINS:** They're pretty good.

[7] **COUNCILMEMBER ALEXANDER:** -- what  
[8] happened there, because --

[9] Mr. Koontz, wasn't it just like  
[10] shrubby trimmings and all? It wasn't --

[11] **MS. KOONTZ:** It was just shrubby  
[12] trimmings --

[13] **COUNCILMEMBER ALEXANDER:** -- like you  
[14] cut down a tree or something like that.

[15] **MS. KOONTZ:** -- and we waited till  
[16] Sunday night to put them out there.

[17] **COUNCILMEMBER ALEXANDER:** And you  
[18] called me Thursday.

[19] **MS. KOONTZ:** Exactly, till Thursday.

[20] **COUNCILMEMBER ALEXANDER:** Yeah. So I  
[21] know Mr. --

[22] **MAYOR JENKINS:** Call us next time.

[23] **COUNCILMEMBER ALEXANDER:** He did.

[24] **MS. KOONTZ:** I didn't know you were  
[25] supposed to.

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[1] **COUNCILMEMBER ALEXANDER:** Yeah.  
[2] **COUNCILMEMBER BATES:** You're not  
[3] supposed to.  
[4] **COUNCILMEMBER ALEXANDER:** You're not  
[5] supposed to.  
[6] **CLERK BLACKMON:** I know. But if they  
[7] don't get picked up and you call in, we call --  
[8] **MAYOR JENKINS:** Right.  
[9] **CLERK BLACKMON:** -- we radio them --  
[10] **COUNCILMEMBER ALEXANDER:** Right.  
[11] **CLERK BLACKMON:** -- and we send them  
[12] back out.  
[13] **MAYOR JENKINS:** Call Sandra. She takes  
[14] care of it.  
[15] **COUNCILMEMBER ALEXANDER:** Because Mr.  
[16] Spangler and I --  
[17] **MS. KOONTZ:** I called them up, and they  
[18] came out and got them but --  
[19] **COUNCILMEMBER ALEXANDER:** Because  
[20] Mr. Spangler and I worked on a house on English  
[21] Oak where this man had like 20 boxes of leaves,  
[22] and Advanced would not pick them up, and we made  
[23] some phone calls and then finally that got  
[24] handled.  
[25] **COUNCILMEMBER SPANGLER:** Well, that got

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[1] handled by our Maintenance.  
[2] **COUNCILMEMBER ALEXANDER:** Yes.  
[3] **COUNCILMEMBER SPANGLER:** They shouldn't  
[4] have --  
[5] **COUNCILMEMBER ALEXANDER:** Exactly.  
[6] **COUNCILMEMBER SPANGLER:** -- had to do  
[7] it, but it did get handled. So all it takes is  
[8] a phone call.  
[9] **MAYOR JENKINS:** That's right.  
[10] **COUNCILMEMBER ALEXANDER:** So I think if  
[11] we could -- perhaps, Mayor, if we could speak  
[12] with Mr. Pittman and see if he could change it  
[13] to maybe a Monday and try to use the scout to  
[14] drive around and look at specific addresses that  
[15] need to be addressed?  
[16] **COUNCILMEMBER SPANGLER:** And in the  
[17] meantime, if we could put out a memo in the  
[18] monthly bulletin --  
[19] **COUNCILMEMBER ALEXANDER:** Uh-huh.  
[20] **COUNCILMEMBER SPANGLER:** -- saying  
[21] that, you know, please call when you have --  
[22] **COUNCILMEMBER ALEXANDER:** Large items?  
[23] **COUNCILMEMBER SPANGLER:** -- large items  
[24] that you need picked up.  
[25] **MAYOR JENKINS:** If she didn't get the

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[1] letter out today, I could get it in there --  
[2] **COUNCILMEMBER ALEXANDER:** Uh-huh.  
[3] **MAYOR JENKINS:** -- before it goes out.  
[4] I'll do my best. I don't know if she sent it  
[5] out already.  
[6] **COUNCILMEMBER BATES:** Could we also put  
[7] a notice on the sanitation billing?  
[8] **COUNCILMEMBER ROCHE:** Somebody remind  
[9] me. Let me understand. The city picks up yard  
[10] waste and Advanced Disposal picks up the big  
[11] stuff or --  
[12] **COUNCILMEMBER BATES:** Advanced picks up  
[13] yard waste.  
[14] **COUNCILMEMBER ALEXANDER:** It says  
[15] leaves.  
[16] **COUNCILMEMBER ROCHE:** Okay.  
[17] **COUNCILMEMBER ALEXANDER:** That's why I  
[18] didn't understand why Mr. Koontz's stuff wasn't  
[19] picked up, because it says leaves, brush, grass  
[20] clippings, shrubs and tree prunings and other  
[21] vegetative materials from the maintenance of  
[22] lawns, yards and landscaping at residential  
[23] premises. So I don't know why Advanced --  
[24] **COUNCILMEMBER ROCHE:** That's on Mondays  
[25] or Thursdays or --

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[1] **COUNCILMEMBER ALEXANDER:** Advanced is  
[2] on Monday. On this, it's on Monday.  
[3] **MAYOR JENKINS:** We have had a few calls  
[4] that they've missed, and they went back out and  
[5] got it. We called, and they go get it. So all  
[6] you need to do is call them.  
[7] **COUNCILMEMBER ALEXANDER:** Okay. But  
[8] like I said, Mayor, if you could speak to him  
[9] and see if there's -- if he could do it on  
[10] Monday and try to use the scout thing. That may  
[11] save wear and tear on the truck and save fuel.  
[12] **COUNCILMEMBER ROCHE:** Is that a  
[13] separate line item on the contract?  
[14] **COUNCILMEMBER ALEXANDER:** It's number 1  
[15] dot 117.  
[16] **COUNCILMEMBER ROCHE:** I mean is there a  
[17] specific dollar amount just for that service?  
[18] **COUNCILMEMBER ALEXANDER:** No.  
[19] **MAYOR JENKINS:** That's just part of the  
[20] whole service.  
[21] Okay. Brian?  
[22] **COUNCILMEMBER BATES:** Changing the  
[23] legal organ as far as our advertisements of  
[24] zoning changes. We looked into this, and we  
[25] can't. The Champion is the legal organ as set

[1] by the County and the Sheriff's Department, and  
[2] so we are stuck with The Champion, so get a  
[3] subscription.

[4] **COUNCILMEMBER PITTMAN:** On the other  
[5] side, we did check on that last year. If you  
[6] contact Dekalb County and send them an e-mail,  
[7] the local Dekalb paper will also put that in  
[8] there as well. We did that last year. Just  
[9] needs to be sent in a timely manner.

[10] **MAYOR JENKINS:** But they are the legal  
[11] organ --

[12] **COUNCILMEMBER PITTMAN:** Right.

[13] **MAYOR JENKINS:** -- and that is  
[14] required.

[15] Items 6 and 8, unless someone else has  
[16] an agenda policy, are the same. Anybody?

[17] ---  
[18] (No response)  
[19] ---

[20] **COUNCILMEMBER BATES:** I'm going to skip  
[21] to 7, then. One of the things that I have  
[22] talked with Bobby Pittman about is the name of  
[23] our Maintenance Department. They do a lot more  
[24] than just maintain.

[25] Our department handles vital services

[1] to have discussion?

[2] I guess I always thought of public  
[3] works as like someone who, you know, builds  
[4] sidewalks and has project managers and --

[5] **MAYOR JENKINS:** We do.

[6] **COUNCILMEMBER ROCHE:** -- all that sort  
[7] of thing.

[8] **COUNCILMEMBER SPANGLER:** Utility  
[9] companies like the electric company, water  
[10] company.

[11] **COUNCILMEMBER ROCHE:** You know, someone  
[12] we would go to to say, you know, "We need a red  
[13] light on Central and Buford Highway." You know,  
[14] "What does it cost?" that sort of thing.

[15] **COUNCILMEMBER BATES:** Mr. Weed, from  
[16] the legal standpoint of the definition of  
[17] "public works," is that a requirement, do you  
[18] know?

[19] **ATTORNEY WEED:** No, sir. You can call  
[20] it whatever you care to.

[21] **COUNCILMEMBER BATES:** I just think that  
[22] they do a lot more with our city and for our  
[23] city than just maintenance, and I want to  
[24] recognize their efforts by changing the name so  
[25] that it's some-thing a little bit more inclusive

[1] to our residents and businesses including large  
[2] item removals, park and grounds, maintenance and  
[3] construction, street sweeping, city signage,  
[4] emergency response, assistance with special  
[5] events, and the maintenance of city vehicles and  
[6] facilities. They're the caretaker of our  
[7] community's infrastructure and their goal is to  
[8] preserve and enhance our resources for future  
[9] generations.

[10] And I would ask that the Council  
[11] consider -- in fact, I make a motion to change  
[12] the name of Doraville Maintenance to Doraville  
[13] Public Works.

[14] **COUNCILMEMBER FLEMING:** In doing that,  
[15] would their job descriptions and salary  
[16] requirements change?

[17] **COUNCILMEMBER BATES:** No. It's just a  
[18] name change.

[19] **MAYOR JENKINS:** Doraville Public Works  
[20] Department or just Doraville Public Works?

[21] **COUNCILMEMBER BATES:** Doraville Public  
[22] Works Department would be the official motion.

[23] **COUNCILMEMBER PITTMAN:** Second.

[24] **MAYOR JENKINS:** Call the roll.

[25] **COUNCILMEMBER ROCHE:** Well, do you want

[1] of what they do as a whole.

[2] **COUNCILMEMBER ROCHE:** Yeah. Hopefully,  
[3] it's a pattern for the future that will actually  
[4] begin upgrading that department so we can get  
[5] things like more sidewalks, more street lights,  
[6] et cetera, et cetera, taken care of.

[7] **MAYOR JENKINS:** Go ahead and call the  
[8] roll.

[9] **CLERK BLACKMON:** Councilmember  
[10] Alexander?

[11] **COUNCILMEMBER ALEXANDER:** Yes.

[12] **CLERK BLACKMON:** Councilmember Bates?

[13] **COUNCILMEMBER BATES:** Yes.

[14] **CLERK BLACKMON:** Councilmember Fleming?

[15] **COUNCILMEMBER FLEMING:** Yes.

[16] **CLERK BLACKMON:** Councilmember Pittman?

[17] **COUNCILMEMBER PITTMAN:** Yes.

[18] **CLERK BLACKMON:** Councilmember Roche?

[19] **COUNCILMEMBER ROCHE:** Yes.

[20] **CLERK BLACKMON:** Councilmember  
[21] Spangler?

[22] **COUNCILMEMBER SPANGLER:** No.

[23] **COUNCILMEMBER BATES:** Item 8, we have  
[24] now changed our meeting format so that we are  
[25] voting two meetings, the first and the third.

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[1] We had a lot of discussion over the  
[2] pros and cons of doing that.  
[3] I have submitted to Council some  
[4] policies on the agenda format, a change of the  
[5] due date and documentation, and sunset  
[6] provisions on items that aren't voted upon,  
[7] public comment format, meeting ground rules.  
[8] I hope that Council's had a chance to  
[9] read them. I will briefly go over them for the  
[10] audience.  
[11] Deadline for submission would change  
[12] from 12:00 noon on Thursday to 12:00 noon on  
[13] Wednesday.  
[14] Documentation. All agenda items in  
[15] order to be placed on the agenda should have  
[16] supporting documentation to facilitate  
[17] discussion and research prior to the meeting.  
[18] Agenda packets would be made available  
[19] to the Council and public upon request by the  
[20] close of business on Thursday. Modifications to  
[21] the agenda format.  
[22] Public comment section. If you wish to  
[23] address the Council during the meeting, please  
[24] fill out a speaker identification sheet.  
[25] And we started that this evening, so

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[1] thank you, Mayor.  
[2] There's an item on here called consent  
[3] agenda or calendar. There are items that we  
[4] will routinely come up with or come across  
[5] including, I would say, items that are now in  
[6] the second-reading phase that could be moved to  
[7] a consent agenda that we approve all at once  
[8] versus voting on four or five or six items  
[9] individually.  
[10] And then an agenda item sunset clause.  
[11] Items that are not discussed for two consecutive  
[12] agendas would be automatically removed and must  
[13] be resubmitted.  
[14] And then item 8 would be Council  
[15] meeting ground rules. That would be our  
[16] responsibility as elected officials on what we  
[17] are expected to do, including turning off our  
[18] phones and paying attention and actually reading  
[19] the material that we've been given.  
[20] So I'll put that out there for  
[21] discussion.  
[22] I will make a motion that we adopt the  
[23] policies on Council agenda format, due date,  
[24] documentation, sunset provision, public comment  
[25] format, and meeting ground rules.

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[1] **MAYOR JENKINS:** Second?  
[2] **COUNCILMEMBER ALEXANDER:** If we adopt  
[3] this, do you need to change the meetings  
[4] ordinance?  
[5] **ATTORNEY WEED:** That's my opinion,  
[6] Councilman. In Article II, City Council, that's  
[7] the predominant area where the provisions are  
[8] with regard to meetings, agendas, et cetera.  
[9] 2-36 deals with items on the agenda, that type  
[10] of thing. So yes, I would do an ordinance so we  
[11] would incorporate the changes into these  
[12] sections.  
[13] **COUNCILMEMBER BATES:** I will amend my  
[14] motion to read so that we instruct Attorney Weed  
[15] to put these in the form of an official  
[16] ordinance.  
[17] **COUNCILMEMBER FLEMING:** Mr. Bates, when  
[18] you -- and this was eloquently done that you  
[19] presented to us this evening -- did you look  
[20] into the GMA format for public meetings?  
[21] **COUNCILMEMBER BATES:** I did not. I did  
[22] look at probably 30 different municipalities  
[23] both within the state of Georgia and elsewhere  
[24] to kind of get a general sense of how they  
[25] facilitated their meetings, what they had in

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[1] them, and took some of the good stuff that they  
[2] were doing that we weren't doing. And the  
[3] agenda -- specific agenda format was very  
[4] consistent with a lot of municipalities, and  
[5] that's a format that we don't currently follow.  
[6] And the reason I put Item D, approval  
[7] of minutes or consent calendar, is most  
[8] municipalities that I did look at had their  
[9] meeting minutes, had second readings on  
[10] ordinances, resolutions, proclamations all under  
[11] a consent agenda, and you voted once to approve  
[12] those. If someone wanted to discuss one of them  
[13] specifically, you could pull that particular  
[14] item out and discuss it, you know, on its own.  
[15] But this was a way for them to clear out a  
[16] number of things without having a formal vote  
[17] and discussion and extending the meeting out.  
[18] **COUNCILMEMBER FLEMING:** And the only  
[19] other question I had -- and I just want to  
[20] confirm this in front of Council as well as the  
[21] residents -- speakers are limited to five  
[22] minutes each with a maximum of 30 minutes. Now,  
[23] that is not per item that's on the agenda; is  
[24] that correct?  
[25] **MAYOR JENKINS:** You said speakers. Are

[1] you speaking to all speakers 30 minutes?  
 [2] **COUNCILMEMBER ALEXANDER:** Total of 30  
 [3] minutes for citizen comments; is that correct?  
 [4] **COUNCILMEMBER BATES:** That is correct,  
 [5] for citizen comments.  
 [6] **MAYOR JENKINS:** Oh, comments. Okay.  
 [7] **COUNCILMEMBER PITTMAN:** Five minutes  
 [8] for each person?  
 [9] **COUNCILMEMBER BATES:** With a total of  
 [10] 30.  
 [11] **MAYOR JENKINS:** Total of 30 for all of  
 [12] them together.  
 [13] **COUNCILMEMBER BATES:** That's correct.  
 [14] **MAYOR JENKINS:** Not one person.  
 [15] **COUNCILMEMBER BATES:** That's correct.  
 [16] **COUNCILMEMBER FLEMING:** But with the  
 [17] agenda items being on a list like we did this  
 [18] evening, we basically have 10 for one item. So  
 [19] are we giving those 10 30 minutes total, or how  
 [20] would we --  
 [21] **MAYOR JENKINS:** 10 what?  
 [22] **COUNCILMEMBER FLEMING:** Minutes.  
 [23] **COUNCILMEMBER BATES:** Yeah, if there  
 [24] were --  
 [25] **MAYOR JENKINS:** We have 10 people.

[1] minutes per topic, and that would be the  
 [2] maximum. Now, if we didn't have anybody sign  
 [3] up, then we wouldn't have to worry about that.  
 [4] **MAYOR JENKINS:** But if they do sign up,  
 [5] they'd have 30 minutes; right?  
 [6] **COUNCILMEMBER BATES:** They would have  
 [7] five minutes each or a maximum of 30 minutes for  
 [8] the total number of people that signed up. So  
 [9] if there were five people that signed up, it  
 [10] would be 25 minutes.  
 [11] **COUNCILMEMBER FLEMING:** Okay. But to  
 [12] reiterate, you said per topic.  
 [13] **COUNCILMEMBER BATES:** That is correct.  
 [14] **COUNCILMEMBER FLEMING:** Per agenda  
 [15] item.  
 [16] **COUNCILMEMBER BATES:** That is correct.  
 [17] **COUNCILMEMBER FLEMING:** The 30 minutes,  
 [18] I feel that that would be way too much.  
 [19] **COUNCILMEMBER BATES:** And that's what I  
 [20] --  
 [21] **COUNCILMEMBER FLEMING:** Maybe what we  
 [22] could do, then, is to determine the number of  
 [23] people that have signed up to speak for the  
 [24] entire agenda and then they would be given X  
 [25] number of minutes for that 30 minutes.

[1] **COUNCILMEMBER FLEMING:** 10 people for  
 [2] one item.  
 [3] **COUNCILMEMBER BATES:** I would say that  
 [4] the 30 minute maximum time limit would be the  
 [5] prevailing time. So if there were 10 people  
 [6] signed up to speak on a particular topic, then  
 [7] the time would drop to three minutes per person  
 [8] so that we could have the 30 minutes as the  
 [9] prevailing time.  
 [10] **COUNCILMEMBER FLEMING:** So it is 30  
 [11] minutes per topic or 30 minutes total overall  
 [12] Council meeting?  
 [13] **COUNCILMEMBER BATES:** No. That would  
 [14] be --  
 [15] **MAYOR JENKINS:** You said on citizens.  
 [16] You're referring to the last item, citizens  
 [17] comments?  
 [18] **COUNCILMEMBER BATES:** Give me one  
 [19] second. You're talking about item 5, right,  
 [20] Ms. Fleming?  
 [21] **COUNCILMEMBER FLEMING:** Yes. I just  
 [22] wanted to know since we are now -- the residents  
 [23] are now signing up to discuss a specific line  
 [24] item.  
 [25] **COUNCILMEMBER BATES:** It would be 30

[1] **COUNCILMEMBER BATES:** Well, I think  
 [2] that --  
 [3] **COUNCILMEMBER FLEMING:** I don't want to  
 [4] not allow them to speak.  
 [5] **COUNCILMEMBER BATES:** Sure.  
 [6] **COUNCILMEMBER FLEMING:** But for 30  
 [7] minutes per line item, we've got 25 items  
 [8] tonight.  
 [9] **COUNCILMEMBER BATES:** Understand.  
 [10] **MAYOR JENKINS:** We're lucky tonight.  
 [11] We only had one sign up.  
 [12] **COUNCILMEMBER ROCHE:** Well, I guess --  
 [13] **COUNCILMEMBER FLEMING:** So that's my  
 [14] only question on this.  
 [15] **COUNCILMEMBER BATES:** Sure, sure.  
 [16] **COUNCILMEMBER ROCHE:** My overall  
 [17] concern here is that I mean we're talking about  
 [18] making an ordinance. We just made a big change  
 [19] to go back to twice-a-month meetings, which is  
 [20] an ordinance, which I think is a huge step  
 [21] forward, believe me. And I know we're kind of  
 [22] sort of tweaking some of the rules and  
 [23] everything, and I think that I'm just concerned  
 [24] that if we make this an ordinance, then every  
 [25] time someone says, "Well, wait a minute. We

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[1] need to make it seven minutes instead of five  
[2] minutes," or, you know, Friday afternoons, or it  
[3] can be by e-mail instead of whatever, we've got  
[4] to change the ordinance.  
[5] And I guess my -- I mean I like what  
[6] you have here. I agree with most of it. Some  
[7] of it, of course, you know, we'll all be maybe  
[8] more or less uncomfortable with.  
[9] But I think it will be better to just  
[10] maybe use this as a guideline. I mean  
[11] currently, if I understand correctly, the Mayor  
[12] basically sets the format and sets everything  
[13] for the meetings except for the big, big stuff  
[14] like when we're having voting meetings and that  
[15] sort of thing. And I don't know that we'd want  
[16] to take that power away from the Mayor by  
[17] forming an ordinance and then having to change  
[18] an ordinance or do a whole new ordinance every  
[19] time we decide we want to tweak something. It's  
[20] like more of an evolving thing. And I think  
[21] that instead of just saying, okay. On the very  
[22] first night that we're going to these twice-a-  
[23] month meetings and you do all this stuff. Do  
[24] you see my point?  
[25] **COUNCILMEMBER BATES:** Well, sure, and I

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[1] appreciate your concern.  
[2] What I wanted to make sure that we had  
[3] happen is that we didn't get into meetings where  
[4] we're getting information for the very first  
[5] time tonight and then voting on it, because I  
[6] want to have time to research and review and  
[7] understand. And up through item 5 --  
[8] I mean if the concern is regarding the  
[9] speaking time, I'll pull that portion out. I  
[10] don't have one problem with pulling that portion  
[11] out and letting the Mayor set the timelines for  
[12] public comments and things like that.  
[13] **COUNCILMEMBER ROCHE:** Well, could I  
[14] make a suggestion that we basically take this  
[15] and start it out and use it as a regular -- as a  
[16] policy and see how it goes, and then after --  
[17] you know, that way, we can tweak it or whatever.  
[18] Maybe after a month or two when we realize that  
[19] this part works, that part doesn't, whatever,  
[20] then we can make an ordinance.  
[21] **COUNCILMEMBER BATES:** I'm perfectly  
[22] fine with having this as a policy. Can we?  
[23] **ATTORNEY WEED:** No.  
[24] **COUNCILMEMBER BATES:** Okay.  
[25] **ATTORNEY WEED:** Since nineteen sixty --

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[1] I mean this is what you can do. You have an  
[2] ordinance -- and you've had one since 1969 --  
[3] that dictates the order of business. It  
[4] dictates how to cancel a meeting. It dictates  
[5] how to set a meeting. It dictates the points of  
[6] order. It dictates how to place items on the  
[7] agenda. It dictates how committees are  
[8] appointed, et cetera, et cetera.  
[9] Now, you can always get rid of the  
[10] ordinance, but until you get rid of the  
[11] ordinance, you're bound by it. So either you  
[12] amend the ordinance or you --  
[13] **COUNCILMEMBER ROCHE:** Well, but some of  
[14] these things -- I mean like the deadline to  
[15] submit, the City Charter is silent on when items  
[16] must be submitted.  
[17] **ATTORNEY WEED:** That's correct, yes,  
[18] sir.  
[19] **COUNCILMEMBER ROCHE:** So that's the  
[20] kind of thing we wouldn't really need to --  
[21] **COUNCILMEMBER ALEXANDER:** But the  
[22] ordinance is not. That's why I asked the  
[23] question I did because he's got 2-31 on here  
[24] tonight to be changed because we changed the way  
[25] we're doing meetings, and that's why --

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[1] **COUNCILMEMBER ROCHE:** Right.  
[2] **COUNCILMEMBER ALEXANDER:** -- I asked  
[3] the question I did. If we enact this, this has  
[4] specific times in it that would have to be  
[5] changed.  
[6] **COUNCILMEMBER ROCHE:** So I guess my  
[7] question would be what out of this would mean  
[8] was a change in the ordinance whereas other  
[9] things wouldn't? I mean --  
[10] **ATTORNEY WEED:** Yes, sir. I think  
[11] you'd have to change section 2-33, Order of  
[12] Business, probably 2-34, Points of Order, 2-36,  
[13] Items on Agenda. That's what I see off the top  
[14] of my head without, you know, poring over the  
[15] submission. And there might be something else,  
[16] obviously, but those three sections will  
[17] definitely have to be changed.  
[18] **COUNCILMEMBER ROCHE:** Yeah, I think  
[19] that --  
[20] **COUNCILMEMBER BATES:** With Council's  
[21] permission, I would like to have Attorney Weed  
[22] try to incorporate or provide us with -- without  
[23] recrafting an ordinance, provide us with  
[24] feedback as to what should go into -- what could  
[25] and should go into the ordinance and what can be

[1] as a standalone policy on guiding Council  
 [2] submissions and agenda items. Is that --  
 [3] **COUNCILMEMBER FLEMING:** A memo of  
 [4] understanding?  
 [5] **COUNCILMEMBER BATES:** Is that fair,  
 [6] sir?  
 [7] **COUNCILMEMBER ROCHE:** Like an analysis.  
 [8] **COUNCILMEMBER BATES:** So I will make  
 [9] that as a motion, to have the city attorney  
 [10] review the proposed agenda format and provide us  
 [11] with a memo on what could and should be in an  
 [12] ordinance and what can be as a City policy.  
 [13] **COUNCILMEMBER ROCHE:** And withdraw your  
 [14] earlier motion.  
 [15] **COUNCILMEMBER BATES:** Yeah, that's  
 [16] withdrawn.  
 [17] **COUNCILMEMBER ROCHE:** And I'll second  
 [18] the new motion.  
 [19] **MAYOR JENKINS:** Call the roll.  
 [20] **CLERK BLACKMON:** Councilmember  
 [21] Alexander?  
 [22] **COUNCILMEMBER ALEXANDER:** Yes.  
 [23] **CLERK BLACKMON:** Councilmember Bates?  
 [24] **COUNCILMEMBER BATES:** Yes.  
 [25] **CLERK BLACKMON:** Councilmember Fleming?

[1] **MAYOR JENKINS:** I'm talking about  
 [2] people come in and want on the agenda.  
 [3] **CLERK BLACKMON:** That's for -- right.  
 [4] I'm talking about --  
 [5] **MAYOR JENKINS:** But you're talking  
 [6] about the Council.  
 [7] **CLERK BLACKMON:** -- from the Council.  
 [8] **MAYOR JENKINS:** Okay.  
 [9] **CLERK BLACKMON:** Just to come via  
 [10] e-mail and no phone calls, no handwritten notes  
 [11] if that's okay.  
 [12] **MAYOR JENKINS:** Okay.  
 [13] **CLERK BLACKMON:** Thank you.  
 [14] **MAYOR JENKINS:** I'm going to back up on  
 [15] the agenda and go up annexation referendum. Dan  
 [16] Weber is here.  
 [17] Would you come on up to the microphone,  
 [18] sir?  
 [19] **MR. WEBER:** Good evening, Mr. Mayor and  
 [20] members of the Council.  
 [21] **COUNCILMEMBER ROCHE:** Senator.  
 [22] **MR. WEBER:** How are y'all doing?  
 [23] **MAYOR JENKINS:** Would you explain what  
 [24] you think is the best way for us to go after  
 [25] we're to the point we are now on the annexation.

[1] **COUNCILMEMBER FLEMING:** Yes.  
 [2] **CLERK BLACKMON:** Councilmember Pittman?  
 [3] **COUNCILMEMBER PITTMAN:** Yes.  
 [4] **CLERK BLACKMON:** Councilmember Roche?  
 [5] **COUNCILMEMBER ROCHE:** Yes.  
 [6] **CLERK BLACKMON:** Councilmember  
 [7] Spangler?  
 [8] **COUNCILMEMBER SPANGLER:** Yes.  
 [9] **MAYOR JENKINS:** Thank you, Brian.  
 [10] **COUNCILMEMBER BATES:** Yes, sir.  
 [11] **CLERK BLACKMON:** May I make a comment,  
 [12] please, on that item?  
 [13] **MAYOR JENKINS:** Excuse me?  
 [14] **CLERK BLACKMON:** May I make a comment?  
 [15] **MAYOR JENKINS:** Yes.  
 [16] **CLERK BLACKMON:** As the Clerk, I would  
 [17] like to ask that all requests be e-mailed to me  
 [18] and not phoned in because handwritten notes from  
 [19] other people in the office or even myself can be  
 [20] misconstrued. I would like the words to come  
 [21] directly from the Council members via e-mail.  
 [22] **MAYOR JENKINS:** Even change the slip  
 [23] that we fill out here?  
 [24] **CLERK BLACKMON:** Oh, no. You don't  
 [25] have to do a slip.

[1] **MR. WEBER:** Well, let me tell you what  
 [2] we've done. And by "we," I mean Ms. Eleanor  
 [3] Crane and myself. We met last Wednesday.  
 [4] The results of the annexation were  
 [5] certified a week ago Friday, on November 7.  
 [6] Under state law, you can file a contest against  
 [7] an election, a question like that, but you have  
 [8] five days to file the petition to do that. So  
 [9] we had until Wednesday to file the petition to  
 [10] contest the referendum result.  
 [11] The final, certified, official  
 [12] statement of the vote showed that the referendum  
 [13] failed by 34 votes.  
 [14] Now, Ms. Crane contacted me. She voted  
 [15] absentee. And when she received her absentee  
 [16] ballot, the referendum question was not on it.  
 [17] Her solution was to come to City Hall and get a  
 [18] sample ballot, fill out the referendum question  
 [19] and then mail it in. Also, she was a poll  
 [20] worker at Oakcliff precinct and realized that  
 [21] the electronic voting machines did not have the  
 [22] referendum question on it.  
 [23] And as I understand it -- I haven't  
 [24] spoken directly with the election officials  
 [25] about it, but I understand secondhand that they

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[1] do acknowledge those two things happened. They  
[2] would say that the absentee problem was  
[3] rectified when they mailed out a second letter  
[4] to all absentee voters with a separate slip of  
[5] paper or ballot to vote only on the referendum  
[6] question. And then at the precinct, pieces of  
[7] paper I understand were also passed out.  
[8] When you look at the official statement  
[9] of the vote, you'll find that for absentee, the  
[10] turnout, they're showing 228 cards cast -- 228  
[11] cards cast on the referendum question. Total  
[12] votes, however, are 376. So there's an  
[13] inconsistency there.  
[14] I've also been told -- again, this is  
[15] secondhand -- that initially the informal  
[16] results were reported as the referendum passing,  
[17] but in the end, they showed a vote that it did  
[18] not pass.  
[19] So there seem to be some irregularities  
[20] there, and under state law, if you show  
[21] sufficient irregularities to put a referendum  
[22] question -- the result in doubt, then a superior  
[23] court judge has the power to invalidate the  
[24] election that has occurred, and they have full  
[25] authority -- "plenary authority" is the word

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[1] that's used -- to set a new election date, as I  
[2] understand it, any time they want. And that's  
[3] where we are at this point.  
[4] I spoke with the attorney for the  
[5] County who is handling this for the first time  
[6] today. The petition has not yet been served on  
[7] the Elections Board. We expect that to be done  
[8] either today or tomorrow. I e-mailed the  
[9] petition to the attorney, and she's taking a  
[10] look at it.  
[11] My hope would be that we could reach an  
[12] agreement with the County to have the referendum  
[13] done again by agreement. I'm not sure if that  
[14] would be possible or not. I don't know what  
[15] their position would be.  
[16] If they don't, then this procedure is  
[17] designed to move along quickly. The Election  
[18] Board would have five to 10 days or so -- up to  
[19] 10 days to answer the petition, and then the  
[20] judge is supposed to set a hearing very quickly,  
[21] within 10 days, to get it resolved. And that's  
[22] where we are.  
[23] Now, obviously, I wanted you to be  
[24] aware of this and I wanted your input on it. I  
[25] know that a resolution -- a draft of a

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[1] resolution was -- I don't know if it's being  
[2] presented to you tonight, but to support moving  
[3] forward with the petition. And then what I  
[4] would do is remain in contact with you. I did  
[5] sign the petition as the attorney for Ms. Crane.  
[6] I would remain in contact with you. And if and  
[7] when we reach a settlement or are approaching a  
[8] settlement, of course you would be involved in  
[9] that decision. If and when we went to court for  
[10] a hearing, you would be involved in that also.  
[11] So I wouldn't want to set any dates,  
[12] obviously, or do anything without the Council's  
[13] approval.  
[14] **COUNCILMEMBER BATES:** And Senator,  
[15] would additional testimony be allowed at the  
[16] court date if it got to that point?  
[17] **MR. WEBER:** The court hearing would be  
[18] an evidentiary hearing where witnesses would  
[19] testify. So Ms. Crane would testify, perhaps  
[20] other voters. I know there have been some names  
[21] that have been mentioned. We would call them as  
[22] witnesses.  
[23] **COUNCILMEMBER BATES:** Okay. The reason  
[24] I ask is because I just was made aware Friday of  
[25] last week that a voter in the Fleetwood Hills

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[1] specifically had to request their ballot in  
[2] order to vote on the referendum. And his  
[3] concern was, "If I did not know to request the  
[4] ballot, I wouldn't have received it and thus  
[5] voted on it."  
[6] **MR. WEBER:** Yes.  
[7] **COUNCILMEMBER BATES:** You know, I don't  
[8] know how widespread that particular instance  
[9] was.  
[10] **MR. WEBER:** Well, we would do some more  
[11] investigation along those lines in preparation  
[12] for the hearing, of course, and present the case  
[13] to the judge and let the judge rule.  
[14] So that's where we are.  
[15] This petition was prepared quickly.  
[16] I'm pretty sure we did it right, and we got it  
[17] filed late on Wednesday at the last minute and  
[18] we're moving forward on that basis.  
[19] **COUNCILMEMBER ROCHE:** So there's going  
[20] to have to be probably a special election. I  
[21] mean normal voting started today. Advance  
[22] voting started today so --  
[23] **MR. WEBER:** Yeah. I think you're  
[24] right. I think it's too late for December 2.  
[25] And we would have to look at the timeline and

[1] locate the legislation and make sure that that's  
[2] all copasetic, I guess.

[3] **COUNCILMEMBER BATES:** Would there be  
[4] consideration for a hundred percent vote, a mail  
[5] ballot versus actually going to a poll?

[6] **MR. WEBER:** I don't know. I don't know  
[7] if a vote's ever been done like that. I would  
[8] think --

[9] **COUNCILMEMBER BATES:** Because the state  
[10] of Oregon does it a hundred percent --

[11] **MR. WEBER:** Oh, do they?

[12] **COUNCILMEMBER BATES:** -- by mail.

[13] **MR. WEBER:** I've never given thought to  
[14] that question. I've never heard of a one  
[15] hundred percent mail ballot. So maybe that's  
[16] possible. I'm just not sure.

[17] **COUNCILMEMBER BATES:** I think that  
[18] would be a lot more cost effective than opening  
[19] up three polls and --

[20] **MR. WEBER:** Oh, I would agree, for a  
[21] special election, yeah.

[22] The vote was in favor of the  
[23] referendum, according to this result at least,  
[24] Chestnut, 62 percent in favor, and North  
[25] Peachtree, 52 percent in favor. So if those

[1] prefer December 2, but we can be pretty sure  
[2] that's not an option at this point.

[3] **COUNCILMEMBER ROCHE:** Did we get a copy  
[4] of that resolution?

[5] **MAYOR JENKINS:** Yes.

[6] **CLERK BLACKMON:** Did you forward it to  
[7] anyone else but me? I printed it. I can give  
[8] you a copy of it.

[9] **MR. WEBER:** The wording in the  
[10] resolution tracks the petition largely as the  
[11] basis for the resolution.

[12] **MAYOR JENKINS:** Do we need to go ahead  
[13] with that resolution?

[14] **MR. WEBER:** I think it would be  
[15] helpful. Technically, this is a lawsuit by  
[16] Ms. Crane independent of the City --

[17] **MAYOR JENKINS:** Yes.

[18] **MR. WEBER:** -- technically speaking,  
[19] but obviously we want the City to be giving your  
[20] approval to move forward with this.

[21] **MAYOR JENKINS:** Yeah. Well, if you can  
[22] get that, we'll go ahead and present it to the  
[23] Council and they can look at it.

[24] **COUNCILMEMBER ALEXANDER:** Any comment  
[25] S?

Are you fine with every --

[1] precincts by themselves -- if you recall, going  
[2] back to when we designed the legislation, we  
[3] discussed at one point the idea of having  
[4] separate vote tallies for one area versus the  
[5] other area. If we had done that, then the  
[6] annexation would move forward with regard to  
[7] those two areas along Peachtree Industrial  
[8] according to this vote. So that's kind of an  
[9] interesting side light you might want to  
[10] consider.

[11] So that's where we are. And hopefully  
[12] I'll talk with the attorney tomorrow and get a  
[13] better idea. I'll continue to communicate with  
[14] you through Luke or maybe by e-mail directly.

[15] **MAYOR JENKINS:** We have a resolution.

[16] **MR. WEBER:** Yes.

[17] **MAYOR JENKINS:** The resolution says  
[18] December the 2nd. We do not want that on the  
[19] regular.

[20] **MR. HOWE:** It says December 2nd or as  
[21] soon as possible.

[22] **MR. WEBER:** We modified it so that it  
[23] says December 2 or as soon as reasonably  
[24] possible after that date. So that gives -- that  
[25] really opens it up for the judge. And we might

[1] **ATTORNEY WEED:** Obviously I haven't  
[2] been given the resolution and I haven't read it.  
[3] As soon as I get it, I'll --

[4] **COUNCILMEMBER ROCHE:** I guess my only  
[5] concern is that obviously we can educate but not  
[6] advocate, and would passing a resolution be  
[7] considered advocating?

[8] I don't know. I just want to know how  
[9] far we can go. As you told us before, we  
[10] basically can't do much of anything.

[11] **MAYOR JENKINS:** We're not lobbying.  
[12] We're protesting the vote.

[13] **COUNCILMEMBER FLEMING:** Correct.

[14] **ATTORNEY WEED:** Until I -- Councilman,  
[15] the resolution may be fine, but --

[16] **COUNCILMEMBER ROCHE:** Yeah.

[17] **ATTORNEY WEED:** -- until I read it, I  
[18] don't know.

[19] **COUNCILMEMBER ROCHE:** I'm not sure that  
[20] -- you know, Senator Weber wouldn't give us a  
[21] resolution that was going to get us in trouble.  
[22] I just want to make sure that we -- you know.

[23] **ATTORNEY WEED:** I'm sure that he  
[24] wouldn't.

[25] **MR. WEBER:** Not intentionally.

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[1] I would forewarn you -- not "forewarn,"  
 [2] but it's possible, depending on how things move  
 [3] with the court and so on, I may ask you to call  
 [4] a special Council meeting to deal with this  
 [5] issue as the court date is set, because we may  
 [6] only have seven to ten days' notice before the  
 [7] court date, and I would want to get your input  
 [8] to see how things are shaping up. But we'll  
 [9] just play it by ear at this point if that's  
 [10] okay.  
 [11] **COUNCILMEMBER FLEMING:** Mr. Bates'  
 [12] suggestion about mailing it specifically to the  
 [13] annexed or the proposed annexed --  
 [14] **MR. WEBER:** Yes.  
 [15] **COUNCILMEMBER FLEMING:** -- voters, I  
 [16] think that would be a perfect solution.  
 [17] **MR. WEBER:** If that could be done, you  
 [18] would prefer -- you two would prefer that?  
 [19] **COUNCILMEMBER BATES:** I would  
 [20] personally.  
 [21] **MR. WEBER:** I'll ask the question of  
 [22] the election officials and --  
 [23] **COUNCILMEMBER BATES:** I mean it  
 [24] wouldn't be any different --  
 [25] **MR. WEBER:** -- and see if it's possible

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[1] to do that.  
 [2] **MAYOR JENKINS:** Save them time and us  
 [3] too.  
 [4] **COUNCILMEMBER BATES:** It wouldn't be  
 [5] any different than mailing an absentee ballot.  
 [6] It's the same process.  
 [7] **COUNCILMEMBER ALEXANDER:** But you have  
 [8] to request an absentee ballot.  
 [9] **MR. WEBER:** I just don't know what the  
 [10] law is on that.  
 [11] **COUNCILMEMBER FLEMING:** Because then  
 [12] we're ensuring that just the ones that are  
 [13] affected are getting the ballot.  
 [14] **COUNCILMEMBER ROCHE:** Right.  
 [15] **MR. WEBER:** And someone did say that  
 [16] perhaps some residents of the city itself had an  
 [17] opportunity to vote on it also. I don't know if  
 [18] that's true, but I heard that.  
 [19] **COUNCILMEMBER FLEMING:** Yes.  
 [20] **COUNCILMEMBER PITTMAN:** That's true.  
 [21] **COUNCILMEMBER BATES:** We have heard  
 [22] that, yes.  
 [23] **COUNCILMEMBER ROCHE:** But they would  
 [24] just exclude those results.  
 [25] **COUNCILMEMBER ALEXANDER:** They wouldn't

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[1] know. I don't know.  
 [2] **COUNCILMEMBER FLEMING:** They wouldn't  
 [3] know.  
 [4] **COUNCILMEMBER ALEXANDER:** I mean I  
 [5] don't know that they did or not.  
 [6] **COUNCILMEMBER FLEMING:** That's why I  
 [7] was sort of advocating to go to just those that  
 [8] should be affected.  
 [9] **COUNCILMEMBER ROCHE:** Well, I mean if  
 [10] they got results on this referendum from  
 [11] Doraville north precinct or Doraville south  
 [12] precinct, obviously they would know that --  
 [13] **MR. WEBER:** It's in Doraville.  
 [14] **COUNCILMEMBER ROCHE:** Yeah.  
 [15] **MR. WEBER:** Yeah.  
 [16] **COUNCILMEMBER ALEXANDER:** I don't know  
 [17] that they -- I guess they classified the early  
 [18] voters that way, because I know a particular  
 [19] Northwoods resident was an early voter.  
 [20] **COUNCILMEMBER ROCHE:** Well, I haven't  
 [21] seen the precinct totals yet.  
 [22] **MR. WEBER:** Chestnut Elementary had 27  
 [23] votes, North Peachtree, 168. Oakcliff had 567,  
 [24] absentee, 376.  
 [25] **COUNCILMEMBER ROCHE:** Okay.

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[1] **MR. WEBER:** So there is no north or  
 [2] south Doraville.  
 [3] **COUNCILMEMBER ROCHE:** Yeah. So they  
 [4] didn't include them anyway. It may have been on  
 [5] the ballot but -- unless they were absentee.  
 [6] **MR. WEBER:** Unless they were the  
 [7] absentee.  
 [8] **MAYOR JENKINS:** Murray?  
 [9] **ATTORNEY WEED:** Well, Mr. Mayor, this  
 [10] is what I think. I think what this resolution  
 [11] provides for is the power of the Council to ask  
 [12] for a new election. I think that's  
 [13] fundamentally different than the Council  
 [14] advocating a position with regard to the  
 [15] annexation.  
 [16] So it would be my professional opinion  
 [17] that this resolution is fine generally in the  
 [18] format in which it's been drafted. I don't  
 [19] think it violates the prohibitions about you  
 [20] advocating in favor of the annexation.  
 [21] **COUNCILMEMBER ROCHE:** No.  
 [22] **MR. WEBER:** I don't know that a  
 [23] resolution is absolutely necessary but it would  
 [24] give me a comfort if you would pass it so I know  
 [25] what you think about it.

[1] **COUNCILMEMBER FLEMING:** I make a motion  
 [2] to pass the resolution regarding the referendum  
 [3] to clarify the annexation voting results.  
 [4] **COUNCILMEMBER PITTMAN:** Second.  
 [5] **MAYOR JENKINS:** Call the roll.  
 [6] **CLERK BLACKMON:** Councilmember  
 [7] Alexander?  
 [8] **COUNCILMEMBER ALEXANDER:** Yes.  
 [9] **CLERK BLACKMON:** Councilmember Bates?  
 [10] **COUNCILMEMBER BATES:** Yes.  
 [11] **CLERK BLACKMON:** Councilmember Fleming?  
 [12] **COUNCILMEMBER FLEMING:** Yes.  
 [13] **CLERK BLACKMON:** Councilmember Pittman?  
 [14] **COUNCILMEMBER PITTMAN:** Yes.  
 [15] **CLERK BLACKMON:** Councilmember Roche?  
 [16] **COUNCILMEMBER ROCHE:** Yes.  
 [17] **CLERK BLACKMON:** Councilmember  
 [18] Spangler?  
 [19] **COUNCILMEMBER SPANGLER:** No.  
 [20] **MAYOR JENKINS:** Thank you, Dan.  
 [21] **COUNCILMEMBER ROCHE:** Thank you.  
 [22] **MR. WEBER:** Thank you very much for  
 [23] your time.  
 [24] **COUNCILMEMBER FLEMING:** We appreciate  
 [25] it.

[1] So I would ask -- I make a motion that  
 [2] the City instruct Mr. Haerberlin and Mr. Weed to  
 [3] move forward with the City-initiated rezoning on  
 [4] those three properties.  
 [5] **COUNCILMEMBER FLEMING:** And they would  
 [6] be rezoned what, please?  
 [7] **COUNCILMEMBER BATES:** Probably O/W.  
 [8] Either O/I or O/W.  
 [9] **ATTORNEY WEED:** Office/Warehouse.  
 [10] **COUNCILMEMBER BATES:** But we have to go  
 [11] through zoning meetings and postings and all  
 [12] that great stuff.  
 [13] **MAYOR JENKINS:** Do I get a second?  
 [14] **COUNCILMEMBER ALEXANDER:** Second.  
 [15] **MAYOR JENKINS:** Anymore discussion?  
 [16] - - -  
 [17] (No response)  
 [18] - - -  
 [19] **MAYOR JENKINS:** Call the roll, please.  
 [20] **CLERK BLACKMON:** Councilmember  
 [21] Alexander?  
 [22] **COUNCILMEMBER ALEXANDER:** Yes.  
 [23] **CLERK BLACKMON:** Councilmember Bates?  
 [24] **COUNCILMEMBER BATES:** Yes.  
 [25] **CLERK BLACKMON:** Councilmember Fleming?

[1] **MAYOR JENKINS:** We appreciate you  
 [2] taking your time to come out.  
 [3] **COUNCILMEMBER BATES:** Thank you,  
 [4] Senator.  
 [5] **MAYOR JENKINS:** We're going to take a  
 [6] 10-minute break.  
 [7] - - -  
 [8] (Brief recess)  
 [9] - - -  
 [10] **MAYOR JENKINS:** Meeting come to order.  
 [11] Brian?  
 [12] **COUNCILMEMBER BATES:** Yes, sir. At our  
 [13] most recent moratorium business license meeting  
 [14] this past Friday, we identified three properties  
 [15] that have -- what's the correct word that I'm  
 [16] looking for, Scott?  
 [17] **MR. HAEBERLIN:** Incompatible use with  
 [18] the zoning.  
 [19] **COUNCILMEMBER BATES:** -- the zoning is  
 [20] incompatible with what they're doing. They are  
 [21] 6477, 6479 and 6481 Peachtree Industrial  
 [22] Boulevard. They are in fact warehouse  
 [23] structures but it's zoned Residential 1, and we  
 [24] need to move forward with the City-initiated  
 [25] rezoning on those three properties in specific.

[1] **COUNCILMEMBER FLEMING:** Yes.  
 [2] **CLERK BLACKMON:** Councilmember Pittman?  
 [3] **COUNCILMEMBER PITTMAN:** Yes.  
 [4] **CLERK BLACKMON:** Councilmember Roche?  
 [5] **COUNCILMEMBER ROCHE:** Yes.  
 [6] **CLERK BLACKMON:** Councilmember  
 [7] Spangler?  
 [8] **COUNCILMEMBER SPANGLER:** Yes.  
 [9] **COUNCILMEMBER BATES:** Item 10 is  
 [10] Doraville Distinction Award. I want to remind  
 [11] everybody that the applications are available at  
 [12] the Clerk's office.  
 [13] We will take those nominations up  
 [14] through the December 1 Council meeting. So if  
 [15] you've got someone or a business or an  
 [16] organization in the city that has gone above and  
 [17] beyond to make Doraville a great place to live,  
 [18] make sure you get those nominations in.  
 [19] That concludes mine, sir.  
 [20] **MAYOR JENKINS:** Thank you.  
 [21] Pam?  
 [22] **COUNCILMEMBER FLEMING:** The Council has  
 [23] in front of them and there are other sheets,  
 [24] proposals on the lefthand side or my lefthand  
 [25] side, Proposed Traffic Route for District 1 for

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[1] M1 and M2 Businesses only.  
[2] Since we've been having such a problem  
[3] with the Longmire Road corridor area there with  
[4] large tanks and so forth, I felt that maybe we  
[5] need to pursue looking at a specific route for  
[6] that area.  
[7] And the purpose is to provide and  
[8] ensure the safety and welfare of pedestrians,  
[9] residents, and truck drivers walking and  
[10] traveling along the District 1 corridor commonly  
[11] known as "the tank farm." The purpose is also  
[12] to address and correct the continued gridlock at  
[13] Longmire Road at New Peachtree Road and at  
[14] Buford Highway, also to address and correct the  
[15] traffic problems in the residential areas of  
[16] Woodwin Court, the Tilly Mill Road subdivisions  
[17] and the Winters Chapel subdivisions.  
[18] The businesses affected would be the  
[19] ones that are located on New Peachtree Road at  
[20] and north of Longmire Road to Winters Chapel  
[21] Road, the businesses located on Flowers Road at  
[22] and north of Longmire Road running into Winters  
[23] Chapel, and then also the businesses located on  
[24] what I would call the (Old) Winters Chapel --  
[25] that little spur that was the original Winters

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[1] Chapel -- the (Old) Winters Chapel Road north of  
[2] Flowers Road and the businesses located on  
[3] Woodwin Road east of Woodwin Court.  
[4] The application would be to vehicles 30  
[5] feet and over traveling in and out of the  
[6] proposed restricted area.  
[7] I think the advantages to this proposed  
[8] traffic route would be that Longmire Road is,  
[9] first of all, one lane in both directions,  
[10] allowing only two tank trucks to be under the  
[11] underpass at a red light. Turning left onto  
[12] Longmire results in backed up traffic and light  
[13] changes while waiting to turn. And then at  
[14] Buford Highway and Longmire, turning right, the  
[15] trucks must travel over three lanes to go east  
[16] on I-285.  
[17] Also the advantage would be the  
[18] proposed plan would take the traffic to Winters  
[19] Chapel Road, giving the driver a designated  
[20] right-turn lane onto Winters Chapel with two  
[21] lanes of traffic.  
[22] At the corner of Winters Chapel and  
[23] Buford Highway, they again have a designated  
[24] right-turn lane. Then easing onto Buford  
[25] Highway southbound from Winters Chapel then

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[1] allows the driver the acceleration time to  
[2] advance into the far right or far left lanes as  
[3] needed.  
[4] Another advantage is there will be less  
[5] traffic on the (Old) Winters Chapel/Flowers Road  
[6] at the railroad tracks delaying the residential  
[7] commuters.  
[8] Businesses located on New Peachtree  
[9] including what is now Keystone Tank Farm will  
[10] travel north on New Peachtree Road to Winters  
[11] Chapel Road which is equipped with a designated  
[12] right-turn lane to advance to Buford Highway.  
[13] Entering the tank farm area will be in  
[14] reverse. Exiting I-285 going north on Buford  
[15] Highway to Winters Chapel Road where they will  
[16] encounter a designated left-turn light. A  
[17] designated left-turn light also appears at New  
[18] Peachtree and Winters Chapel. Then a designated  
[19] left-turn light also appears at Winters Chapel  
[20] to (Old) Winters Chapel entering the tank farm.  
[21] The action plan on this would be all  
[22] vehicles traveling in and out of District 1 M1  
[23] and M2 area known as the tank farm will be  
[24] subject to a one-way-in/one-way-out traffic  
[25] route. Signs would need to be posted at

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[1] Longmire at the top of and bottom of the  
[2] underpass, indicating "No Trucks Over 30 Feet."  
[3] Signs must also be posted reading the same at  
[4] Buford Highway and Longmire, Woodwin Court and  
[5] Woodwin Road, Tilly Mill Road and Woodwin Road.  
[6] And an advice should be sent to all affected  
[7] businesses with a commence date and appropriate  
[8] fine schedule, and it would be their  
[9] responsibility to inform all of their vendors,  
[10] customers, drivers and employees.  
[11] I have included a map for the Council  
[12] to review, and since I did not get this in their  
[13] hands in time, I would like them to review the  
[14] map and review my proposal and table it at this  
[15] time for the next meeting.  
[16] But I would like Chief King to -- I did  
[17] give you a copy of it. I was wondering whether  
[18] you had an opportunity just to briefly look at  
[19] it and --  
[20] **CHIEF KING:** Yes, ma'am. I would be  
[21] hesitant to make any comments, ma'am, until we  
[22] get a little bit better idea.  
[23] **COUNCILMEMBER FLEMING:** Okay. I know  
[24] that we might possibly need -- I believe  
[25] everything that I have highlighted will be

[1] Doraville roads.

[2] **CHIEF KING:** Yes, ma'am.

[3] **COUNCILMEMBER FLEMING:** It would not

[4] affect Dekalb County, so I believe the signage

[5] would be up to us and would be at our discretion

[6] as far as the length of the vehicles. So --

[7] **COUNCILMEMBER ALEXANDER:** Winters

[8] Chapel Road, that is actually Oakcliff Road

[9] right there, so you would be having them turn

[10] right onto Oakcliff Road. And I am so afraid

[11] that they would take that as an a la carte, "And

[12] I'm going straight to 85."

[13] **COUNCILMEMBER SPANGLER:** You could put

[14] those signs up --

[15] **COUNCILMEMBER ALEXANDER:** The signs --

[16] **COUNCILMEMBER SPANGLER:** -- overhead.

[17] **COUNCILMEMBER ALEXANDER:** -- they are

[18] not stopping them.

[19] That's actually Oakcliff Road. The

[20] Hugo Arango Bridge all the way to that red light

[21] is Oakcliff.

[22] **COUNCILMEMBER FLEMING:** The name

[23] changes at --

[24] **COUNCILMEMBER ALEXANDER:** At the red

[25] light.

[1] So I guess that was a caution that I

[2] wanted to make sure. I'm glad we got the signs,

[3] but we need to have the laws to back up the

[4] signs.

[5] Mr. Weed, you can jump in at any time.

[6] **ATTORNEY WEED:** That's a good rule. I

[7] agree.

[8] And if someone will tell me, give me a

[9] list of roads and what they want on them, I can

[10] write you an ordinance lickety split.

[11] **COUNCILMEMBER ALEXANDER:** So you would

[12] just modify Section 19-12?

[13] **ATTORNEY WEED:** Yes, ma'am.

[14] **COUNCILMEMBER ALEXANDER:** So Mayor, do

[15] you know where all Maintenance has installed

[16] these signs?

[17] **MAYOR JENKINS:** (Nods head)

[18] **COUNCILMEMBER ALEXANDER:** Okay. If you

[19] can get that so we can get this handled.

[20] **COUNCILMEMBER ROCHE:** Yeah. On McElroy

[21] Road on the -- I guess that's the Doraville

[22] side, we would have to include that also for

[23] this to work, I think. Right?

[24] **COUNCILMEMBER FLEMING:** Yes. They

[25] would not be allowed to go down McElroy Road.

[1] **COUNCILMEMBER FLEMING:** -- New

[2] Peachtree.

[3] **COUNCILMEMBER ALEXANDER:** At the red

[4] light.

[5] **COUNCILMEMBER FLEMING:** I thought it

[6] changed at New Peachtree.

[7] **COUNCILMEMBER ALEXANDER:** No. My

[8] understanding, it's Oakcliff all the way to that

[9] red light.

[10] I guess this other thing brings up

[11] Section 19-12 is the truck-restricted zones, and

[12] I thought we had asked to include English Oak

[13] Drive onto this so we could put signs on Buford

[14] Highway not allowing tractor-trailers down

[15] English Oak. Did anything ever become of that

[16] request?

[17] **UNIDENTIFIED SPEAKER:** There was a sign

[18] made.

[19] **COUNCILMEMBER ALEXANDER:** I know, but

[20] we can't -- we may not have a law for the sign.

[21] **CHIEF KING:** I'm not aware of the sign.

[22] **COUNCILMEMBER ALEXANDER:** I'm sorry?

[23] **CHIEF KING:** I'm not aware of the sign.

[24] **COUNCILMEMBER ALEXANDER:** Yeah, there

[25] are signs there now.

[1] **MS. HOFFMEISTER:** That's in Dekalb.

[2] **COUNCILMEMBER BATES:** Well, on the

[3] Doraville side.

[4] **COUNCILMEMBER ALEXANDER:** On the

[5] Doraville side.

[6] **COUNCILMEMBER ROCHE:** On the Doraville

[7] side.

[8] **COUNCILMEMBER ALEXANDER:** Where

[9] Northside Tool Rental is?

[10] **COUNCILMEMBER FLEMING:** Ms. Alexander,

[11] the only other feasible plan would bring

[12] everybody in from Peachtree Industrial coming

[13] down Winters Chapel and going back out Peachtree

[14] Industrial.

[15] **COUNCILMEMBER ALEXANDER:** How many

[16] residents use Longmire?

[17] **COUNCILMEMBER FLEMING:** I think the

[18] other issue is not just the residents but

[19] traffic problems that we're having at Longmire

[20] and Buford Highway.

[21] **COUNCILMEMBER ROCHE:** Yeah. We've been

[22] bringing this up. The intersection of Longmire

[23] and Buford is probably the --

[24] **COUNCILMEMBER FLEMING:** Because they

[25] have no way to accelerate to get into the left-

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[1] hand lane.

[2] **COUNCILMEMBER ROCHE:** Right.

[3] **COUNCILMEMBER FLEMING:** And they do

[4] seem to back up traffic. So that's the reason

[5] why I thought about this particular route. We

[6] don't want the tankers going down Woodwin Road

[7] to Tilly Mill. We need to stop that.

[8] **COUNCILMEMBER ALEXANDER:** Well, there

[9] is already a truck restriction there.

[10] **COUNCILMEMBER FLEMING:** No, ma'am.

[11] **COUNCILMEMBER ALEXANDER:** Yes, there

[12] is.

[13] **COUNCILMEMBER PITTMAN:** There is.

[14] **COUNCILMEMBER FLEMING:** The Dekalb

[15] County side, no there's not.

[16] **COUNCILMEMBER ALEXANDER:** Well, then we

[17] have to contact Dekalb County. But in 19-12, we

[18] do have a restriction there.

[19] **CHIEF KING:** That's just around the

[20] school hours, the elementary school hours,

[21] restricted time zone.

[22] **COUNCILMEMBER ROCHE:** Well, like I

[23] said, for me, I mean I've been -- people are

[24] tired of hearing me talk about this

[25] intersection. I think that this fairly neatly

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[1] solves that whole problem because -- and I've

[2] only seen it tonight, but I think that our

[3] biggest -- probably the most dangerous

[4] intersection in town is Longmire and Buford

[5] Highway for those tankers for the reasons that

[6] were already stated.

[7] Plus like you said, you're a truck.

[8] You've got to cross three lanes to get into the

[9] left lane if you're going to go eastbound on 285

[10] and you don't have a lot of room to do it. And

[11] I don't want to wait until we're on the evening

[12] news with a big plume of black smoke there,

[13] either. So I really like this. I think it

[14] makes a lot of sense.

[15] **COUNCILMEMBER SPANGLER:** I think as far

[16] as your comments about the tractor and trailers

[17] going down Oakcliff, they're going down Oakcliff

[18] anyway. It will be more of a reason to enforce,

[19] have better enforcement of the ordinances or

[20] laws or whatever we have for tractor-trailers.

[21] **COUNCILMEMBER ROCHE:** It's just like we

[22] have to enforce the no trucks on Longmire and

[23] McElroy. You know, it's just an enforcement

[24] issue.

[25] But without an ordinance, we don't have

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[1] anything, so I --

[2] **COUNCILMEMBER ALEXANDER:** We do have

[3] truck restrictions in Section 19-12.

[4] **COUNCILMEMBER ROCHE:** Well, again, if

[5] it's not being enforced, that's a whole 'nother

[6] issue.

[7] **COUNCILMEMBER ALEXANDER:** Well, it's

[8] not, but it's not being enforced.

[9] Also, I don't know about having one way

[10] in and one way out, how acceptable that is with

[11] emergency nor how acceptable that would be with

[12] the tank farms.

[13] **COUNCILMEMBER ROCHE:** Well, I mean in

[14] an emergency, I would think that's obviously an

[15] emergency. Do what they need to do to deal with

[16] the emergency.

[17] **COUNCILMEMBER FLEMING:** Well, as I

[18] mentioned, I move to table this item for further

[19] evaluation of the Council and possibly we could

[20] speak to Mr. Pitfield at the next --

[21] **MAYOR JENKINS:** I was going to make a

[22] suggestion. If you'll let me set up a committee

[23] and let Mr. Pitfield be part of that committee.

[24] **COUNCILMEMBER FLEMING:** I think that

[25] would be fine. I think that we should not just

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[1] dismiss this. I think we need to move forward

[2] and try to provide a safe route for both the

[3] tankers as well as the residential traffic.

[4] **COUNCILMEMBER ROCHE:** Wouldn't you want

[5] the tank farm organization involved? I don't

[6] know that Mr. Pitfield -- does he represent the

[7] tank farms?

[8] **COUNCILMEMBER PITTMAN:** No, he does

[9] not. We have a co-op. There is a co-op

[10] president and there's a co-op meeting.

[11] **COUNCILMEMBER FLEMING:** Oh, okay.

[12] **COUNCILMEMBER ROCHE:** Yeah. I would

[13] think you'd want to have the meeting with the

[14] co-op, not Mr. Pitfield.

[15] **MAYOR JENKINS:** He represents -- you

[16] might say, he represents the carriers which are

[17] the trucks.

[18] **MR. HART:** No, he doesn't.

[19] **COUNCILMEMBER PITTMAN:** I think that

[20] we're better off going with -- my preference, I

[21] think we would be better off with the co-op and

[22] the co-op president.

[23] **COUNCILMEMBER ROCHE:** Right.

[24] **COUNCILMEMBER PITTMAN:** Of course he's

[25] included in that but --

[1] **COUNCILMEMBER ROCHE:** Right.  
 [2] **COUNCILMEMBER PITTMAN:** -- not just --  
 [3] **MAYOR JENKINS:** That's fine with me. I  
 [4] just suggested --  
 [5] **COUNCILMEMBER PITTMAN:** There might be  
 [6] a little animosity amongst the others if we  
 [7] chose to do that.  
 [8] **COUNCILMEMBER ROCHE:** That makes a lot  
 [9] of sense.  
 [10] **COUNCILMEMBER FLEMING:** Mayor, if you  
 [11] don't mind, the next co-op meeting, if you could  
 [12] possibly get a meeting with them regarding this?  
 [13] **COUNCILMEMBER ROCHE:** Or let us know  
 [14] when it's going to be so we can go.  
 [15] **COUNCILMEMBER FLEMING:** Yes. See what  
 [16] their thoughts are.  
 [17] **MAYOR JENKINS:** Who else would you  
 [18] want? Do you want a committee or just deal with  
 [19] it?  
 [20] **COUNCILMEMBER SPANGLER:** Just deal with  
 [21] it.  
 [22] **COUNCILMEMBER ALEXANDER:** I would like  
 [23] to be notified to attend that meeting.  
 [24] **COUNCILMEMBER ROCHE:** I would like to  
 [25] be notified also.

[1] **MAYOR JENKINS:** Okay.  
 [2] **COUNCILMEMBER FLEMING:** Thank you.  
 [3] **MAYOR JENKINS:** So it will be Maria and  
 [4] you, John King and what do you want? The  
 [5] president of the co-op?  
 [6] **COUNCILMEMBER FLEMING:** Yes, sir.  
 [7] Now, are we meeting with them at their  
 [8] location for a --  
 [9] **MAYOR JENKINS:** That would be --  
 [10] **COUNCILMEMBER ALEXANDER:** At their  
 [11] luncheon meeting.  
 [12] **COUNCILMEMBER PITTMAN:** Yeah, that's  
 [13] what I would do is go to their luncheon meeting,  
 [14] get on the agenda.  
 [15] **COUNCILMEMBER FLEMING:** Why don't we  
 [16] get on the agenda for the luncheon meeting,  
 [17] Mayor, and that way, if other Council members  
 [18] wish to be there, they can.  
 [19] **MAYOR JENKINS:** Okay. I'll put it on  
 [20] the agenda, then.  
 [21] **COUNCILMEMBER FLEMING:** That'll be  
 [22] fine. Thank you very much.  
 [23] **COUNCILMEMBER ROCHE:** On their agenda.  
 [24] And then we will put this on the December 2nd  
 [25] agenda?

[1] **MAYOR JENKINS:** All right. You and  
 [2] Maria and what, the two tank farm --  
 [3] **COUNCILMEMBER FLEMING:** Yes, sir. But  
 [4] I believe Chief King should be involved as well  
 [5] --  
 [6] **MAYOR JENKINS:** Okay.  
 [7] **COUNCILMEMBER FLEMING:** -- since he  
 [8] would be the authoritative person.  
 [9] **CHIEF KING:** With the Council's  
 [10] permission, is it okay to approach Dekalb DOT or  
 [11] to make sure that engineering-wise --  
 [12] **COUNCILMEMBER FLEMING:** Absolutely.  
 [13] **CHIEF KING:** But I want to make sure I  
 [14] ask permission before we approach them.  
 [15] **MAYOR JENKINS:** Yes.  
 [16] **COUNCILMEMBER PITTMAN:** Yes.  
 [17] **COUNCILMEMBER ROCHE:** But the good  
 [18] news, this shouldn't require any changes other  
 [19] than putting up a couple signs.  
 [20] **CHIEF KING:** When it comes to roads and  
 [21] stuff, they have -- they look at things from a  
 [22] whole --  
 [23] **COUNCILMEMBER FLEMING:** Absolutely.  
 [24] **CHIEF KING:** -- different perspective  
 [25] than we do from traffic flow.

[1] **COUNCILMEMBER FLEMING:** Correct. I'd  
 [2] like to table it --  
 [3] **MAYOR JENKINS:** Okay.  
 [4] **COUNCILMEMBER FLEMING:** -- till  
 [5] December 2nd, please.  
 [6] **MAYOR JENKINS:** Very good.  
 [7] **COUNCILMEMBER FLEMING:** Give us an  
 [8] opportunity to --  
 [9] **COUNCILMEMBER ROCHE:** I'll second that.  
 [10] **MAYOR JENKINS:** Okay. Call the roll.  
 [11] **CLERK BLACKMON:** Councilmember  
 [12] Alexander?  
 [13] **COUNCILMEMBER ALEXANDER:** Yes.  
 [14] **CLERK BLACKMON:** Councilmember Bates?  
 [15] **COUNCILMEMBER BATES:** Yes.  
 [16] **CLERK BLACKMON:** Councilmember Fleming?  
 [17] **COUNCILMEMBER FLEMING:** Yes.  
 [18] **CLERK BLACKMON:** Councilmember Pittman?  
 [19] **COUNCILMEMBER PITTMAN:** Yes.  
 [20] **CLERK BLACKMON:** Councilmember Roche?  
 [21] **COUNCILMEMBER ROCHE:** Yes.  
 [22] **CLERK BLACKMON:** Councilmember  
 [23] Spangler?  
 [24] **COUNCILMEMBER SPANGLER:** Yes.  
 [25] **COUNCILMEMBER ALEXANDER:** I have a

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[1] question if I may.

[2] When I was reviewing these

[3] restrictions, I noticed that we actually have

[4] speed limits and times of school zones posted in

[5] our code. Is that normal? Because a lot of

[6] this is out of date.

[7] **ATTORNEY WEED:** At some point, what the

[8] -- what the state law says, if it is your road,

[9] you're in control of the road. Then you can put

[10] up whatever traffic control device you want, but

[11] there does have to be some ordinance to back up

[12] whatever is going to be on the signage.

[13] So I think the answer to your question

[14] as I understand it, would be yes, it is normal

[15] to have some ordinance which would address the

[16] relevant signage on your roads.

[17] **COUNCILMEMBER ALEXANDER:** So how do we

[18] go about getting these updated? Because the

[19] school zones are not from 7:45 in the morning to

[20] 8:30. Kids start going to school now like at 6

[21] o'clock in the morning.

[22] **ATTORNEY WEED:** And it goes back to

[23] what I was saying before. If someone will give

[24] me a list of what signage and where and on what

[25] roads and what you want to achieve, then I can

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[1] convert that into an appropriate ordinance.

[2] **COUNCILMEMBER ALEXANDER:** And we've set

[3] the speed limit on a road that's not in the

[4] city.

[5] **ATTORNEY WEED:** If that's the worst

[6] thing we've done, that's probably a step in the

[7] right direction.

[8] **COUNCILMEMBER SPANGLER:** Speaking of

[9] speed limit signs, there is one in front of the

[10] Firestone on Buford Highway that says 45.

[11] **MAYOR JENKINS:** Part of it is.

[12] **COUNCILMEMBER ALEXANDER:** And it says

[13] Chamblee --

[14] **COUNCILMEMBER SPANGLER:** No. We had

[15] that changed.

[16] **COUNCILMEMBER ALEXANDER:** -- Tuck- --

[17] it says Buford Highway --

[18] **CHIEF KING:** No, sir, not yet.

[19] **COUNCILMEMBER ALEXANDER:** -- north from

[20] Oakcliff Road --

[21] **CHIEF KING:** That's a state road.

[22] **COUNCILMEMBER ALEXANDER:** -- to city

[23] limits.

[24] **CHIEF KING:** And -- I'm sorry, ma'am.

[25] **COUNCILMEMBER ALEXANDER:** That's what

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[1] it says in here. It says Buford Highway north

[2] from Oakcliff Road to city limits is 45 miles an

[3] hour, and that's why I was questioning this

[4] document.

[5] **CHIEF KING:** The State DOT has not

[6] approved that, ma'am. I think that was wishful

[7] thinking from us.

[8] **COUNCILMEMBER SPANGLER:** I thought you

[9] had made a comment at one of the meetings,

[10] Chief, that they had approved that.

[11] **CHIEF KING:** That we were -- that

[12] Dekalb DOT and Doraville had recommended that,

[13] but the State DOT is studying it and they do not

[14] want to change.

[15] Right now, our speed in the city is

[16] still split in half. From the city limits to

[17] Park Avenue is 45. From Park Avenue, it goes to

[18] 35 and then down in Chamblee it picks up again

[19] to 45 miles an hour.

[20] **COUNCILMEMBER SPANGLER:** Okay. But

[21] where is the cutoff? Where is the cutoff north

[22] of Park Avenue for 35?

[23] **CHIEF KING:** City limits.

[24] **COUNCILMEMBER SPANGLER:** So that sign's

[25] still not right. In front of the Firestone, it

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[1] should be 35, then, because --

[2] **CHIEF KING:** No.

[3] **COUNCILMEMBER SPANGLER:** -- the city

[4] limits goes on up.

[5] **CHIEF KING:** Because that's Dekalb

[6] County. That's what we're trying to resolve.

[7] We're having a lot of resistance, Mr. Spangler,

[8] from the State DOT. They look at things -- they

[9] want to move traffic efficiently from point A to

[10] point B. We look at it from the safety and the

[11] number of people being run over and having

[12] wrecks on this road, and we just have a lot of -

[13] - a hard time getting them to see it our way.

[14] Luckily, City of Doraville, Dekalb

[15] County Commission have all passed resolutions.

[16] I think the conversation you remember,

[17] Mr. Spangler, is when you all passed a

[18] resolution asking the State to change the speed

[19] limit to 35 miles an hour. That is being

[20] studied, and it's just grinding through the

[21] bureaucracy of the State DOT. We're not there

[22] yet, sir, but we are pushing to try to get it.

[23] **MAYOR JENKINS:** Okay. Move right

[24] along, Pam.

[25] **COUNCILMEMBER FLEMING:** Okay. I put

[1] city inspector interviews on because I did not  
[2] know where we stood at this point.

[3] I know that we have received some  
[4] applications in, but I feel that  
[5] Mr. Calcaterra is doing a fine job for us.

[6] I believe, Mayor, you indicated that  
[7] his rates are per inspection, not for per item  
[8] that he's inspecting.

[9] **MAYOR JENKINS:** I've given each of you  
[10] kind of a sample of his bill, and that'll give  
[11] you an idea of what he charges for inspections  
[12] and all. It'll run from \$1400 to \$800 a week,  
[13] which is well under having a full-time person  
[14] plus a vehicle in the city -- and of course  
[15] we're not going out of the city anymore as we  
[16] used to -- and of course all the benefits.

[17] So I just feel like we should stay as  
[18] we are for now. I guess when G.M. starts and a  
[19] lot of others come in here, we'll have to -- may  
[20] have to go to a full-time man. But John is  
[21] doing such a good job and it's just -- it's  
[22] working out perfect. I mean he comes in, he  
[23] does his work, he leaves. He comes in and he  
[24] gets his paperwork, goes out, and he brings it  
[25] back to Rhonda. It's over. Nothing else.

[1] of it.

[2] **COUNCILMEMBER ROCHE:** Well, I'm just  
[3] wondering how many businesses are saying, "I'm  
[4] not even going to go to Doraville right now  
[5] because we have a moratorium going on and I  
[6] don't want to have to deal with all that."

[7] **CLERK BLACKMON:** Well, to be honest,  
[8] since the moratorium, we have had more --

[9] **MAYOR JENKINS:** That's right.

[10] **CLERK BLACKMON:** -- come through the  
[11] doors in the last two months than we did in the  
[12] last six.

[13] **MAYOR JENKINS:** And a lot of them --

[14] **CLERK BLACKMON:** There has been a huge  
[15] increase since the moratorium.

[16] **COUNCILMEMBER BATES:** What do we charge  
[17] for permit inspection or --

[18] **CLERK BLACKMON:** It's \$50 for the  
[19] inspection for occupational tax for John to go  
[20] out and do the initial. If they fail, there is  
[21] a \$50 reinspection fee and then it goes up \$50  
[22] increment from there.

[23] **COUNCILMEMBER BATES:** So that's just a  
[24] pass-through cost. We're not recouping any fees  
[25] for your time or other people's time?

[1] Anyway, that's the way I feel. I think  
[2] we're better off having a part-time person now  
[3] without having another full-time employee at  
[4] this time.

[5] **COUNCILMEMBER ROCHE:** Once we lift the  
[6] moratorium, will the number of inspections  
[7] increase?

[8] **MAYOR JENKINS:** Why would they?

[9] **COUNCILMEMBER ROCHE:** Well, because  
[10] right now we have a moratorium on permits.

[11] **MAYOR JENKINS:** We have what?

[12] **COUNCILMEMBER ROCHE:** Right now, we  
[13] have a moratorium on permits.

[14] **MAYOR JENKINS:** But there's still --

[15] **COUNCILMEMBER ROCHE:** I was just  
[16] wondering if the inspections would increase.

[17] **CLERK BLACKMON:** No. The only number  
[18] that it would increase by is what you're  
[19] denying, and that's only -- I mean that's based  
[20] on we're not denying any commercial right now  
[21] this minute.

[22] **MAYOR JENKINS:** No. We're doing the  
[23] same thing.

[24] **CLERK BLACKMON:** It won't increase.

[25] **MAYOR JENKINS:** We're just more aware

[1] **CLERK BLACKMON:** Included in the actual  
[2] permits, there is, but not for occupational tax,  
[3] no.

[4] The permit, the actual permits for  
[5] construction include an administrative cost, a  
[6] review fee cost.

[7] **COUNCILMEMBER BATES:** But not for  
[8] occupational tax?

[9] **CLERK BLACKMON:** But not for  
[10] occupational tax. We are just strictly paying  
[11] for the inspection and no --

[12] **COUNCILMEMBER BATES:** So how much time  
[13] would you say you spend on doing an occupational  
[14] tax -- you or Sandra or whomever?

[15] **CLERK BLACKMON:** The two of us both do  
[16] incorporate. I do the initial, and then John  
[17] gets ahold of it, and then I pass it off to  
[18] Sandra. So together, I'd say 30 minutes to an  
[19] hour depending on the paperwork.

[20] **COUNCILMEMBER BATES:** Per?

[21] **CLERK BLACKMON:** Per.

[22] **COUNCILMEMBER BATES:** So you're  
[23] spending -- so we're losing an hour's worth of  
[24] revenue per occupational tax, each occupational  
[25] tax that comes in the door.

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[1]           **CLERK BLACKMON:** And it's more than  
[2] that if we come across problems where they're in  
[3] and out with paperwork, because some of them  
[4] take a long time to get what they need.  
[5]           **COUNCILMEMBER BATES:** Okay.  
[6]           **COUNCILMEMBER ALEXANDER:** Mr. Cal --  
[7]           **COUNCILMEMBER ROCHE:** Weren't we  
[8] working on -- I'm sorry.  
[9]           **COUNCILMEMBER ALEXANDER:** Mr.  
[10] Calcaterra did get his certifications up to  
[11] date; correct?  
[12]           **CLERK BLACKMON:** Yes, and I have copies  
[13] of those.  
[14]           **COUNCILMEMBER ALEXANDER:** Okay. Thank  
[15] you.  
[16]           **COUNCILMEMBER FLEMING:** Now, do we have  
[17] a firm contract with him stating what his  
[18] services are to us or --  
[19]           **MAYOR JENKINS:** Yes.  
[20]           **COUNCILMEMBER FLEMING:** Okay.  
[21]           **COUNCILMEMBER ROCHE:** And we're working  
[22] on -- we are looking at the permit fees?  
[23]           **CLERK BLACKMON:** We will be, yes,  
[24] starting to.  
[25]           **COUNCILMEMBER ROCHE:** Like as soon as

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[1] possible?  
[2]           **CLERK BLACKMON:** Yes.  
[3]           **COUNCILMEMBER BATES:** I think that  
[4] would be a great idea.  
[5]           **COUNCILMEMBER FLEMING:** Thank you, sir.  
[6]           **MAYOR JENKINS:** All right. Okay.  
[7]           Mr. Roche?  
[8]           **COUNCILMEMBER ROCHE:** Yeah. I just  
[9] wanted a status on the Ethics Committee. I had  
[10] sent out an e-mail. At the last meeting, we  
[11] made a motion and passed it to make -- to hire  
[12] Sweeney and Thompson. And at the time, I sent  
[13] around a little e-mail saying this is probably a  
[14] statement of work or maybe a first draft of what  
[15] we needed to do.  
[16]           People that are on the Ethics  
[17] Committee, I mean they're kind enough to  
[18] volunteer. But I remember when I started all  
[19] this, there was a whole lot I didn't know about,  
[20] you know, things like Open Records, et cetera,  
[21] et cetera. And the summary basically just said  
[22] educate the members of the Ethics -- get the  
[23] Ethics Committee together with the attorney and  
[24] then have the attorney educate the members of  
[25] the Ethics Committee on open meetings, Open

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[1] Records, Robert's Rules, any other applicable  
[2] laws as far as public meetings to make sure that  
[3] they, you know, do everything right.  
[4]           Review and update the Ethics Committee  
[5] Rules of Conduct and Procedures document. I  
[6] think that was generated out of the previous  
[7] Ethics Committee. You know, we looked at it,  
[8] and some of it looked like it had been partly  
[9] updated and some of it, I think, according to  
[10] our city attorney, may not be legal.  
[11]           The third thing would be to guide the  
[12] Ethics Committee through the process of  
[13] scheduling meetings, public notifications, and  
[14] make sure all the laws were being taken care of.  
[15]           And then provide legal counsel for  
[16] current ethics complaints as far as like  
[17] interpreting state laws -- because there's laws  
[18] I thought -- you know, I keep saying I thought  
[19] garbage meant garbage but it didn't because it's  
[20] the law, and all that sort of thing -- up to a  
[21] maximum of \$5,000.  
[22]           And I had sent this e-mail, I guess,  
[23] November 4th, which is after our November 3rd  
[24] meeting, and I just wanted to find out has  
[25] Sweeney Thompson said that yes, they're

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[1] available to help with this? Have they been  
[2] brought in? Has anything happened? Where are  
[3] we?  
[4]           **CLERK BLACKMON:** Gordon Grant, who is  
[5] on the committee, and I played phone tag Friday  
[6] and this morning when I came in. I have not  
[7] heard from him.  
[8]           But before this meeting, I checked my  
[9] voice messages, and at 4 o'clock, Lee Thompson  
[10] did leave me a message that he had been in  
[11] contact with Gordon Grant and that he wanted to  
[12] get with me, make sure he had all the documents,  
[13] because I had faxed over to Ms. Sweeney a week  
[14] ago, everything.  
[15]           And so I need to get in touch with him  
[16] in the morning, but they are working with the  
[17] committee as we speak.  
[18]           **COUNCILMEMBER ROCHE:** Okay. But do  
[19] they have the statement of work so that they  
[20] know? Because, you know, frankly, again,  
[21] nothing against the Ethics Committee, but they  
[22] don't know what to ask for.  
[23]           **CLERK BLACKMON:** Well, but they're only  
[24] in to help them with this particular complaint.  
[25] They can't handle procedures --

[1] **ATTORNEY WEED:** If I could --

[2] **COUNCILMEMBER ROCHE:** Well, that was --

[3] **CLERK BLACKMON:** -- if I'm --

[4] **ATTORNEY WEED:** -- the only reason why

[5] I'm not representing this particular panel is

[6] this one issue in the sense of it dealt with a

[7] particular employee and --

[8] **COUNCILMEMBER ROCHE:** Right.

[9] **ATTORNEY WEED:** -- circumstances

[10] involved.

[11] Most of the statement of work, I can

[12] represent them on for future complaints. I can

[13] educate them currently with regard to all those

[14] things in my current capacity as city attorney.

[15] I simply can't represent them on the --

[16] **COUNCILMEMBER ROCHE:** Okay.

[17] **ATTORNEY WEED:** -- very narrow fact

[18] pattern of the current complaint that's been

[19] presented by Councilman Fleming. That's all I

[20] can't do.

[21] I'm not conflicted out from

[22] representing them in any other way. So I mean

[23] I'm happy to do that.

[24] Now, bear in mind you can hire whoever

[25] you want to to do whatever you want to, and

[1] an ethics complaint against me, for instance,

[2] and it's a citizen that doesn't -- maybe doesn't

[3] like the way I voted on something, as the city

[4] attorney, would you be representing me in that

[5] ethics complaint?

[6] **ATTORNEY WEED:** No, sir. No, sir, I

[7] would not.

[8] I represent the majority of the Council

[9] on whatever the issue is of today.

[10] With regard to you would have a legal

[11] right to have your own representation, your own

[12] lawyer, and I would certainly encourage any of

[13] you to do that if you ever find yourself in that

[14] situation, to have someone representing your

[15] specific interests.

[16] What I would do is represent -- if you

[17] look at it like this, I would be law clerk

[18] and/or advisor to the panel, and then the panel

[19] would be acting as judge. And if you look at it

[20] in that framework, you know, hopefully that

[21] makes sense.

[22] **COUNCILMEMBER ROCHE:** Uh-huh. So any

[23] legal fees that we incurred, though, we're just

[24] out that money.

[25] **ATTORNEY WEED:** That's -- yes, sir,

[1] that's fine with me, but just wanted you to be

[2] aware that I can do that and I'll be glad to do

[3] so.

[4] **COUNCILMEMBER ROCHE:** Okay. Well, if

[5] we can make that happen, you know. Because I

[6] mean we made the motion last time and I think we

[7] made the motion before, just to make sure that

[8] they had adequate legal counsel so that they

[9] could get done what they need to get done.

[10] **ATTORNEY WEED:** I can assure you, I

[11] believe that there may be another pending ethics

[12] complaint. With regard to that ethics

[13] complaint, I am not conflicted out and will be

[14] doing an education program certainly involving

[15] that complaint.

[16] **COUNCILMEMBER ROCHE:** Okay. And this

[17] is an associated question. On situations like

[18] this new alleged complaint, if someone sues the

[19] City, for instance, then obviously you represent

[20] us, you represent the Council.

[21] You know, as far as ethics complaints,

[22] does that also carry or --

[23] **ATTORNEY WEED:** I'm sorry. I didn't

[24] hear the last part of what you said.

[25] **COUNCILMEMBER ROCHE:** If someone makes

[1] which is why I --

[2] **COUNCILMEMBER ROCHE:** We can't go back

[3] against the complainer, I guess.

[4] **ATTORNEY WEED:** Well, I mean not

[5] underneath the terms of the ordinance.

[6] I mean you could also -- depending upon

[7] the fact situation, if there was an invasion of

[8] privacy or, you know, some constitutional right

[9] that was violated, perhaps you could make a

[10] case. I mean it's America. You can always sue

[11] anybody for anything.

[12] **COUNCILMEMBER ROCHE:** Right.

[13] **ATTORNEY WEED:** And whether it wins or

[14] not, who knows?

[15] **COUNCILMEMBER ROCHE:** Okay. Good. So

[16] we can get started, then?

[17] **ATTORNEY WEED:** Yes, sir.

[18] **COUNCILMEMBER ROCHE:** Excellent. The

[19] sooner the better.

[20] **ATTORNEY WEED:** And on the other

[21] situation, it is my understanding as well,

[22] because Mr. Thompson, he also contacted me when

[23] he couldn't originally get ahold of the Clerk

[24] with regard to just documents, and I referred

[25] him of course back to the Clerk.

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[1] **COUNCILMEMBER ROCHE:** Okay.

[2] **CLERK BLACKMON:** And I will handle that

[3] in the morning.

[4] **COUNCILMEMBER ROCHE:** Excellent.

[5] Financial Policies Review and Update.

[6] I think it was last month we decided to have a

[7] -- we have two versions of the financial policy,

[8] and I'm still not sure which is the correct

[9] version. We were going to identify which is the

[10] correct, current version, and we had agreed to

[11] schedule a separate meeting or whatever to go

[12] through that financial policy and see about

[13] making changes or updates or whatever. That

[14] way, if we had a -- this financial policy, for

[15] instance, could include what we talked about

[16] earlier with like the collection agency and all

[17] that sort of stuff, what were the policies for

[18] collections.

[19] And I haven't heard anything since, so

[20] I just wanted us -- I mean can we please

[21] schedule this thing and get it going? Do I need

[22] to make another motion all over again to do the

[23] same thing we made a motion to before, or what

[24] do we need to do to make this happen?

[25] **MAYOR JENKINS:** Far as I'm concerned,

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[1] there's only one financial policy. Now, if you

[2] want to change it, that's a different situation.

[3] **COUNCILMEMBER ROCHE:** Well, that was

[4] what we agreed to do was to review the financial

[5] policy and make any changes we thought

[6] necessary. We agreed to do that back in the --

[7] I don't have that particular transcript. May

[8] have been a couple meetings ago.

[9] **ATTORNEY WEED:** Councilman, if this is

[10] helpful, I might make the suggestion that

[11] perhaps a team of staff members get together and

[12] you work this from the ground up and let the

[13] staff present to you a document for you to look

[14] at as opposed to the Council working it from the

[15] top down, if that's helpful.

[16] **COUNCILMEMBER ROCHE:** That's fine. But

[17] you know, we agreed already to do it, to have a

[18] meeting, and again nothing's happened.

[19] I'll make another motion: that we have

[20] the staff put together an updated financial plan

[21] and present it to the Council.

[22] **MAYOR JENKINS:** Do I get a second?

[23] **COUNCILMEMBER SPANGLER:** Second.

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

[25] discussion?

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[1] **COUNCILMEMBER ALEXANDER:** Can we find

[2] out which one it is that we're supposed to be

[3] looking at?

[4] **ATTORNEY WEED:** Well, that's one thing

[5] I might propose is that I think at least

[6] Priscilla and I and probably some of the

[7] department heads would get together. And it may

[8] not matter which version we're looking at. We

[9] will just come up with something and we'll start

[10] with that new something. And it won't matter

[11] what version is out there.

[12] **COUNCILMEMBER ALEXANDER:** Well, I want

[13] to

[14] **COUNCILMEMBER ROCHE:** Well, we don't --

[15] **COUNCILMEMBER ALEXANDER:** -- know

[16] what's being changed.

[17] **COUNCILMEMBER ROCHE:** -- that we're

[18] going to adopt it.

[19] **MAYOR JENKINS:** The original policies

[20] were never signed.

[21] **COUNCILMEMBER SPANGLER:** I think what

[22] Ms. --

[23] **MAYOR JENKINS:** That's what --

[24] **COUNCILMEMBER ALEXANDER:** -- Alexander,

[25] what she would like and what I would like --

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[1] **MAYOR JENKINS:** Excuse me, Bob.

[2] **COUNCILMEMBER SPANGLER:** I'm sorry,

[3] Mayor.

[4] **MAYOR JENKINS:** Just a minute, Bob.

[5] **COUNCILMEMBER SPANGLER:** Okay.

[6] **MAYOR JENKINS:** I'm talking.

[7] **COUNCILMEMBER SPANGLER:** You go right

[8] ahead.

[9] **MAYOR JENKINS:** The original that I

[10] feel is the original was not signed in any way,

[11] and neither -- we got two other proposals. One,

[12] I believe Mr. Ed Lowe was on the Council and

[13] Betty Cloer was the City Clerk who worked on it

[14] at that time. And I don't know that anything

[15] was ever done on any.

[16] But I'm asking you, Murray. Why was

[17] this stuff not signed, the original policy?

[18] **ATTORNEY WEED:** Well, Mr. Mayor, that's

[19] long before my time. I have --

[20] **MAYOR JENKINS:** I know that.

[21] **ATTORNEY WEED:** -- no idea. I couldn't

[22] hazard a guess.

[23] Now, once again, if this is helpful, I

[24] have two versions too -- one that says it was

[25] adopted June 21, '04 and last revised August

[1] 2nd, '04, and then another version that was  
[2] given me, I believe, by Rick Powell before he  
[3] left. And that's all I can tell you about the  
[4] origin of these documents. I have no idea which  
[5] one's actually in effect.

[6] - - -

[7] (Brief, inaudible conversation between  
[8] Ms. Murphy and Mr. Weed.)

[9] - - -

[10] **ATTORNEY WEED:** All right. Priscilla  
[11] tells me that this one dated June 21, last  
[12] revised August 2nd, is the one.

[13] **MAYOR JENKINS:** 2004.

[14] **ATTORNEY WEED:** Yes, sir.

[15] **COUNCILMEMBER PITTMAN:** August 2nd,  
[16] 2004.

[17] **MAYOR JENKINS:** That's this one.

[18] **ATTORNEY WEED:** And I think the other  
[19] one was the proposals for other changes --

[20] **MS. MURPHY:** Right.

[21] **ATTORNEY WEED:** -- and never adopted.

[22] What we would probably do is look at  
[23] these and maybe we can come up with some third  
[24] thing that you haven't seen before we go with  
[25] that.

[1] you could probably tell what was the original  
[2] based upon the printed version, and everything  
[3] else would be proposed changes.

[4] **COUNCILMEMBER ROCHE:** I will amend my  
[5] motion to first of all produce the correct  
[6] version of whatever today's financial policy is,  
[7] if we have one. If we don't, say so. And  
[8] secondly, to take that and review it and allow  
[9] us to review it also to potentially amend it to  
[10] bring it up to date.

[11] **ATTORNEY WEED:** And Councilman, I would  
[12] just recommend not to worry about the past.

[13] **COUNCILMEMBER ROCHE:** No, I understand.

[14] **ATTORNEY WEED:** It's a new day. Let us  
[15] operate as a staff to come up with whatever's  
[16] new, and let us work on it and we'll work on it.

[17] **COUNCILMEMBER ROCHE:** I mean --

[18] **ATTORNEY WEED:** I don't want you to  
[19] spend -- I would hate for you to spend all your  
[20] time trying to figure out what happened in the  
[21] past, what mistakes might have been made or not  
[22] made. Who knows?

[23] **COUNCILMEMBER ROCHE:** I don't care. I  
[24] just --

[25] **ATTORNEY WEED:** But let's fix it.

[1] **COUNCILMEMBER SPANGLER:** Well,  
[2] whichever one, I think what Ms. Alexander was  
[3] asking and what I was going to ask for, too -- I  
[4] was in agreement with her -- whichever one you  
[5] choose, then be sure that we have that copy  
[6] where we can --

[7] **COUNCILMEMBER ALEXANDER:** Because the  
[8] copy that I have is dated last revised August  
[9] 2nd, 2004. Then it has a memo attached dated  
[10] July of 2005 which also has a legend with  
[11] changes that shows that this is not the original  
[12] document since it has changes in it.

[13] **COUNCILMEMBER ROCHE:** Right.

[14] **ATTORNEY WEED:** I have that, too. I  
[15] have the same one you've got, the little coded  
[16] markings.

[17] **COUNCILMEMBER ALEXANDER:** So, then,  
[18] that is not the original document that was  
[19] approved in 2004.

[20] **ATTORNEY WEED:** And I can't speak to  
[21] that obviously because I don't know.

[22] But what I would say, it looks to me  
[23] like the original printed version, that language  
[24] remains the same with the markings on top of  
[25] that version. So I would hazard a guess that

[1] **COUNCILMEMBER ROCHE:** -- want to know,  
[2] do we have a financial policy today?

[3] **MAYOR JENKINS:** Yes, we do.

[4] **CLERK BLACKMON:** Yes.

[5] **COUNCILMEMBER ROCHE:** Okay. Then, can  
[6] you tell us what it is? Then we'll go from  
[7] there. That's all.

[8] **MAYOR JENKINS:** We'll make you a copy.

[9] **ATTORNEY WEED:** It looks like we do,  
[10] Councilman.

[11] **COUNCILMEMBER ROCHE:** Okay.

[12] **ATTORNEY WEED:** Best I can tell.

[13] **COUNCILMEMBER ROCHE:** I'm just trying  
[14] to get clarification.

[15] **CLERK BLACKMON:** I'll give everyone a  
[16] copy of that.

[17] **COUNCILMEMBER ROCHE:** Good. Thank you.

[18] And you're going to work on -- well,  
[19] that's our motion is to work on -- I think  
[20] someone seconded it.

[21] **CLERK BLACKMON:** Yes. We're ready for  
[22] a vote.

[23] **MAYOR JENKINS:** Call the roll, please.

[24] **CLERK BLACKMON:** Councilmember  
[25] Alexander?

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[1] **COUNCILMEMBER ALEXANDER:** Yes.

[2] **CLERK BLACKMON:** Councilmember Bates?

[3] **COUNCILMEMBER BATES:** Yes.

[4] **CLERK BLACKMON:** Councilmember Fleming?

[5] **COUNCILMEMBER FLEMING:** Yes.

[6] **CLERK BLACKMON:** Councilmember Pittman?

[7] **COUNCILMEMBER PITTMAN:** Yes.

[8] **CLERK BLACKMON:** Councilmember Roche?

[9] **COUNCILMEMBER ROCHE:** Yes.

[10] **CLERK BLACKMON:** Councilmember

[11] Spangler?

[12] **COUNCILMEMBER SPANGLER:** Yes.

[13] **ATTORNEY WEED:** We intend to destroy

[14] anything that gets in our way, so don't --

[15] - - -

[16] (Laughter)

[17] - - -

[18] **COUNCILMEMBER ROCHE:** That's fine.

[19] **UNIDENTIFIED SPEAKER:** This is

[20] Doraville.

[21] **MAYOR JENKINS:** Go ahead, Bob. Move

[22] right along.

[23] **COUNCILMEMBER ROCHE:** Number 15, change

[24] to city manager form of government. Actually I

[25] was going to table this in light of the

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[1] situation with the annexation, but I believe

[2] someone did sign up to make a comment.

[3] I didn't have any particular

[4] documentation. I know this was discussed at

[5] length last year. I've been kind of on the

[6] fence with this. I'm not necessarily convinced

[7] one way or another.

[8] What a city manager would do -- and I'm

[9] talking about a professional city manager that

[10] has a master's degree in public administration

[11] and who understands accounting, and information

[12] technology, and human resources, and public

[13] safety, and public works and all that sort of

[14] thing, that would basically -- we'd have to hire

[15] them, and they would come in and basically

[16] manage everything. You know, we would change

[17] our form of government.

[18] Now, I did ask Mr. Weed to kind of give

[19] us a Cliff Notes version of the process if we

[20] chose to do this, of what all it would entail.

[21] It's not like we can just vote to do this and

[22] then tomorrow we go out and hire a city manager.

[23] So Mr. Weed, if you could --

[24] **ATTORNEY WEED:** Yes, sir. The short

[25] version story is that you would have to actually

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[1] modify the Charter by virtue of an act of the

[2] General Assembly. And my understanding of how

[3] you got to the elected mayor being the CEO and

[4] having traditional administrative role in

[5] addition to just being the executive head of the

[6] government, it was done by referendum. So the

[7] way you would undo that would also be by a

[8] referendum as well.

[9] So at a minimum, you'd have to go to

[10] the legislature and have a legislative charter

[11] change under 36-35-6. And more likely than not,

[12] I think they would insist upon it being a public

[13] referendum.

[14] **COUNCILMEMBER ROCHE:** So I just wanted

[15] to present it for -- I don't know if we should

[16] schedule public meetings or whatever. I just

[17] wanted to kind of lay it out there for

[18] consideration at this point.

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

[20] **MS. CALVERT:** Ginny Calvert.

[21] I have heard the pros and the cons on a

[22] city manager. This was brought up two-and-a-

[23] half or three years ago, even, with another

[24] council. And from the reaction of the citizens,

[25] they still wanted a full-time mayor.

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[1] My goodness. For the last six to ten

[2] meetings, we've been preached to: "We got to

[3] stop spending so much money. We need to cut

[4] back," et cetera, et cetera, and now we want to

[5] spend 145 to 150 thousand dollars for a city

[6] manager? To do what?

[7] Because of General Motors? Well, we

[8] have no contract with them to help us. They are

[9] going to look out for number one. They don't

[10] have the money to loan the developers, and the

[11] banks are hanging onto their money if they

[12] aren't the ones going broke. They don't even

[13] trust each other. Economists are saying it

[14] could be five to ten years before we have a

[15] turnaround.

[16] If and when that comes about, we will

[17] need quite a bit of money to do what we need to

[18] do. Right now, as of now, there are four or --

[19] wait a minute. The Atlanta Station had 33

[20] percent foreclosures a few months ago. It may

[21] be even more now. The developers are not going

[22] to start buildings that were in the initial

[23] plans.

[24] So why do we need a manager to develop

[25] our city? To come in and bar our office people?

[1] To fire our Police Chief? That would cause most  
[2] of our police to leave. To have a Council with  
[3] no power at all to fire our own new city  
[4] planner?

[5] **MAYOR JENKINS:** Ginny.

[6] **MS. CALVERT:** Goodness.

[7] **MAYOR JENKINS:** Ginny.

[8] **MS. CALVERT:** Am I about done with? I  
[9] only had three minutes.

[10] We ought to have a part-time mayor to  
[11] not have an open-door policy. To have to make  
[12] an appointment to see him now is not what we  
[13] want.

[14] And I guess they're going to cut me  
[15] off. I've got a few more other things, but  
[16] thanks.

[17] - - -  
[18] (Applause)  
[19] - - -

[20] **COUNCILMEMBER ROCHE:** Well, I guess all  
[21] I would say as far as the expenses are  
[22] concerned, I mean the city manager would have a  
[23] contract and they would have certain  
[24] requirements of their job.

[25] What did we overspend last year over

[1] **COUNCILMEMBER ROCHE:** Well, I wanted to  
[2] see if anyone else had any comments on that.

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

[4] **COUNCILMEMBER ROCHE:** But I'd like to  
[5] table this and then put it on the agenda for the  
[6] next meeting.

[7] **MAYOR JENKINS:** Go ahead and get your  
[8] comments.

[9] **COUNCILMEMBER ROCHE:** No. I'd like to  
[10] table this and put it on the agenda for the next  
[11] meeting. I'd like to make a motion to table the  
[12] change to city manager form of government and  
[13] put it on the next meeting's agenda.

[14] **COUNCILMEMBER BATES:** Murray, do we  
[15] need -- if we're tabling something, do we need  
[16] to have motions to table it or can it just  
[17] automatically be?

[18] **ATTORNEY WEED:** Well, the way that the  
[19] current rules are, anybody can put anything they  
[20] want to on the next agenda, so you technically  
[21] wouldn't have to table it.

[22] **COUNCILMEMBER ROCHE:** Okay.

[23] **ATTORNEY WEED:** If you wanted to, you  
[24] could. But the individual Councilmembers can  
[25] put things on the agenda. The Mayor has the

[1] budget? \$670,000? If we had a city manager and  
[2] they over -- they allowed our budget to go over  
[3] by that kind of money, we would fire that city  
[4] manager. They would be accountable. So I think  
[5] that that would certainly save.

[6] Actually, because the mayor would be a  
[7] part-time mayor, it would only be -- I think  
[8] we'd probably pay him, I don't know, a hundred  
[9] twenty or twelve -- whatever they're paying us,  
[10] so that difference would go towards the city  
[11] manager's salary, so.

[12] And we're talking about a city manager,  
[13] not a city planner. So, you know, the GM  
[14] property, that's a whole -- that's a whole  
[15] 'nother thing, so.

[16] **MAYOR JENKINS:** Okay, Bob.  
[17] Martin O'Keefe?

[18] **COUNCILMEMBER PITTMAN:** That's Bonita.

[19] **COUNCILMEMBER FLEMING:** Bonita, yeah.

[20] **MAYOR JENKINS:** Oh, she's first. Okay.  
[21] Is Martin O'Keefe here?

[22] **UNIDENTIFIED SPEAKER:** No.

[23] **COUNCILMEMBER ROCHE:** I'm sorry. I  
[24] didn't realize I was finished, Mayor.

[25] **MAYOR JENKINS:** Well, I mean --

[1] right to put them in whatever order he so  
[2] desires. So you could just put it back on the  
[3] next agenda.

[4] **MS. MURPHY:** But Murray, couldn't you  
[5] say postpone till the next agenda?, because  
[6] technically you're tabling it for this meeting  
[7] to pick it up at the end.

[8] **ATTORNEY WEED:** Yes, but it really  
[9] doesn't matter. Since you've got the power to  
[10] put it on another agenda anyway, it doesn't  
[11] matter in this context how you go about doing  
[12] it.

[13] **COUNCILMEMBER ROCHE:** Well, again, I  
[14] mean I put this on the agenda and then I heard  
[15] about all this stuff with the annexation vote  
[16] and then I was going to withdraw it till then.  
[17] So anyway, I was going to just skip it, but we  
[18] had someone that wanted to make a comment so I  
[19] wanted to make certain that every citizen gets  
[20] every opportunity to make comments on matters  
[21] before the Council.

[22] **ATTORNEY WEED:** Procedurally, the only  
[23] time that I'm ever going to be nervous about  
[24] insisting upon or asking you to insist upon a  
[25] forum for tabling is when you have a zoning

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[1] hearing and you've run an ad. That's the time  
[2] when it's really important.  
[3] **COUNCILMEMBER ROCHE:** Okay. I'm done.  
[4] Thank you, sir.  
[5] **MAYOR JENKINS:** Do you want to make a  
[6] motion?  
[7] **COUNCILMEMBER ROCHE:** No.  
[8] **MAYOR JENKINS:** Okay.  
[9] **MS. HOFFMEISTER:** Honorable Mayor and  
[10] City Council, I'm before you tonight to request  
[11] --  
[12] And this goes into the licensing  
[13] ordinances to restrict the buildings for adult  
[14] entertainment. Is that correct, Scott?  
[15] **MR. HAEBERLIN:** You're talking about  
[16] establishing distance requirements?  
[17] **MS. HOFFMEISTER:** Right.  
[18] **MR. HAEBERLIN:** That's typically where  
[19] I do see it.  
[20] **MS. HOFFMEISTER:** Okay. It's my under-  
[21] standing it is not in our city ordinances.  
[22] What you have before you are the  
[23] distance requirements for adult entertainment in  
[24] the Dekalb law. I am respectfully requesting  
[25] that you review this and put something to this

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[1] effect into our licensing permits for adult  
[2] entertainment in our ordinances.  
[3] This will pretty well take care of any  
[4] problem you have with adult entertainment with  
[5] the annexation if that passes. And even if it  
[6] doesn't, this is a proactive step that will  
[7] help.  
[8] And for the benefit of the audience,  
[9] "An adult entertainment establishment shall be  
[10] located no closer than one thousand feet to  
[11] another adult entertainment establishment and  
[12] shall comply with any distance requirements  
[13] imposed by this Code," and it goes on.  
[14] And this is as a crow flies. This  
[15] isn't going around the corner. It's directly.  
[16] **COUNCILMEMBER ALEXANDER:** My question  
[17] is regarding Shooter's and Rooster's, is that  
[18] what you're saying? They're in violation --  
[19] **MS. HOFFMEISTER:** They are in --  
[20] **COUNCILMEMBER ALEXANDER:** -- of Section  
[21] 1?  
[22] **MS. HOFFMEISTER:** -- violation of  
[23] Dekalb's --  
[24] **COUNCILMEMBER ALEXANDER:** Section 1?  
[25] **MS. HOFFMEISTER:** -- Section 1; yes,

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[1] they are.  
[2] "An adult entertainment establishment  
[3] shall not be located on property which is within  
[4] one thousand feet of an R or RM use or  
[5] district," which means residential or multi  
[6] residential.  
[7] The measurement distance of this  
[8] paragraph is also as the crow flies. So in  
[9] other words, I, as an adult entertainer, can't  
[10] say, "Oh, my thousand feet is going down to the  
[11] end of the block and around the corner and then  
[12] back over to the residential." It's as the crow  
[13] flies.  
[14] It used to be from the end of the  
[15] property to the beginning of the other property  
[16] but that no longer is in effect in Dekalb.  
[17] We also had an ordinance where it had  
[18] to be a stand-alone facility, and that has been  
[19] removed. I would imagine they've had legal  
[20] problems with that.  
[21] Number 3, "An adult entertainment  
[22] establishment shall be located no closer than  
[23] one thousand feet of any governmental facility,  
[24] church, residence, park, library, school ground  
[25] or college campus."

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[1] And here again, it is along the most  
[2] common path or as the crow flies.  
[3] And I would hope that the city would  
[4] take a proactive step and put these three  
[5] requirements in our licensing for adult  
[6] entertainment. Thank you.  
[7] **COUNCILMEMBER FLEMING:** Thank you.  
[8] **COUNCILMEMBER ROCHE:** What is our  
[9] current ordinance?  
[10] **MS. HOFFMEISTER:** There is no -- I  
[11] asked Scott before I came. It isn't in ours.  
[12] **ATTORNEY WEED:** Council, most of the  
[13] things we've got are in -- it's 11-86 and the  
[14] paragraphs thereafter that deal with  
[15] dissemination of pornographic materials and  
[16] public performances and things of that nature.  
[17] **COUNCILMEMBER ROCHE:** Well, could we  
[18] make a motion to have you look at this and maybe  
[19] craft an ordinance that would incorporate this?  
[20] **ATTORNEY WEED:** I don't think that  
[21] requires a motion. I think that just requires  
[22] the Mayor to tell me to do it.  
[23] **MAYOR JENKINS:** Yes.  
[24] **ATTORNEY WEED:** So I'm happy to do it  
[25] if he tells me to do it.

[1] **COUNCILMEMBER ROCHE:** Okay. So we can  
[2] have it on the next meeting or the next?

[3] **COUNCILMEMBER ALEXANDER:** Mr.  
[4] Haeberlin?

[5] **ATTORNEY WEED:** It may be a little  
[6] longer than that.

[7] **COUNCILMEMBER ROCHE:** Okay.

[8] **ATTORNEY WEED:** But I'll work on it as  
[9] quickly as possible.

[10] **COUNCILMEMBER ALEXANDER:** Mr.  
[11] Haeberlin, do you have any comments?

[12] **MR. HAEBERLIN:** I have no objection to  
[13] it, obviously.

[14] I think -- the requirements for the  
[15] zoning for new adult entertainment  
[16] establishments I think are pretty much succinct  
[17] in what is required because it is a conditional  
[18] use.

[19] The majority of the property  
[20] surrounding the area that's eligible is R-1  
[21] zoning, so single-family. But I don't know of  
[22] any vacant land that we need to be of concern.

[23] But again, I have no objection to  
[24] anything that would tighten the ordinance.

[25] **ATTORNEY WEED:** The real problems that

[1] they're not is they're relying upon that  
[2] agreement that they reached.

[3] **MAYOR JENKINS:** Yes, go ahead and work  
[4] it out, and if you need to work with Scott on  
[5] that, that's fine.

[6] **ATTORNEY WEED:** Yes, sir.

[7] **MAYOR JENKINS:** Okay, Tom Hart.

[8] **MR. HART:** This is Winnola. She does  
[9] the Read to Rover program at the Doraville  
[10] library. And the kids call her Winnie because  
[11] she was born with all the W's, and then  
[12] sometimes they refer to her as Winnie the Pooh.

[13] Anyway, I have two things. One was the  
[14] lights on Buford Highway, and you discussed that  
[15] briefly earlier. But I came up with some  
[16] statistics about the lights on Buford Highway.

[17] Within 285 to the Chamblee line, which  
[18] is 1.1 mile, there are 210 lights. That's in  
[19] addition to all the lights in the shopping  
[20] center plus the lights on the vehicles with cars  
[21] that are passing through.

[22] Outside of 285 to the Gwinnett border,  
[23] which includes unincorporated Dekalb County,  
[24] there are 14 lights. In roughly the same  
[25] distance, there's 210 lights versus 14 lights.

[1] we've got of course isn't Doraville proper.  
[2] It's the surrounding areas. And they're  
[3] underneath a contract between Dekalb County and  
[4] those industries, so there's not very much we  
[5] can do right now about that.

[6] **COUNCILMEMBER ROCHE:** Right.

[7] **ATTORNEY WEED:** However, as far as our  
[8] own local ordinance, we can certainly do what we  
[9] can.

[10] **COUNCILMEMBER ROCHE:** Well, we just  
[11] want to make sure we don't get any new places.

[12] **COUNCILMEMBER SPANGLER:** What about --  
[13] I know it's in the county, but she just  
[14] mentioned one adult entertainment establishment  
[15] can't be a thousand feet -- within a thousand  
[16] feet of another?

[17] **ATTORNEY WEED:** What they did was they  
[18] -- you know, we talked about it before. They've  
[19] created a bubble of reality. The nude dancing  
[20] entertainment industry filed a lawsuit and they  
[21] reached a settlement agreement with Dekalb  
[22] County. When they did that, they created this  
[23] brand new bubble of reality. So they can have  
[24] whatever codes they've got on their books but  
[25] they're not following them. And the reason why

[1] Out of the 1.1 miles going inside of  
[2] 285, there are 210 lights. 87 of those lights  
[3] don't work. They're either burnt out or not  
[4] functioning.

[5] I don't know how we got into this thing  
[6] with GDOT and all the light fixtures, but we  
[7] found out when we were installing the corner  
[8] down here that the conduit underground wasn't  
[9] installed properly. It wasn't on the side of  
[10] the pavement the distance underground required.  
[11] It was actually buried right underneath the  
[12] concrete itself.

[13] So the other thing we found out, that  
[14] those fixtures cost \$8,000 apiece for their  
[15] installation, which seems a little high, and  
[16] that for some reason, when a light got run over  
[17] by a driver -- and a drunk driver, as a matter  
[18] of fact -- that that light was wired for --  
[19] sticking out of the ground basically for a year  
[20] before it was repaired.

[21] And so it brings the question, whether  
[22] it's Dekalb County, Georgia Department of  
[23] Transportation or Doraville, someone has to take  
[24] responsibility for the lights working on Buford  
[25] Highway and to the fact that maybe we have too

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[1] many lights on Buford Highway and we can do  
[2] without some of them.  
[3] Okay. So we have the lights. Boom  
[4] lights that are over the highway right now are  
[5] really old. The newer lights on other parts of  
[6] Buford Highway are directional lights. They're  
[7] mounted on the pole itself so they don't  
[8] overhang the highway.  
[9] But it seems with 210 lights inside of  
[10] 285, that maybe we're paying a power bill for  
[11] something that we don't really need.  
[12] So that's just some of my observations.  
[13] I don't have a specific answer to that. I think  
[14] that, you know, whatever it is that we -- why  
[15] all these lights are not working right now --  
[16] and that's outside of 285. I think three or  
[17] four of those are burnt out as well.  
[18] So I don't now if the policemen when  
[19] they drive down the highway make note of these  
[20] things and give the Mayor that information, or  
[21] if you're giving that information to the Mayor,  
[22] what happens. I mean does it go to Bobby  
[23] Pittman, or how do things get repaired?  
[24] **MAYOR JENKINS:** The upper lights are  
[25] street lights. The lower lights are pedestrian

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[1] lights. The upper lights have to stay.  
[2] **MR. HART:** I can't -- I can't believe  
[3] that with --  
[4] **MAYOR JENKINS:** Well, I'm with you.  
[5] **MR. HART:** -- 210 lights, I mean it's  
[6] like --  
[7] **COUNCILMEMBER PITTMAN:** Well, in the  
[8] past, the city -- actually there was a contact  
[9] person with Georgia Power, and we normally take  
[10] the pole numbers or the closest address and we  
[11] e-mail -- that's how I've always done it --  
[12] e-mail or contact that person, and they're  
[13] usually repaired within --  
[14] **MR. HART:** Well, can --  
[15] **COUNCILMEMBER PITTMAN:** -- just a very  
[16] short time span.  
[17] **MR. HART:** Can somebody e-mail about  
[18] the 87 that are not working right now?  
[19] **MAYOR JENKINS:** Well, that's pedestrian  
[20] lights we're referring to.  
[21] **MR. HART:** Well, no. I'm talking about  
[22] overhead lights, too.  
[23] **COUNCILMEMBER PITTMAN:** Street lights?  
[24] **MR. HART:** Yeah. I mean on Buford  
[25] Highway right now, I think there like there's

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[1] eight to ten of them that don't work.  
[2] **MAYOR JENKINS:** Okay. On the upper  
[3] ones, we'll check on it, but the lower ones,  
[4] we're not involved in that yet.  
[5] **MR. HART:** Okay. Well, I only had five  
[6] minutes so we'll do dog and cats next time.  
[7] **COUNCILMEMBER ALEXANDER:** We want to  
[8] make sure that all the lights are operational  
[9] before we sign an agreement.  
[10] **COUNCILMEMBER FLEMING:** Before we sign  
[11] any type of contract, absolutely.  
[12] **COUNCILMEMBER ROCHE:** That'll save  
[13] electricity.  
[14] **COUNCILMEMBER FLEMING:** That's true,  
[15] too.  
[16] **COUNCILMEMBER PITTMAN:** If you'd just  
[17] get a range, Tom, of from here to this point to  
[18] this point, we can have them come out and check  
[19] it. I mean it's really relatively simple. If  
[20] it's from this address to this address and  
[21] they're all out between there, I mean we just  
[22] send it to Georgia Power, and they'll go out and  
[23] look.  
[24] **MR. HART:** Well, when the drunk driver  
[25] knocked the pole down, it took a year of begging

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[1] and complaining, you know, those hot wires  
[2] sticking out of the ground.  
[3] **COUNCILMEMBER PITTMAN:** Yeah. I can't  
[4] address that, but if you'll do that --  
[5] **MAYOR JENKINS:** Tom.  
[6] **COUNCILMEMBER PITTMAN:** -- we'll do it.  
[7] Okay?  
[8] **MAYOR JENKINS:** Will you get together  
[9] with me tomorrow and we'll check it out.  
[10] **COUNCILMEMBER FLEMING:** But that should  
[11] also be when we are considering the contract,  
[12] though, Mayor, is, you know, if they're going to  
[13] repair a pole that may be down, that we are also  
[14] putting in that contract that they must repair  
[15] it within 30 days or something.  
[16] **COUNCILMEMBER BATES:** Well, they've got  
[17] to be in good working order before we assume  
[18] responsibility.  
[19] **MAYOR JENKINS:** Well, they will make  
[20] sure that everything is paid up and everything's  
[21] fixed --  
[22] **COUNCILMEMBER FLEMING:** Right.  
[23] **MAYOR JENKINS:** -- if we sign that  
[24] contract.  
[25] Murray?

[1] **ATTORNEY WEED:** Mr. Mayor and members  
[2] of the Council, I've got the next two items and  
[3] I'll try to move through them quickly.

[4] At a previous meeting, the Council  
[5] modified your meeting schedule to not have a  
[6] work session. When I did the research on the  
[7] ordinance, you're actually moving the ordinance  
[8] back to the way it was previously since it's the  
[9] 1969 version with just a few very minor changes.

[10] The only relevant change from the  
[11] original language from 1969 would be the last  
[12] line, "In unusual situations, the Council may  
[13] reschedule the regular meetings on a following  
[14] day by majority vote." That's the only thing  
[15] that's really, I think, of note. Other than  
[16] that, you're really just going back to the way  
[17] the ordinance was.

[18] And I'd recommend you adopt that.  
[19] You've already taken the action on it by your  
[20] motion and second but you need to modify the  
[21] ordinance.

[22] **MAYOR JENKINS:** Do I have a motion?

[23] **COUNCILMEMBER PITTMAN:** So moved.

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

[25] **COUNCILMEMBER ROCHE:** Second.

[1] **COUNCILMEMBER PITTMAN:** Second.  
[2] **MAYOR JENKINS:** Call the roll.

[3] **CLERK BLACKMON:** Councilmember  
[4] Alexander?

[5] **COUNCILMEMBER ALEXANDER:** Yes.

[6] **CLERK BLACKMON:** Councilmember Bates?

[7] **COUNCILMEMBER BATES:** Yes.

[8] **CLERK BLACKMON:** Councilmember Fleming?

[9] **COUNCILMEMBER FLEMING:** Yes.

[10] **CLERK BLACKMON:** Councilmember Pittman?

[11] **COUNCILMEMBER PITTMAN:** Yes.

[12] **CLERK BLACKMON:** Councilmember Roche?

[13] **COUNCILMEMBER ROCHE:** Yes.

[14] **CLERK BLACKMON:** Councilmember  
[15] Spangler?

[16] **COUNCILMEMBER SPANGLER:** Yes.

[17] **MAYOR JENKINS:** Do I get a motion to  
[18] pass the ordinance?

[19] **COUNCILMEMBER BATES:** So moved.

[20] **COUNCILMEMBER PITTMAN:** Second.

[21] **MAYOR JENKINS:** Call the roll.

[22] **COUNCILMEMBER ALEXANDER:** Councilmemb  
[23] er

[23] Alexander?

[24] **COUNCILMEMBER ALEXANDER:** Yes.

[25] **CLERK BLACKMON:** Councilmember Bates?

[1] Does this mean that our meeting so far  
[2] has been illegal tonight?

[3] **ATTORNEY WEED:** No, sir.

[4] **COUNCILMEMBER ROCHE:** Okay.

[5] **ATTORNEY WEED:** We're cleaning up.  
[6] We're doing the paperwork. That's all.

[7] **COUNCILMEMBER ALEXANDER:** So we're  
[8] going to have to change and do another ordinance  
[9] to change this section again if we enact the  
[10] agenda policy.

[11] **ATTORNEY WEED:** After I review the --  
[12] that might be true. We have to take a look at  
[13] the agenda policy to see if it would conflict.  
[14] It may or may not.

[15] The other sections, 2-32 and 2-33 and  
[16] 2-34, et cetera, it may fit neatly within the  
[17] rest of those sections without having to go back  
[18] and change 2-31. I don't know.

[19] **COUNCILMEMBER ALEXANDER:** So we need to  
[20] waive the first reading?

[21] **ATTORNEY WEED:** Yes, please.

[22] **MAYOR JENKINS:** Okay. The first motion  
[23] will be to waive the first reading. Do I get a  
[24] motion?

[25] **COUNCILMEMBER BATES:** So moved.

[1] **COUNCILMEMBER BATES:** Yes.

[2] **CLERK BLACKMON:** Councilmember Fleming?

[3] **COUNCILMEMBER FLEMING:** Yes.

[4] **CLERK BLACKMON:** Councilmember Pittman?

[5] **COUNCILMEMBER PITTMAN:** Yes.

[6] **CLERK BLACKMON:** Councilmember Roche?

[7] **COUNCILMEMBER ROCHE:** Yes.

[8] **CLERK BLACKMON:** Councilmember

[9] Spangler?

[10] **COUNCILMEMBER SPANGLER:** Yes.

[11] **ATTORNEY WEED:** Mr. Mayor and members  
[12] of the Council, the next item is item number 20,  
[13] and it really deals with your sign ordinance  
[14] which is in Section 14 and the sections  
[15] thereafter.

[16] Let me tell you where this came from,  
[17] the origin of it. We have been asked to, by  
[18] Rhonda with the permission of the Mayor, to take  
[19] a look at your banner ordinance because frankly  
[20] the banner ordinance has just become  
[21] unmanageable. We actually had people -- Rhonda  
[22] is nodding her head fiercely at this, but we  
[23] actually had people who were regularly coming in  
[24] and would never get a permitted sign. They  
[25] would simply continue, and continue and continue

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[1] to renew a temporary banner, and we didn't have  
[2] any way to combat that.

[3] In the process of trying to make a  
[4] modification to the banner ordinance, we  
[5] realized that your sign ordinance was A., in  
[6] pretty decent shape except for the fact that it  
[7] started off being what is called a content-  
[8] neutral sign ordinance and then it got into some  
[9] certain areas where it was content-specific.

[10] What is a content-neutral sign  
[11] ordinance? This placque that says "City of  
[12] Doraville City Attorney." A content-neutral  
[13] sign ordinance would dictate size, the shape,  
[14] lighting of this object, being the sign.

[15] However, a noncontent-neutral ordinance  
[16] would actually have rules about what is on the  
[17] display face of the sign, and you had some  
[18] provisions that were not content-neutral but it  
[19] was clear from the majority of the language in  
[20] 14 that you intended to have a content-neutral  
[21] ordinance.

[22] This is the first phase of fixing that  
[23] situation. What we've done, we've spent a lot  
[24] of time taking a look at the sign ordinance, and  
[25] one of the parts of that had what was called a

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[1] building identification sign.

[2] Essentially, it is illegal under  
[3] federal law to dictate the use of the English  
[4] language only on signage. You can't do that.

[5] What you can do is for public safety  
[6] purposes, you can mandate that you have a  
[7] building identifier placard. A building identi-  
[8] fier placard allows you to use English only and  
[9] a numeric system which is understandable by a  
[10] public-safety answering point and by public  
[11] safety responders. The purpose of it is purely  
[12] public safety so that the first responding unit  
[13] and other emergency units can locate a  
[14] particular building by a particular street  
[15] address. That is legal.

[16] Now, the current version of your  
[17] ordinance seems to imply -- it does have some  
[18] safety language in there that doesn't mandate  
[19] English only, which is great.

[20] In looking at your sign ordinance, we  
[21] would prefer to take the building identification  
[22] part out of your sign ordinance, put it in your  
[23] business regulation section that deals with  
[24] occupation taxes, and permits and licensing. We  
[25] think that's a better place for it, and that's

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[1] what this does.

[2] Councilman Fleming particularly  
[3] reviewed this and made some commentary with  
[4] regard to our first version simply said that we  
[5] would use the Roman alphabet. We didn't mention  
[6] the English language. And she pointed out that  
[7] Russian, for example, uses the Roman alphabet  
[8] but you can't read the words.

[9] And therefore, I took the liberty of  
[10] adding that into this version of it to include  
[11] the Roman alphabet and the English language.  
[12] And what it would require would be the name of  
[13] the establishment or building and also Arabic  
[14] numerals identifying a street address. So  
[15] that's the ordinance in a nutshell.

[16] **COUNCILMEMBER BATES:** On this, it says  
[17] the information contained in the identifier  
[18] placard shall not be less than eight inches in  
[19] height.

[20] Is that the height of the sign or the  
[21] height of the letters?

[22] **ATTORNEY WEED:** Height of the letters.

[23] **COUNCILMEMBER BATES:** Can you be more  
[24] explicit in that? Because it doesn't say if  
[25] it's going to be Monterrey Mexican Restaurant,

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[1] the M is going to be eight inches in height.

[2] **ATTORNEY WEED:** It could be, yes.

[3] **COUNCILMEMBER BATES:** A minimum of  
[4] eight inches.

[5] **ATTORNEY WEED:** Yes.

[6] **COUNCILMEMBER BATES:** So that each  
[7] individual letter is going to be a minimum of  
[8] eight inches.

[9] **ATTORNEY WEED:** Yes.

[10] **COUNCILMEMBER BATES:** So if they --

[11] **COUNCILMEMBER FLEMING:** Per letter.

[12] Just at the end, just put eight inches in height  
[13] per letter.

[14] **ATTORNEY WEED:** Yes, we can do that if  
[15] that's --

[16] **COUNCILMEMBER BATES:** Because I was  
[17] confused as to whether or not the sign itself  
[18] was a minimum of eight inches or whether each  
[19] individual letter was a minimum of eight inches.

[20] **COUNCILMEMBER ROCHE:** Because it says  
[21] "The information contained in the placard  
[22] shall."

[23] **COUNCILMEMBER BATES:** So if you've got  
[24] the name of your restaurant in English, or  
[25] business, the name of your business in your

[1] native language, the street address and the  
[2] suite number, you're talking about -- and each  
[3] one of those has a minimum of eight inches for  
[4] the letter or number --

[5] **COUNCILMEMBER FLEMING:** Or per line or  
[6] something.

[7] **COUNCILMEMBER BATES:** -- you're going  
[8] to have a very big placard.

[9] Not that I'm opposed to that, because I  
[10] think that's good. I just want to make sure  
[11] that I'm understanding.

[12] **ATTORNEY WEED:** The intention -- you  
[13] did identify the proper intention. It would be  
[14] each letter.

[15] **COUNCILMEMBER BATES:** Each letter, each  
[16] number.

[17] **ATTORNEY WEED:** Or number, correct;  
[18] yeah. That's the intention.

[19] **COUNCILMEMBER BATES:** So with the  
[20] requirements of it being the name of the  
[21] business and the street address or suite number  
[22] of the business, in theory, at a minimum of  
[23] eight inches per letter, if it's a long business  
[24] name, you've got a very long placard.

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

[1] also.

[2] I guess when we constructed our  
[3] building in Gwinnett County, we had to have the  
[4] suite number above the door and it has to be a  
[5] specific size and it has to be reflective and  
[6] things of that nature but it's not a requirement  
[7] that we had the street address and the business  
[8] name and everything above the door. Granted,  
[9] there's a four-foot tall building number on the  
[10] building.

[11] I guess in item number four, what's to  
[12] stop from somebody from getting a piece of  
[13] plywood and painting the information on it and  
[14] attaching it to their building?

[15] **ATTORNEY WEED:** Well, it would not -- a  
[16] piece of plywood would not be considered, in the  
[17] construction industry standard, suitable  
[18] materials.

[19] **COUNCILMEMBER ALEXANDER:** Where does  
[20] that standard come from?

[21] **ATTORNEY WEED:** It would come from  
[22] common parlance, and we would contact, in our  
[23] case, John Calcaterra to find out what would be  
[24] an appropriate outdoor placarding material, and  
[25] I don't -- I seriously doubt that he would say

[1] **COUNCILMEMBER BATES:** Or a very tall  
[2] placard.

[3] **ATTORNEY WEED:** That's correct.

[4] **COUNCILMEMBER FLEMING:** Well, maybe we  
[5] should put per line, then, eight inches per  
[6] line, because they may make it --

[7] **COUNCILMEMBER BATES:** Four lines.

[8] **COUNCILMEMBER FLEMING:** -- four lines  
[9] to include the address down at the bottom.

[10] **COUNCILMEMBER BATES:** I just -- and Mr.  
[11] Weed, I'm in full agreement of this. I just  
[12] want to make sure that it gets us to the end  
[13] result of what we're trying to accomplish.

[14] **ATTORNEY WEED:** Yes. What I'm doing  
[15] right now is I want to take a look at what's  
[16] already in your code. "This information  
[17] contained in the identifier sign shall not be  
[18] less than eight inches in height." So that's  
[19] already what's in Subsection (h), 14-12, so  
[20] that's already the law.

[21] **COUNCILMEMBER ALEXANDER:** But that's a  
[22] sign not necessarily placed on the building.

[23] That could be a street sign. For example,  
[24] Monterrey's frontage on Buford Highway is where  
[25] their sign is. They do have a sign on the roof

[1] plywood would be adequate.

[2] **COUNCILMEMBER BATES:** Well, I'd have to  
[3] -- because I actually concur with Ms. Alexander  
[4] on this. The language says, "shall be made of  
[5] materials suitable for outdoor use and common in  
[6] the outdoor construction industry."

[7] Sheetrock is common in the construction  
[8] industry.

[9] **ATTORNEY WEED:** Not outside, though.

[10] **COUNCILMEMBER FLEMING:** For outside  
[11] use.

[12] **COUNCILMEMBER BATES:** EFIS is.

[13] **ATTORNEY WEED:** And I bet that might be  
[14] an appropriate material.

[15] **COUNCILMEMBER ALEXANDER:** It says sheet  
[16] metal.

[17] **ATTORNEY WEED:** If it were done in  
[18] decorative iron work, that would be appropriate.

[19] **COUNCILMEMBER BATES:** But it doesn't  
[20] say that.

[21] **ATTORNEY WEED:** No, it doesn't say that  
[22] because unless you -- you could get a list of  
[23] materials you wanted it limited to. You could  
[24] certainly do that.

[25] **COUNCILMEMBER BATES:** I would actually

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[1] ask the Council to suggest that we do have a  
 [2] list of acceptable materials as part of this so  
 [3] that we don't get the, "Well, I used that on the  
 [4] outside of my building and it looks just fine,"  
 [5] spray painted in pink ink or pink --  
 [6] **COUNCILMEMBER ROCHE:** Do we have a list  
 [7] already for regular signs?  
 [8] **ATTORNEY WEED:** No, sir, we don't.  
 [9] **COUNCILMEMBER ROCHE:** Because I mean,  
 [10] you know, at Angler's Corner, apparently he went  
 [11] out and just spray painted, you know, his wall  
 [12] out there, so.  
 [13] **COUNCILMEMBER BATES:** That is correct.  
 [14] **COUNCILMEMBER ROCHE:** I'd prefer that  
 [15] he didn't do that either, you know.  
 [16] **COUNCILMEMBER BATES:** Would that be  
 [17] acceptable under -- I mean I know you can't see  
 [18] Angler's Corner, but they have spray painted  
 [19] their street address on the side of the  
 [20] building.  
 [21] **COUNCILMEMBER FLEMING:** And I think we  
 [22] should be definitely specific because if we're  
 [23] getting ready to go into architectural designs  
 [24] and everything, we do want the signage to be --  
 [25] **ATTORNEY WEED:** And that was what I was

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[1] But I happen to know with what tiny bit  
 [2] I know about Chinese, if I call the cops and  
 [3] say, "It's the Shin Shin Tailors," it's not  
 [4] going to say (spelling) S-H-I-N S-H-I-N. It's  
 [5] going to say perhaps J-I-N or it may say X-I-N,  
 [6] because J is (pronouncing) and X is  
 [7] (pronouncing), which, to me, sounds exactly the  
 [8] same, but, you know, I'm learning.  
 [9] **ATTORNEY WEED:** What you can't do is  
 [10] have a one-for-one translation. In other words,  
 [11] if the sign says, "Joy Luck Club, Good Food  
 [12] Here," and it's in Chinese characters, we're not  
 [13] allowed under federal law to have a direct, one-  
 [14] for-one Chinese-to-English translation. You  
 [15] can't do that.  
 [16] What is allowable is to identify the  
 [17] building itself as Joy Luck Club Building, 123  
 [18] Buford Highway. That's perfectly legal.  
 [19] So I don't know if that answers your  
 [20] question with regard to an actual translation.  
 [21] It would be as close as it can get in the  
 [22] English language. The owner of the building  
 [23] could specify the Joy Luck Club, Best Eats in  
 [24] Town. They could identify that as the Murray  
 [25] Weed Building, 123 Buford Highway. That would

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[1] going to say. The next step of this would be  
 [2] the architectural design element where colors,  
 [3] building materials, that type of thing would be  
 [4] addressed.  
 [5] But I mean I can -- there's nothing  
 [6] wrong with listing what the acceptable materials  
 [7] are here. We can do that. That's perfectly  
 [8] legal.  
 [9] **COUNCILMEMBER BATES:** I would feel more  
 [10] comfortable by putting that in here.  
 [11] **ATTORNEY WEED:** To revisit the eight-  
 [12] inch-height standard, are you happy with that?  
 [13] because that is the current law now. Do you  
 [14] want them smaller?  
 [15] **COUNCILMEMBER BATES:** No. I'm fine  
 [16] with the eight inches. I just want to make sure  
 [17] that it's eight inches per letter and not per  
 [18] placard.  
 [19] **ATTORNEY WEED:** Will do.  
 [20] **COUNCILMEMBER ROCHE:** And I may be  
 [21] opening a can of worms here. It says the name  
 [22] of the establishment or building.  
 [23] I guess my concern there is I mean some  
 [24] language like Mexican or whatever, it's not that  
 [25] big a deal or maybe even Korean.

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[1] be legal. And so there wouldn't be a direct  
 [2] translation at all.  
 [3] But the purpose of this isn't to  
 [4] translate foreign language signs into English.  
 [5] The purpose of this is to identify the building  
 [6] so that public safety knows where they're going.  
 [7] **COUNCILMEMBER ROCHE:** Right. Well,  
 [8] there's a thing called "ping ying" which is kind  
 [9] of like the -- they're using the Roman alphabet.  
 [10] But the problem with ping ying is that it's  
 [11] phonetic but the letters don't mean what you  
 [12] think they mean. Like I said, J doesn't mean J;  
 [13] it means (pronouncing), you know, and X means  
 [14] (pronouncing). We'll start Chinese soon.  
 [15] **COUNCILMEMBER ALEXANDER:** I guess can  
 [16] we --  
 [17] **COUNCILMEMBER ROCHE:** And I guess my  
 [18] question would be --  
 [19] **COUNCILMEMBER ALEXANDER:** -- postpone  
 [20] this and review it more in depth?  
 [21] **ATTORNEY WEED:** That's always the  
 [22] Council's option. But please bear in mind that,  
 [23] you know, we haven't diverged much from what's  
 [24] already in your code book, so bear that in mind.  
 [25] **COUNCILMEMBER ALEXANDER:** But I didn't

[1] vote on those ones that are in the code book.  
 [2] **ATTORNEY WEED:** I'm not saying they're  
 [3] good. I'm just telling you that's in there.  
 [4] Obviously, if I was more confident  
 [5] about them, I wouldn't be recommending changes.  
 [6] **COUNCILMEMBER ROCHE:** Right.  
 [7] **ATTORNEY WEED:** Take as much time as  
 [8] you need.  
 [9] **MAYOR JENKINS:** Okay. Your next item?  
 [10] **ATTORNEY WEED:** Yes, sir, Mr. Mayor.  
 [11] The next item is the lead public agency  
 [12] certificate, essentially. When I first came on  
 [13] board, I was asked to take a look at the U.S.  
 [14] Communities nonprofit purchasing agency. This  
 [15] is a group -- I sent you a memo on it -- that  
 [16] essentially collates and acts as a gatekeeper  
 [17] for public service purchasing and bids.  
 [18] I have thoroughly reviewed this and I  
 [19] feel very confident that I could recommend this  
 [20] to you. There are some economies of scale by  
 [21] using this type of program. You are not  
 [22] committed to only use the program. You can pick  
 [23] and choose what you'd like to try to purchase  
 [24] via this program.  
 [25] And there is a master agreement, which

[1] **COUNCILMEMBER SPANGLER:** Second.  
 [2] **MAYOR JENKINS:** Call the roll.  
 [3] **CLERK BLACKMON:** Councilmember  
 [4] Alexander?  
 [5] **COUNCILMEMBER ALEXANDER:** Yes.  
 [6] **CLERK BLACKMON:** Councilmember Bates?  
 [7] **COUNCILMEMBER BATES:** Yes.  
 [8] **CLERK BLACKMON:** Councilmember Fleming?  
 [9] **COUNCILMEMBER FLEMING:** Yes.  
 [10] **CLERK BLACKMON:** Councilmember Pittman?  
 [11] **COUNCILMEMBER PITTMAN:** Yes.  
 [12] **CLERK BLACKMON:** Councilmember Roche?  
 [13] **COUNCILMEMBER ROCHE:** Yes.  
 [14] **CLERK BLACKMON:** Councilmember  
 [15] Spangler?  
 [16] **COUNCILMEMBER SPANGLER:** Yes.  
 [17] **COUNCILMEMBER ALEXANDER:** So I can  
 [18] contact Ms. Stephens and tell her to sign up and  
 [19] try to save us some money.  
 [20] **ATTORNEY WEED:** You certainly may.  
 [21] The last item -- well, the next-to-the-  
 [22] last item I've got would be a Council discussion  
 [23] of the local fine schedule.  
 [24] Councilman Fleming had asked when we  
 [25] were addressing the fines and bond schedule with

[1] I have reviewed. It is adequate under Georgia  
 [2] law. There's a Georgia statute that allows  
 [3] local governments to enter in these type of  
 [4] agreements. It does comply with the statute.  
 [5] There would be -- if you decided, for  
 [6] example, to buy playground equipment, what you  
 [7] would do first would be approve the master  
 [8] agreement which would allow you to use the  
 [9] system when you wanted to, although you wouldn't  
 [10] be committed to. And then if you actually made  
 [11] a purchase, there would be another contract for  
 [12] the purchase where we have more particular  
 [13] language applicable to Georgia law at that  
 [14] point.  
 [15] So I have done that review and I'm able  
 [16] to make a recommendation that I think this could  
 [17] be useful to the City.  
 [18] **COUNCILMEMBER FLEMING:** Are there fees  
 [19] for their services?  
 [20] **ATTORNEY WEED:** There is. It's a one  
 [21] percent fee. We don't pay that, though. The  
 [22] seller of the goods pays that. That's how they  
 [23] do business.  
 [24] **COUNCILMEMBER BATES:** Move to accept.  
 [25] **MAYOR JENKINS:** Second?

[1] the judges that we eliminate the state law  
 [2] provisions and go ahead and move those forward,  
 [3] and then we elected to take another look at the  
 [4] local ordinance penalties.  
 [5] You will recall that we modified an  
 [6] ordinance that had been on the books for a long  
 [7] time, because state law does provide that the  
 [8] fine could only be up to a thousand dollars for  
 [9] a local ordinance offense.  
 [10] I have been in contact with the judges  
 [11] of the City Court. They don't seem to have any  
 [12] real preferences with regard to what the local  
 [13] fines are. They haven't really been too  
 [14] communicative with me about that. We've talked  
 [15] about it in person but they don't really seem to  
 [16] have strong feelings about the subject.  
 [17] In a side note, the judges are a little  
 [18] bit concerned about the Charter limitation of  
 [19] imprisonment of up to only 90 days. That can be  
 [20] changed up to imprisonment up to six months.  
 [21] But that's another ordinance for another day and  
 [22] that's something you can go ahead and think  
 [23] about.  
 [24] So with that, what I'd like -- what I  
 [25] wanted you to do, and you don't really have to

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[1] necessarily do it in the context of tonight's  
[2] meeting of course but I would like you to  
[3] seriously engage the chart that was sent to you  
[4] and try to come up with what you think are the  
[5] fair fines relative to one another. And if  
[6] you'd like me to make a stab at that, I'm  
[7] certainly willing to do that. If you'd like to  
[8] do that top down, that's fine. If you'd like  
[9] for me to do it bottom up, that's fine.

[10] **COUNCILMEMBER BATES:** While we got you  
[11] here, you've got distilled spirits but you don't  
[12] have beer. Are you treating those as one and  
[13] the same? because beer is listed as 3-69 as a  
[14] separate stand-alone ordinance within the books  
[15] on sale to minors and things like that.

[16] **ATTORNEY WEED:** No, they would not  
[17] ordinarily be treated the same.

[18] **COUNCILMEMBER BATES:** If we can include  
[19] that, that would be great.

[20] Council had passed this spring,  
[21] probably erroneously, a second and third offense  
[22] on the sale to minors. We probably need to  
[23] revisit those because I think we had \$2500 fines  
[24] or something stiff but it is now in conflict  
[25] with what we've got, so we probably need to

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[1] reflect that.

[2] We don't have any second offenses for  
[3] some other items like loitering for drugs and  
[4] loitering for prostitution. Are those needed,  
[5] warranted? Is that a judge discretion? Is that  
[6] set by Council? How are those types of second  
[7] and third multiple offenses dealt with?

[8] **ATTORNEY WEED:** Well, frankly, it's not  
[9] commonly done with regard to local offenses that  
[10] I am aware of. That's sort of an exception  
[11] rather than the rule.

[12] I don't know of any legal prohibition  
[13] that would prevent you from doing that as long  
[14] as for the second and third offense it's no more  
[15] than a thousand dollars, no more than six months  
[16] in jail, et cetera. So I think my opinion would  
[17] be you could do it. It's just not usually done  
[18] that I know of.

[19] **COUNCILMEMBER BATES:** Chief?  
[20] **CHIEF KING:** Sir, our practice in our  
[21] city, for example, the loitering for  
[22] prostitution, we have made it -- basically, the  
[23] judges have been giving a thousand dollar fine  
[24] to cut down or to make Doraville a less  
[25] attractive place to go to try to pick up a

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[1] prostitute. That has worked relatively well,  
[2] especially when we do the stings.

[3] So they have a wide latitude. I've  
[4] never seen a judge give somebody less than a  
[5] thousand dollars for that kind of offense.

[6] **COUNCILMEMBER BATES:** Well -- and I  
[7] don't mean to dominate. I'll be very brief.

[8] While we're on loitering, do we have a general  
[9] loitering citation or fine or -- because it's  
[10] not listed specifically loitering for drugs and  
[11] loitering for prostitution on this chart.

[12] **CHIEF KING:** It's loitering and then  
[13] it's got the subsections in it, the elements of  
[14] the crime for the various purposes, but they  
[15] range.

[16] **COUNCILMEMBER FLEMING:** Is it on the  
[17] back page?

[18] **COUNCILMEMBER BATES:** Would it be  
[19] listed under vagrancy? Because to me, loitering  
[20] and vagrancy would be two different things.

[21] **CHIEF KING:** Yes, they are.

[22] **ATTORNEY WEED:** I'm pretty confident  
[23] there is a separate loitering --

[24] **CHIEF KING:** Yes.

[25] **ATTORNEY WEED:** -- section. I'm 98

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[1] percent sure of that.

[2] **COUNCILMEMBER BATES:** And my only  
[3] question was it's not specifically listed here  
[4] as a fineable offense. I don't know if this  
[5] chart is inclusive or just the big ones.

[6] **ATTORNEY WEED:** No. It would become  
[7] inclusive. That's part of the exercise of doing  
[8] this was to actually identify that type of  
[9] issue.

[10] **COUNCILMEMBER BATES:** And my final one,  
[11] and I promise I'll yield the floor to the rest  
[12] of the Council -- and Chief, this will probably  
[13] be a question for you guys.

[14] On the page 2, it's 19-61 through 65,  
[15] stopping, standing and parking, first offense.  
[16] What would -- that's all it says is stopping,  
[17] standing and parking, first offense and then  
[18] second offense. I'm curious as to what that  
[19] would be for.

[20] **CHIEF KING:** If I understand correctly  
[21] which one, basically it's for people soliciting  
[22] rides, for stopping, standing, you know,  
[23] soliciting the ride. And that's a way that we  
[24] can sometimes combat, for example, a potential  
[25] prostitute. We might not be able to make the

[1] case for solicitation for sodomy or prostitution  
[2] but we can make the case for the person  
[3] soliciting a ride.

[4] **COUNCILMEMBER BATES:** Okay. Murray, I  
[5] probably should have asked you first. 19-61  
[6] through 76, is --

[7] **COUNCILMEMBER FLEMING:** I have a copy  
[8] of a code violation sheet here. Parking  
[9] violations. Parking prohibited street is 19-61  
[10] based on the code QOL. 19-63 is commercial  
[11] vehicle and residential. And then 19-65 is  
[12] parking on unpaved surface.

[13] **COUNCILMEMBER BATES:** \$775 for parking  
[14] on an unpaved surface?

[15] **CHIEF KING:** Yes.

[16] **COUNCILMEMBER FLEMING:** That's my big  
[17] one.

[18] **CHIEF KING:** That was a decision that  
[19] was made by the previous Council over parking on  
[20] the grass.

[21] **COUNCILMEMBER ROCHE:** And I think we  
[22] need to adjust that, please.

[23] And while we're at it, there's one  
[24] about junk cars. I mean I don't want junk cars  
[25] either, but 500 bucks for a first offense for,

[1] thinks are the appropriate fines and then ask  
[2] you to vote on it or you could tell me what you  
[3] think are the appropriate fines and I'll write  
[4] the ordinance. So I'm happy to do it either  
[5] way.

[6] And some of you had some strong  
[7] feelings about what the fines should be, so I  
[8] wanted to give you an opportunity to talk  
[9] amongst yourselves about it.

[10] **COUNCILMEMBER FLEMING:** Also, 19-67 --  
[11] and I think I might have pointed this out before  
[12] -- is that there is a table inset at the end of  
[13] that ordinance, and we either should eliminate  
[14] that table inset of this ordinance, Mr. Weed,  
[15] because it does not coincide with what our fines  
[16] are presently.

[17] The other thing that I think that the  
[18] Council needs to make a decision on also, since  
[19] we have in, for instance, 19-67 where we're  
[20] stating that it's 10 days from the warning, I  
[21] don't think we need to be that specific. I  
[22] think we need to put a range in there.

[23] **COUNCILMEMBER ALEXANDER:** I think this  
[24] is for a citation, not a warning. If they  
[25] actually issued a citation, they get a discount

[1] you know, whatever junk cars means, that just  
[2] seems awful high.

[3] **COUNCILMEMBER ALEXANDER:** Now, this is  
[4] just the fine chart, but the judge has the  
[5] discretion; correct, Mr. Weed?

[6] **ATTORNEY WEED:** That's correct.

[7] **COUNCILMEMBER ROCHE:** Well, it says  
[8] \$500 minimum. Is that minimum? Is that what MI  
[9] means?

[10] **ATTORNEY WEED:** If you, if the Council  
[11] determines it is a minimum, that would in my  
[12] opinion limit the judges' discretion to do the  
[13] minimum.

[14] **COUNCILMEMBER ROCHE:** Well, at minimum,  
[15] I would remove the minimum from these and give  
[16] the judges more discretion.

[17] **COUNCILMEMBER BATES:** So you're  
[18] requesting that we kind of give you our thoughts  
[19] via e-mail or what's the best?

[20] **ATTORNEY WEED:** In my e-mail to you, I  
[21] had hoped that you would give me -- I wanted you  
[22] to talk about it tonight just so you could  
[23] address it publicly.

[24] But yes, what I'm looking for would be  
[25] some direction. I can decide what Uncle Murray

[1] if they pay within 10 days is how I'm reading  
[2] that. Is that correct?

[3] **CHIEF KING:** Those are the parking  
[4] citations, yes.

[5] **COUNCILMEMBER FLEMING:** But it's also  
[6] indicating 19-61, 62, 63 and 64.

[7] **ATTORNEY WEED:** Yeah. My  
[8] interpretation of 19-67 B would be that the  
[9] citation would state the violation and also what  
[10] the fine might be and the consequence, pay the  
[11] fine, and also would just tell folks that they  
[12] have an opportunity to protest the alleged  
[13] violation within 10 days of the date of the  
[14] issuance.

[15] So the way I read this, after you get  
[16] one of these citations, you have the opportunity  
[17] to pay or request a court date to contest within  
[18] 10 days after issuance. That's how I read that.

[19] **CHIEF KING:** That's the standard  
[20] parking tickets that you will get, for example,  
[21] if you were downtown.

[22] **COUNCILMEMBER BATES:** On taxicabs, what  
[23] if they don't have a permit?

[24] **CHIEF KING:** They receive a citation  
[25] and they are not permitted to operate inside the

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[1] city of Doraville.

[2] **COUNCILMEMBER BATES:** That's not one of

[3] our four options here. It's not displaying

[4] permits, illegal parking, inoperative meter and

[5] invalid insurance.

[6] We add if they don't have a permit?

[7] Mr. Weed?

[8] **ATTORNEY WEED:** Can you add that?

[9] **COUNCILMEMBER BATES:** Yeah, or is that

[10] just so we can see what it is? Thank you.

[11] **MAYOR JENKINS:** Anything else?

[12] **ATTORNEY WEED:** No, sir. For any of

[13] you if you've got, you know, further comments or

[14] thoughts, please get them to me.

[15] What I will do next is I will take the

[16] chart and I will go back through the code. I

[17] will try to make sure that everything collates

[18] between the chart and the individual code

[19] sections and come back with some

[20] recommendations. And if not this month, next

[21] month hopefully you can pass something.

[22] **COUNCILMEMBER BATES:** Thank you.

[23] **ATTORNEY WEED:** Thank you.

[24] The only other thing that I have is

[25] item 23, the Employee Electronic Communications

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[1] Ordinance. This is one of the last holdovers

[2] from the former city attorney.

[3] Essentially, as I understand the

[4] purpose of that recommended ordinance, it dealt

[5] with in part a record retention schedule for

[6] items which were not otherwise dictated by the

[7] state records retention law.

[8] It does not vary much from your

[9] existing code that's already in the code book.

[10] The main differences between them really deal

[11] with in part the communications between the

[12] attorney and the Council and the marking of

[13] certain documents as attorney/client privilege.

[14] That's one of the most important elements of the

[15] recommended changes.

[16] And I believe I have sent you that

[17] ordinance, and I didn't know if you had any

[18] further questions with regard to it.

[19] **COUNCILMEMBER ROCHE:** I have two. And

[20] I haven't looked, but I mean I think that every

[21] e-mail that you send us, Murray, basically has

[22] the disclaimer about client/attorney privilege.

[23] In here, it says we can never forward it, which

[24] obviously if it's a, you know, internal type

[25] thing.

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[1] But you know, I realize that -- and

[2] it's probably just under your signature of your

[3] e-mail, but sometimes it's just routine

[4] questions or whatever, so --

[5] **ATTORNEY WEED:** I mean obviously the

[6] main thing that we want to do is keep those

[7] communications between the members of Council

[8] and the attorney within that, you know, intimate

[9] circle.

[10] If there is a need to forward it to

[11] some third party expert --

[12] Bear one thing in mind. The group that

[13] holds the privilege is any majority member of

[14] the Council, meaning any four of you at any time

[15] hold privilege. So you can always vote to leave

[16] the privilege any time.

[17] No individual member of Council has got

[18] the legal right to waive the privilege to

[19] forward it on to some third party.

[20] And that's pretty much all this is

[21] really saying. That's already in the law.

[22] **COUNCILMEMBER ROCHE:** I guess I'm

[23] seeing a scenario like someone sends me an

[24] e-mail and says, "Hey, Bob. What is this

[25] particular law mean? Is it okay for me to --

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[1] How much is it? What is the fine if I park my

[2] car in the grass?"

[3] And I say, "Hey, you know, Murray, what

[4] is the cost of --" you know, and you respond,

[5] "500 bucks," and then I forward that back.

[6] **ATTORNEY WEED:** Yeah.

[7] **COUNCILMEMBER ROCHE:** Now, I understand

[8] what you're saying, and I completely agree. I

[9] just, you know --

[10] **ATTORNEY WEED:** I would say to you that

[11] if it's that type of -- if you haven't asked me

[12] to do a formal analysis of something and you

[13] want an answer to your question, I could simply

[14] call you on the phone and say, "It's \$500 and

[15] you can tell whoever it's \$500."

[16] **COUNCILMEMBER ROCHE:** Okay.

[17] **ATTORNEY WEED:** And then that would be

[18] fine.

[19] What we're really talking about would

[20] be if you'd asked me to do a formal memo, an

[21] analysis on a subject, or, you know, we were

[22] talking about a contract and negotiation

[23] strategies on a contract.

[24] **COUNCILMEMBER ROCHE:** Why, of course,

[25] obviously.

[1] **ATTORNEY WEED:** Right.  
 [2] **COUNCILMEMBER ROCHE:** The only other  
 [3] thing -- and I'm not sure it would be  
 [4] appropriate here or not -- but before, there was  
 [5] an issue, as we discussed earlier, that, you  
 [6] know, I could not get -- you know, we didn't  
 [7] have access to getting our official e-mail  
 [8] accounts.

[9] Now that everyone can have official  
 [10] e-mail accounts, there have been situations  
 [11] apparently where or there may be the possibility  
 [12] of situations where City employees or whatever  
 [13] may choose to use different accounts just to be  
 [14] able to stay out of the Open Records, like, you  
 [15] know, to attorneys -- or not attorneys -- to  
 [16] City Council people, for instance.

[17] **ATTORNEY WEED:** I don't think that will  
 [18] help much. And oddly enough, ironically enough,  
 [19] I taught the new Georgia Sheriff's Academy class  
 [20] today on Open Records. And I don't think that -  
 [21] - that doesn't get anybody anywhere.

[22] Pretty much the only thing that would  
 [23] be privileged would be attorney/client work  
 [24] product or some other, you know, privileged  
 [25] document that has that kind of relationship.

[1] **COUNCILMEMBER ROCHE:** I guess what I'm  
 [2] saying is that if you have a City employee and  
 [3] they're communicating with other City employees  
 [4] or elected officials, shouldn't they be using  
 [5] their official e-mail address to do that,  
 [6] particularly if it's City business?

[7] **ATTORNEY WEED:** Ordinarily, that would  
 [8] be my preference.

[9] Now, once again, you know, if you're  
 [10] using your laptop and it's your personal laptop  
 [11] at home and you're still doing City business,  
 [12] well, good on you.

[13] **COUNCILMEMBER ROCHE:** I understand.

[14] **ATTORNEY WEED:** But you'd have to be  
 [15] prepared that what you -- that the City business  
 [16] you're doing, that's certainly going to be  
 [17] public record, and a court would make the  
 [18] decision about other things on your computer  
 [19] which are not public record. Hopefully, they  
 [20] wouldn't be getting out to the public.

[21] But at the end of the day, a court can  
 [22] make you bring in your own personal laptop and  
 [23] the court will decide, "Okay. This goes and  
 [24] this stays, this goes and this stays." That's  
 [25] the risk of using your own tools, so to speak.

[1] There might be some things that are  
 [2] exempt from disclosure. You know, there's about  
 [3] a list of 20 things that are exempt.

[4] But using a different e-mail address in  
 [5] hopes of avoiding disclosure probably is not  
 [6] going to pan out.

[7] I will give you an example, however.  
 [8] If you are at your home office on your own work  
 [9] station and you type up a document on it, even  
 [10] though the document might be relevant to City  
 [11] business, until you send it to the other members  
 [12] of the Council and until you disseminate it, it  
 [13] probably, you know, might not become a public  
 [14] record. We've kind of talked about that before  
 [15] briefly.

[16] **COUNCILMEMBER ROCHE:** Right.

[17] **ATTORNEY WEED:** If, however, you're  
 [18] utilizing your home e-mail address to do all of  
 [19] your City business, then anything related to  
 [20] your City business is not exempt.

[21] However, your banking information and  
 [22] your other personal information and your access  
 [23] to WWB wrestling, you know, videos, that's  
 [24] nobody else's business but your own, so, and  
 [25] that's not covered by the Open Records Act.

[1] **COUNCILMEMBER ROCHE:** Well, that's why  
 [2] I've been wanting, you know, a Bob Roche at  
 [3] DoravilleGA, because --

[4] **ATTORNEY WEED:** I'd prefer that as your  
 [5] lawyer.

[6] **COUNCILMEMBER ROCHE:** Well, I  
 [7] understand that, and that's why I've been  
 [8] wanting it. Okay.

[9] **ATTORNEY WEED:** The short version of it  
 [10] is I would like to -- I'd encourage the Council  
 [11] to consider waiving first reading and adopting  
 [12] this ordinance dealing with confidential  
 [13] communication.

[14] **MAYOR JENKINS:** Do I get a motion?

[15] **COUNCILMEMBER ROCHE:** I make a motion  
 [16] to waive the first reading of this ordinance.

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

[18] **COUNCILMEMBER FLEMING:** Second.

[19] **MAYOR JENKINS:** Call the roll.

[20] **CLERK BLACKMON:** Councilmember  
 [21] Alexander?

[22] **COUNCILMEMBER ALEXANDER:** Yes.

[23] **CLERK BLACKMON:** Councilmember Bates?

[24] **COUNCILMEMBER BATES:** Yes.

[25] **CLERK BLACKMON:** Councilmember Fleming?

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[1] **COUNCILMEMBER FLEMING:** Yes.  
[2] **CLERK BLACKMON:** Councilmember Pittman?  
[3] **COUNCILMEMBER PITTMAN:** Yes.  
[4] **CLERK BLACKMON:** Councilmember Roche?  
[5] **COUNCILMEMBER ROCHE:** Yes.  
[6] **CLERK BLACKMON:** Councilmember  
[7] Spangler?  
[8] **COUNCILMEMBER SPANGLER:** Yes.  
[9] **MAYOR JENKINS:** Need a motion to adopt.  
[10] **COUNCILMEMBER ALEXANDER:** Have the  
[11] department heads been given this document so  
[12] they know they're responsible for deleting  
[13] e-mails?  
[14] **ATTORNEY WEED:** No, ma'am, they have  
[15] not. However, most of what is already in this  
[16] ordinance is already code, the vast majority of  
[17] it. But obviously until it's been -- I didn't  
[18] disseminate it to the department heads yet until  
[19] the Council said grace over it, but I will first  
[20] thing tomorrow.  
[21] **COUNCILMEMBER ALEXANDER:** Okay.  
[22] **COUNCILMEMBER ROCHE:** Will make a  
[23] motion to adopt.  
[24] **MAYOR JENKINS:** Second?  
[25] **COUNCILMEMBER FLEMING:** Second.

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[1] **MAYOR JENKINS:** Call the roll.  
[2] **CLERK BLACKMON:** Councilmember  
[3] Alexander?  
[4] **COUNCILMEMBER ALEXANDER:** Yes.  
[5] **CLERK BLACKMON:** Councilmember Bates?  
[6] **COUNCILMEMBER BATES:** Yes.  
[7] **CLERK BLACKMON:** Councilmember Fleming?  
[8] **COUNCILMEMBER FLEMING:** Yes.  
[9] **CLERK BLACKMON:** Councilmember Pittman?  
[10] **COUNCILMEMBER PITTMAN:** Yes.  
[11] **CLERK BLACKMON:** Councilmember Roche?  
[12] **COUNCILMEMBER ROCHE:** Yes.  
[13] **CLERK BLACKMON:** Councilmember  
[14] Spangler?  
[15] **COUNCILMEMBER SPANGLER:** Yes.  
[16] **MAYOR JENKINS:** Thank you.  
[17] John?  
[18] **COUNCILMEMBER ALEXANDER:** Mr. Weed, you  
[19] have one more thing on your agenda.  
[20] **COUNCILMEMBER BATES:** He's doing it  
[21] under attorney comments.  
[22] **ATTORNEY WEED:** No, I hope not.  
[23] **COUNCILMEMBER ALEXANDER:** I'm sorry. I  
[24] thought he was going to do it now.  
[25] **ATTORNEY WEED:** The jail contract? No.

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[1] I was asked by the Mayor to do that underneath  
[2] attorney comments.  
[3] **COUNCILMEMBER ALEXANDER:** Okay. I  
[4] apologize.  
[5] **MAYOR JENKINS:** All right, John.  
[6] **CHIEF KING:** I will keep it very --  
[7] **MAYOR JENKINS:** Please do. We got 16,  
[8] 17 minutes.  
[9] **CHIEF KING:** Sir, basically we're  
[10] working closely with Dekalb County with the  
[11] situation with the murder that we had down on  
[12] Aztec Road. We're bumping into some problems,  
[13] and the problem is on that investigation all the  
[14] crime scene work and the scientific work has  
[15] been done but we are now -- basically the  
[16] situation we have is that we have a group of  
[17] individuals, several groups of them who  
[18] basically have been targeting young Hispanic  
[19] males in the Doraville/Chamblee and targeting  
[20] them for robbery. And this crew is pretty  
[21] vicious. Basically after they rob these  
[22] individuals, they commit acts of violence on  
[23] them.  
[24] We were able to locate the information  
[25] necessary for the -- and we passed it on to

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[1] Dekalb County to resolve the situation with our  
[2] jailer's husband who was shot on McElroy Road,  
[3] and we were able to locate those individuals in  
[4] Dekalb County and we will bring additional  
[5] charges on them.  
[6] But we're still working very hard, and  
[7] we're working very hard to bring the gentlemen  
[8] -- the group of individuals responsible for the  
[9] Aztec Road shooting to justice.  
[10] Then we had an armed robbery on  
[11] Oakcliff Road right at -- almost at the city  
[12] limits at the traffic light on Pin Oak. We've  
[13] been saturating the area. We've conducted a --  
[14] we're talking to several residents. It was an  
[15] individual on foot that approached one of the  
[16] neighbors as they were going into their home,  
[17] and this again was an Hispanic -- the victim was  
[18] an Hispanic person. We feel that this is the  
[19] same kind of groups targeting the Hispanic  
[20] community that live in our community because of  
[21] being afraid to call law enforcement and with  
[22] the little language barrier and the fact that  
[23] they traditionally carry amounts of cash on  
[24] their persons.  
[25] So basically what I want to do is get

[1] the community to be alert, to please not --  
[2] don't wait until you see somebody committing a  
[3] crime. If you see somebody that doesn't fit,  
[4] you know, in our community, call us and have our  
[5] officers come in and check on them.  
[6] We've got a great response from the  
[7] community at the southern side of Oakcliff Road.  
[8] They're very cooperative in helping us out. But  
[9] we're working again those city limits in between  
[10] behind the creek bed dealing with the Oakcliff  
[11] park, the business park, and the Pin Oak Circle  
[12] area.  
[13] Pending any questions from the members  
[14] of the Council, I wanted to keep it short.  
[15] **COUNCILMEMBER ALEXANDER:** Do you have a  
[16] description of the perpetrator from this  
[17] afternoon that you can --  
[18] **CHIEF KING:** Well, the suspect we're  
[19] looking for is a young black male with  
[20] dreadlocks and he was wearing a red hoodie shirt  
[21] -- a red hoodie jacket.  
[22] And so we put a lot of officers and  
[23] detectives down there in the neighborhoods.  
[24] That's why some members of the community  
[25] realized, you know, what was the police doing

[1] they would get citations.  
[2] **CHIEF KING:** They made changes. They  
[3] went and mowed the grass. They complied with  
[4] some of them. They're still not there. I am  
[5] not a hundred percent sure that they -- they --  
[6] they've gone into compliance with the general  
[7] provisions of the ordinance, but my Quality of  
[8] Life inspectors believe that they've got a ways  
[9] still to go.  
[10] And we've discussed, we've sat down.  
[11] We're going to sit down with Attorney Weed to  
[12] then move into the next phase of getting them to  
[13] comply.  
[14] They are securing their location.  
[15] They've cut the grass. They've posted signs.  
[16] But our ordinance -- I can't force them, for  
[17] example, to put fencing because the ordinance  
[18] doesn't provide for that.  
[19] **COUNCILMEMBER ROCHE:** Yeah. I'm just  
[20] concerned about the doors. I mean all the doors  
[21] are open.  
[22] **CHIEF KING:** Specifically the doors  
[23] have been covered, sir, and they're putting --  
[24] **COUNCILMEMBER ROCHE:** When did that  
[25] happen?

[1] down there? That's what we were working on, on  
[2] trying to at least get some witnesses to the  
[3] robbery.  
[4] Pending any questions, Mayor.  
[5] **COUNCILMEMBER ROCHE:** I had sent you an  
[6] e-mail wanting the status on the property at  
[7] 5455 Buford Highway, the Star Towers property.  
[8] **CHIEF KING:** Yes, sir. We've been  
[9] checking it, sir, twice a day, basically at  
[10] nighttime. We've been running our canines  
[11] there.  
[12] We have met the management of the  
[13] company, and they're in the process of working  
[14] with the City to secure that place based on the  
[15] comments that you made about the location not  
[16] being properly secured. They're in the process  
[17] of securing that, mowing the grass to get them  
[18] into compliance on the citation that they  
[19] received.  
[20] **COUNCILMEMBER ROCHE:** Okay. So have  
[21] they received citations now instead of -- this  
[22] is warnings.  
[23] **CHIEF KING:** Yes.  
[24] **COUNCILMEMBER ROCHE:** So they would  
[25] have had five days to straighten it out and then

[1] **CHIEF KING:** Sir, they've been doing  
[2] that I think in the last week or so.  
[3] **COUNCILMEMBER ROCHE:** Okay, because  
[4] they were open when I sent out those e-mails.  
[5] Well, it also says declaration of  
[6] nuisance. I mean we talked about having a list  
[7] of properties that would be a declaration of  
[8] nuisance. I mean we can add this to that?  
[9] **ATTORNEY WEED:** Absolutely.  
[10] **COUNCILMEMBER ROCHE:** Maybe I'd like to  
[11] do that, you know, it's been so long, you know,  
[12] that we've had this issue.  
[13] And I have people ready to line up and  
[14] say they've seen all those people there every  
[15] morning and all that, too, so --  
[16] **CHIEF KING:** Sir, if they would call  
[17] the police, that would be very helpful because  
[18] our officers have been checking in the daytime  
[19] and at night, and no -- we've made one arrest in  
[20] the last -- and that was somebody who was  
[21] trespassing, in the times we check them.  
[22] Obviously, you know, the community, if  
[23] they see somebody in there that's trespassing,  
[24] if they can call us, that would be very helpful,  
[25] sir.

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[1]           **COUNCILMEMBER ROCHE:** Well, I'm told  
[2] it's at the time before school, that someone  
[3] called me up and said they see them as they're  
[4] taking their kid to school.  
[5]           **CHIEF KING:** Sir, if they are not  
[6] comfortable calling us and call you, if you  
[7] could call us, I will dispatch a patrol car.  
[8]           **COUNCILMEMBER ROCHE:** Excellent. Thank  
[9] you very much.  
[10]           **CHIEF KING:** Yes, sir.  
[11]           **COUNCILMEMBER FLEMING:** Could you  
[12] (indicating)?  
[13]           **CHIEF KING:** That, ma'am, is the  
[14] red-light camera report on number of citations  
[15] that were issued. I'm sorry. It goes to the  
[16] Clerk. We basically pile on all the reports.  
[17] But those are the directions of the red-light  
[18] camera citations, ma'am.  
[19]           **COUNCILMEMBER FLEMING:** Thank you.  
[20]           **CHIEF KING:** Yes, ma'am.  
[21]           Oh. I would respectfully request --  
[22] and this is something between the City Clerk and  
[23] myself -- I know, and Ms. Pittman has been  
[24] asking us, and I think you wanted us to make  
[25] sure that we had the bids for the hybrid car.

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[1]           And before I can move any further to order the  
[2] car -- and I know Dennis needs his truck pretty  
[3] bad -- I respectfully request that you open the  
[4] bids and indicate who the winner would be so I  
[5] can move on getting this hybrid vehicle.  
[6]           **MAYOR JENKINS:** How long will you take  
[7] to get them, John?  
[8]           **COUNCILMEMBER FLEMING:** Oh, my  
[9] goodness.  
[10]           **CHIEF KING:** Sir, they're a high demand  
[11] vehicle, sir. I don't know. Sir, they're --  
[12] they're expensive.  
[13]           **MAYOR JENKINS:** You're going to buy  
[14] them?  
[15]           **CHIEF KING:** No, sir. You're buying  
[16] them. It's in the budget, sir, for one vehicle.  
[17]           **COUNCILMEMBER ROCHE:** It is in the  
[18] budget.  
[19]           **MAYOR JENKINS:** Well, let me ask a  
[20] question on that.  
[21]           **CHIEF KING:** Yes, sir.  
[22]           **MAYOR JENKINS:** Where'd the insurance  
[23] money go on Dennis's truck?  
[24]           **CHIEF KING:** You got it, sir.  
[25]           **CLERK BLACKMON:** It's a general fund.

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[1]           **MAYOR JENKINS:** Okay. Well --  
[2]           **CHIEF KING:** General fund.  
[3]           **MAYOR JENKINS:** -- that will go on  
[4] this; is that correct?  
[5]           **CHIEF KING:** No, sir. You budgeted.  
[6] You budgeted for a hybrid vehicle.  
[7]           What you can do, sir, is we buy the  
[8] hybrid vehicle. I will give you the truck --  
[9]           **MAYOR JENKINS:** I understand that.  
[10]           **CHIEF KING:** -- for whatever fee you  
[11] decide.  
[12]           **MAYOR JENKINS:** That's all. That's  
[13] fine. It's in the budget.  
[14]           **CHIEF KING:** Sir, it's --  
[15]           **MAYOR JENKINS:** It don't matter one way  
[16] or the other. I was just trying to keep it  
[17] straight.  
[18]           **CHIEF KING:** Not a problem, sir.  
[19]           I think whatever you got from Dennis's  
[20] truck, sir, is what you will probably -- if you  
[21] want to, you can pay that exact amount for the  
[22] truck that we're giving you.  
[23]           **MAYOR JENKINS:** Wait just a minute.  
[24]           **COUNCILMEMBER ALEXANDER:** So there's  
[25] twenty-two in the budget?

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[1]           **CHIEF KING:** I thought it was twenty-  
[2] one/twenty-two.  
[3]           **CLERK BLACKMON:** Yes.  
[4]           **CHIEF KING:** I think it's twenty-one,  
[5] Priscilla? because -- I'm pretty sure it's  
[6] twenty-one because that's what we estimated and  
[7] then we just -- we did not realize that gas was  
[8] going to go and --  
[9]           Right now these cars are being -- as  
[10] you can imagine, the car dealers are jacking the  
[11] prices on these.  
[12]           **MAYOR JENKINS:** Maria, go ahead with  
[13] yours.  
[14]           **COUNCILMEMBER ALEXANDER:** I've got  
[15] twenty-four three thirty-one ninety-five.  
[16]           **CHIEF KING:** Who is that, ma'am?  
[17]           **COUNCILMEMBER ALEXANDER:** Stone  
[18] Mountain Toyota.  
[19]           **COUNCILMEMBER FLEMING:** How many weeks  
[20] delivery?  
[21]           **COUNCILMEMBER ALEXANDER:** I don't know  
[22] that they put that on here.  
[23]           **COUNCILMEMBER PITTMAN:** And this one's  
[24] Toyota South. Twenty-eight two forty-three. Six  
[25] to eight month waiting list.

[1] **COUNCILMEMBER FLEMING:** Six to eight  
 [2] months?  
 [3] **COUNCILMEMBER PITTMAN:** Uh-huh.  
 [4] **COUNCILMEMBER FLEMING:** And are you  
 [5] ladies reading the selling price? This  
 [6] gentleman here put --  
 [7] **COUNCILMEMBER PITTMAN:** Total.  
 [8] **COUNCILMEMBER FLEMING:** -- taxes, tag.  
 [9] **COUNCILMEMBER PITTMAN:** I'm reading the  
 [10] total due dealer. That includes everything.  
 [11] **COUNCILMEMBER FLEMING:** Okay.  
 [12] **MAYOR JENKINS:** What is yours?  
 [13] **COUNCILMEMBER FLEMING:** This one says  
 [14] Team.  
 [15] **MAYOR JENKINS:** Team Toyota.  
 [16] **COUNCILMEMBER FLEMING:** It just says  
 [17] Team, Mayor, and sales number is Barry. And  
 [18] it's twenty-nine three thirty-three with a 12-  
 [19] week lead time.  
 [20] **MAYOR JENKINS:** Okay. What do you got,  
 [21] Brian?  
 [22] **CHIEF KING:** Ma'am, the good thing  
 [23] about it is that it's such a high bid, it  
 [24] probably won't matter all that much.  
 [25] **COUNCILMEMBER FLEMING:** He's out.

[1] taxes, title and documentation fee?  
 [2] **COUNCILMEMBER ALEXANDER:** It's got a  
 [3] retail price and then it says dealer handling.  
 [4] It says retail price of twenty-three seven  
 [5] thirty-two, dealer handling of five ninety-nine  
 [6] ninety-five, so I would think that this does not  
 [7] include tax.  
 [8] **MAYOR JENKINS:** Do I get a motion on  
 [9] the low bid?  
 [10] **COUNCILMEMBER ROCHE:** It probably is a  
 [11] good deal. I mean if I could get one for  
 [12] twenty-five grand, I'd snap at it, snap it up  
 [13] and then sell it for something -- no.  
 [14] **MAYOR JENKINS:** Do I get a motion on  
 [15] the low bid?  
 [16] **COUNCILMEMBER SPANGLER:** Motion for  
 [17] Stone Mountain in the amount of -- what was it,  
 [18] twenty-four --  
 [19] **COUNCILMEMBER ALEXANDER:** -- three  
 [20] thirty-one ninety-five.  
 [21] **COUNCILMEMBER SPANGLER:** -- three  
 [22] thirty-one ninety-five.  
 [23] **COUNCILMEMBER PITTMAN:** Second.  
 [24] **CHIEF KING:** Thank you very much.  
 [25] We'll move on this tomorrow. Appreciate y'all

[1] **COUNCILMEMBER BATES:** And I've got  
 [2] Sandy Springs Toyota and it's twenty-eight four  
 [3] twenty-nine and ninety-five cents.  
 [4] **MAYOR JENKINS:** What was the one with  
 [5] twenty-four?  
 [6] **COUNCILMEMBER ALEXANDER:** Me.  
 [7] **MAYOR JENKINS:** Where was it?  
 [8] **COUNCILMEMBER ALEXANDER:** It's Stone  
 [9] Mountain Toyota Scion. It says twenty-four  
 [10] three thirty-one ninety-five.  
 [11] **COUNCILMEMBER BATES:** But this one has  
 [12] an additional demand surcharge of \$2500 on it.  
 [13] **CHIEF KING:** That is correct. That is  
 [14] what currently --  
 [15] **MAYOR JENKINS:** Is that complete on  
 [16] yours, Maria?  
 [17] **COUNCILMEMBER ALEXANDER:** It says  
 [18] selling price based on MSRP of twenty-nine --  
 [19] twenty-four nine fifty is not anticipated to  
 [20] increase.  
 [21] **MAYOR JENKINS:** And the time limit on  
 [22] it?  
 [23] **COUNCILMEMBER ALEXANDER:** There's no  
 [24] delivery on here that I can see.  
 [25] **COUNCILMEMBER FLEMING:** Have they put

[1] opening the bids.  
 [2] **COUNCILMEMBER ALEXANDER:** Call the  
 [3] roll.  
 [4] **MAYOR JENKINS:** Call the roll, please.  
 [5] **CHIEF KING:** Oh.  
 [6] **CLERK BLACKMON:** Councilmember  
 [7] Alexander?  
 [8] **COUNCILMEMBER ALEXANDER:** Yes.  
 [9] **CLERK BLACKMON:** Councilmember Bates?  
 [10] **COUNCILMEMBER BATES:** Yes.  
 [11] **CLERK BLACKMON:** Councilmember Fleming?  
 [12] **COUNCILMEMBER FLEMING:** Yes.  
 [13] **CLERK BLACKMON:** Councilmember Pittman?  
 [14] **COUNCILMEMBER PITTMAN:** Yes.  
 [15] **CLERK BLACKMON:** Councilmember Roche?  
 [16] **COUNCILMEMBER ROCHE:** Yes.  
 [17] **CLERK BLACKMON:** Councilmember  
 [18] Spangler?  
 [19] **COUNCILMEMBER SPANGLER:** Yes.  
 [20] **COUNCILMEMBER ALEXANDER:** Chief, order  
 [21] it (presenting).  
 [22] **CHIEF KING:** We'll get it from Stone  
 [23] Mountain. I'll get it from the Clerk, I think,  
 [24] once we just -- that way, she can retain them  
 [25] for her records.

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[1]           **MAYOR JENKINS:** See if they can rush it  
[2] up. We need a vehicle.  
[3]           **CHIEF KING:** I know, sir. I know  
[4] Dennis is --  
[5]           **MAYOR JENKINS:** Is that all you have,  
[6] John?  
[7]           **CHIEF KING:** That's all I have, sir.  
[8]           **MAYOR JENKINS:** Murray?  
[9]           **ATTORNEY WEED:** Yes, sir. Mr. Mayor  
[10] and members of the Council, I was invited today  
[11] to attend a meeting with the Mayor of Sandy  
[12] Springs, the Chief of Police of Sandy Springs  
[13] and the Sandy Springs attorney. From our side  
[14] was the Chief, the Mayor and myself. And we  
[15] discussed correspondence that had gone between  
[16] myself and Cecil McClendon who is my opposite  
[17] number, so to speak, at Sandy Springs.  
[18]           The short version of the story is that  
[19] we have been working on the jail contract and I  
[20] had done a version which included some changes  
[21] that he had agreed to that came from me and  
[22] changes that I have preliminarily agreed to, you  
[23] know, pending of course final Council approval  
[24] that he had requested.  
[25]           Here are the changes. One thing we had

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[1] talked about at length was the fact that there  
[2] is a case called CXS case which essentially  
[3] holds that a local government probably cannot  
[4] legally indemnify anybody, and then the original  
[5] jail contract had an indemnification clause in  
[6] it.  
[7]           Sandy Springs insisted that they wanted  
[8] a mutual indemnification clause, and, frankly,  
[9] you know, I abandoned arguing about it because I  
[10] don't believe that anybody can indemnify anybody  
[11] if you're a local government, so what does it  
[12] matter? If that's a bone that they want to have  
[13] thrown, fine with me. So we essentially had  
[14] that conversation in our meeting today.  
[15]           In addition, at Councilman Roche's  
[16] request particularly, I had done some detailed  
[17] analysis about what would be the actual risk  
[18] assessment to do an indemnification. I  
[19] contacted a number of people at GIRMA. I  
[20] ultimately ended up talking to the third party  
[21] administrator of GIRMA, which is the Willis  
[22] Group, and a gentleman there. And he was  
[23] delighted that we were asking questions about  
[24] risk analysis because most cities don't bother  
[25] doing that before they just set an arbitrary

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[1] rate on these types of things.  
[2]           What we came up with, though, is that  
[3] if the City were a GIRMA city, that, although a  
[4] minimal increase might be appropriate, perhaps a  
[5] dollar on the 50 dollar charge and 25 cents on a  
[6] pro rata basis, it probably wasn't enough to  
[7] quibble about. The real concern that Willis had  
[8] would be for a contract with a non-GIRMA city.  
[9] Let's say that we did a contract with City of  
[10] Hapeville to take their prisoners. They are a  
[11] non-GIRMA city, and obviously we would have to  
[12] be much more careful about the amount of risk  
[13] present there and we'd have to recover that via  
[14] a higher rate, and Willis agreed with that  
[15] proposal or that concept.  
[16]           The other changes that we talked about  
[17] dealt with if the jail reaches a certain  
[18] capacity, Sandy Springs wanted to be given  
[19] notice of that before we might pull the plug on  
[20] taking their prisoners. They had proposed 30 to  
[21] 60 days and also a certain percentage of  
[22] capacity that she tells me the percentage  
[23] probably would be -- a good percentage would be  
[24] 90 percent. We haven't filled in that blank  
[25] yet.

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[1]           And that's certainly fine with me as  
[2] your lawyer. I don't have a preference there.  
[3] The Chief tells me that we have never reached 90  
[4] percent capacity, so I don't see that that's  
[5] going to be a problem in your future.  
[6]           They did agree to a very important  
[7] change that we put forward. Underneath the  
[8] current contract, we took their people to the  
[9] doctor. We had to take them with our people,  
[10] and our people had to stay there the entire time  
[11] that they were being treated. We made a major  
[12] modification to the contract that they would  
[13] have to dispatch someone to sit there with their  
[14] prisoner that we're holding while they're  
[15] getting patient services. That was a pretty  
[16] important concession, so we from Doraville are  
[17] pretty happy with that.  
[18]           So at the end of the day, we agreed to  
[19] put forward all these changes in the form of a  
[20] contract. I gave you that, the latest version,  
[21] at the beginning of this meeting, and if you're  
[22] prepared to go forward with it, we can. If  
[23] you'd like to continue to negotiate, we can do  
[24] that as well.  
[25]           Sandy Springs seemed very satisfied

[1] with the inroads we made this afternoon, and I  
[2] think it's fair of me to say that both our Chief  
[3] and our Mayor also were satisfied with the  
[4] progress was made.

[5] And I'll attempt to answer any  
[6] questions you might have.

[7] **COUNCILMEMBER ROCHE:** Well, I had a  
[8] couple of issues here, obviously, and I brought  
[9] this up before. My main concern before was I  
[10] don't know what -- we don't know for sure what  
[11] it costs, so we don't know if we're making any  
[12] money off of this or not.

[13] I got a call last week from Priscilla,  
[14] who explained to me that this agreement was  
[15] pretty much laid out earlier in the year  
[16] between, you know, the City of Doraville and the  
[17] City of Sandy Springs and that the dollar amount  
[18] was pretty much fixed then. And that didn't  
[19] mean we couldn't change it, but she made a very  
[20] good point that, you know, we can't say, "Okay,"  
[21] and shake hands and say, "Fifty bucks," and then  
[22] come back later and say, "No, we want 78  
[23] dollars." So I was willing to live with that  
[24] because I think that if we do make an agreement  
[25] with another city like that, we should be as

[1] -- and I need to ask you about this, Murray --  
[2] is paragraph 7, Modifications and Disputes. I  
[3] would think that if we're going to make a  
[4] material modification to this contract, that it  
[5] would have to come to the level of the City  
[6] Council, and currently it just says resolved by  
[7] the Chiefs of Police.

[8] **ATTORNEY WEED:** And I would agree with  
[9] that. My interpretation of paragraph 7 really  
[10] deals with the day-to-day operations.  
[11] Obviously, anything that varied from the terms  
[12] of the agreement I think would have to come  
[13] before the Mayor and Council. However, there  
[14] are obviously day-to-day operations items that  
[15] are not in this agreement. I can't think of one  
[16] off the top of my head. I'm sure that you  
[17] could, but --

[18] **CHIEF KING:** How many prisoners in the  
[19] cell corridor are allowed at one time.

[20] **ATTORNEY WEED:** Yeah. That's the type  
[21] of stuff that I don't think the Council needs to  
[22] worry about --

[23] **COUNCILMEMBER ROCHE:** Yeah, I know.

[24] **ATTORNEY WEED:** -- and we don't need to  
[25] spell it out in the agreement.

[1] good as our word.

[2] But I also notice another change here.  
[3] I'm looking at the period of performance, and it  
[4] says -- the original period of performance ended  
[5] June 30th of next month -- I'm sorry -- next  
[6] year, and this has been modified to December  
[7] 31st of 2009. Because the way I felt is, okay,  
[8] fine. If we agreed to 50 bucks, we agreed to 50  
[9] bucks. We should be true to our word, but I  
[10] don't think we should continue that on  
[11] indefinitely, at least not until we find out  
[12] what our costs are.

[13] So I would have a problem with that.  
[14] But basically the way I left it with Priscilla  
[15] was that I would live with the \$50 in the  
[16] original agreement that we had. But again,  
[17] there was this modification.

[18] I certainly don't have a problem with  
[19] the change you mentioned about the medical, but  
[20] I still think that we need to probably look at  
[21] being able to get out of this in the middle of  
[22] the year instead of committing to a full year at  
[23] \$50 a year when we don't know if it's costing us  
[24] money to do this.

[25] The other issue I was concerned about

[1] **COUNCILMEMBER ROCHE:** Okay.

[2] **ATTORNEY WEED:** But you're absolutely  
[3] right, though. If there's a material  
[4] modification, it has to come back here.

[5] **COUNCILMEMBER ROCHE:** Does this provide  
[6] for that?

[7] **ATTORNEY WEED:** Yes, sir.

[8] **COUNCILMEMBER ROCHE:** So I mean that  
[9] would be -- I would be okay with this if we  
[10] changed the period of performance back to what  
[11] we had before, which was ending on June 30th of  
[12] 2009. And I think we had what? Was it three  
[13] years before? I don't have the original  
[14] version, but that's fine.

[15] **ATTORNEY WEED:** I do. And --

[16] **CHIEF KING:** It originally, sir, it was  
[17] a yearly contract that would be renewed for a  
[18] yearly basis.

[19] **COUNCILMEMBER ROCHE:** Right.

[20] **ATTORNEY WEED:** And the dates were  
[21] originally -- well, in the original proposed  
[22] version it was July 1 through June 30th of 2009.  
[23] Beginning date, July 1, 2008, through June 30th,  
[24] 2009, and also for successive one-year terms.  
[25] So that language didn't change with regard to

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[1] the for successive one-year terms.  
 [2] **COUNCILMEMBER ROCHE:** Did the written  
 [3] notice change? Was it 60 days before or --  
 [4] **ATTORNEY WEED:** Yes, it was. That's  
 [5] correct. It did not change.  
 [6] **COUNCILMEMBER ROCHE:** So just the dates  
 [7] changed.  
 [8] **ATTORNEY WEED:** Yes, sir.  
 [9] **COUNCILMEMBER ROCHE:** I mean I'd be  
 [10] okay with it if we made the 90 percent capacity  
 [11] and went back to the June 30th, 2009 ending. In  
 [12] other words, other than that, I'd be okay with  
 [13] it.  
 [14] **MAYOR JENKINS:** And what is it now the  
 [15] way we have it?  
 [16] **ATTORNEY WEED:** Right now, it would  
 [17] begin January 1, 2009 and end December 31, 2009.  
 [18] **MAYOR JENKINS:** I don't see a problem  
 [19] with it.  
 [20] **COUNCILMEMBER PITTMAN:** I'm personally  
 [21] fine with the one year. Just my thoughts.  
 [22] **COUNCILMEMBER ROCHE:** Well, again, that  
 [23] was the only change that I asked for, because  
 [24] that gives us six months to maybe get some real  
 [25] cost information.

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[1] I just don't want to be on the hook for  
 [2] another six months and find out that -- you  
 [3] know, who knows where we're going to be budget-  
 [4] wise then? You know, there could be a whole lot  
 [5] of other situations.  
 [6] **COUNCILMEMBER PITTMAN:** I personally  
 [7] would like to make a motion to accept it the way  
 [8] that Mr. Weed has drawn it.  
 [9] **MAYOR JENKINS:** Do I get a second?  
 [10] **COUNCILMEMBER BATES:** Second.  
 [11] **MAYOR JENKINS:** Okay.  
 [12] **COUNCILMEMBER ROCHE:** And I'd make a  
 [13] friendly motion to modify the dates back to what  
 [14] they were before, ending in June 30th, 2009.  
 [15] **MAYOR JENKINS:** We've got a motion on  
 [16] the table.  
 [17] **COUNCILMEMBER ALEXANDER:** And it was  
 [18] seconded.  
 [19] **MAYOR JENKINS:** It's already seconded.  
 [20] Anymore discussion?  
 [21] **COUNCILMEMBER ROCHE:** No. I can ask to  
 [22] have modified an existing motion.  
 [23] **MAYOR JENKINS:** If she accepts it.  
 [24] **ATTORNEY WEED:** It would be up to  
 [25] Councilman Pittman to either accept a friendly

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[1] amendment or not.  
 [2] **COUNCILMEMBER PITTMAN:** I understand  
 [3] and I appreciate where you're coming from, but I  
 [4] disagree with that. I'm sorry. I would like to  
 [5] stick with my original motion.  
 [6] **COUNCILMEMBER ROCHE:** Okay.  
 [7] **MAYOR JENKINS:** Anymore discussion?  
 [8] - - -  
 [9] (No response)  
 [10] - - -  
 [11] **MAYOR JENKINS:** Call the roll.  
 [12] **CLERK BLACKMON:** Councilmember  
 [13] Alexander?  
 [14] **COUNCILMEMBER ALEXANDER:** Yes.  
 [15] **CLERK BLACKMON:** Councilmember Bates?  
 [16] **COUNCILMEMBER BATES:** Yes.  
 [17] **CLERK BLACKMON:** Councilmember Fleming?  
 [18] **COUNCILMEMBER FLEMING:** Yes.  
 [19] **CLERK BLACKMON:** Councilmember Pittman?  
 [20] **COUNCILMEMBER PITTMAN:** Yes.  
 [21] **CLERK BLACKMON:** Councilmember Roche?  
 [22] **COUNCILMEMBER ROCHE:** No.  
 [23] **CLERK BLACKMON:** Councilmember  
 [24] Spangler?  
 [25] **COUNCILMEMBER SPANGLER:** Yes.

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[1] **MAYOR JENKINS:** Thank you.  
 [2] **ATTORNEY WEED:** And just as an aside,  
 [3] the City of John's Creek has got the same  
 [4] lawyers, and I suspect you're going to be seeing  
 [5] that contract which will be almost identical to  
 [6] this contract in the very near future.  
 [7] **MAYOR JENKINS:** Thank you, Murray.  
 [8] **ATTORNEY WEED:** Yes, sir.  
 [9] **COUNCILMEMBER FLEMING:** Mr. Mayor, may  
 [10] I ask a question in regards to John's Creek  
 [11] since he made that comment?  
 [12] Do we have an existing contract?  
 [13] **ATTORNEY WEED:** Yes, ma'am, we do.  
 [14] **MAYOR JENKINS:** Yeah.  
 [15] **COUNCILMEMBER FLEMING:** Okay. So it's  
 [16] coming up for renewal.  
 [17] **ATTORNEY WEED:** Yes, ma'am.  
 [18] **COUNCILMEMBER FLEMING:** Okay. Thank  
 [19] you.  
 [20] **MAYOR JENKINS:** Do you know when,  
 [21] Murray?  
 [22] **ATTORNEY WEED:** I'm just about to look.  
 [23] The contract that I have been given, the first,  
 [24] it was entered into May 21st of 2007 and the  
 [25] effective date was in effect from July 3rd,

[1] 2007, until July 2nd, 2008.

[2] So this contract, actually we are --

[3] the contract, technically it had been completed.

[4] However, we're in what we would call a holdover

[5] mode just like you allowed someone to live in

[6] your apartment. They'd be a holdover tenant.

[7] So as long as we're both mutually agreeing to

[8] hold over, then the rules of the contract still

[9] continue to apply.

[10] So we'll be -- now that we've gotten

[11] Contract A done, we'll be working Contract B,

[12] and I imagine it'll be on your next agenda.

[13] **COUNCILMEMBER FLEMING:** But would the

[14] date start from July 1 or --

[15] **ATTORNEY WEED:** My recommendation would

[16] be January 1. I mean what I would prefer for

[17] you and what I think is the easiest thing to do

[18] to keep up with everything and have trigger

[19] dates is to whenever you can do calendar-year

[20] contracts.

[21] Here's why I feel that way. As you

[22] recall, we talked about the multi-year contract

[23] clauses. Multi-year contract clauses don't

[24] apply between intergovernmental agencies;

[25] however, state law clearly contemplates

[1] going to do that.

[2] But that's -- you know, that was just

[3] my comment about that because I like this

[4] solution of getting them off of Longmire and

[5] using two-lane roads and all the right turns and

[6] all that. But like Maria said, my concern is

[7] that they're just going to shoot across and go

[8] through our neighborhood.

[9] **COUNCILMEMBER FLEMING:** Thank you.

[10] **MR. HART:** This is also about the

[11] tanker trucks.

[12] Major problem on Buford Highway is once

[13] you get them on Buford Highway is the traffic

[14] queue going east or west on 285. And the

[15] biggest interruption to the traffic queue is

[16] that entrance to the shopping center that's

[17] right next to the new Waffle House. The fact

[18] that they can cut across the road into that

[19] shopping center interrupts that traffic queue

[20] going east and westbound, and so you have all

[21] these trash trucks coming out of south Gwinnett

[22] plus all these tanker trucks that are all

[23] queuing up to go the only place they can go now.

[24] Instead of some of the tanker trucks coming down

[25] Buford Highway, now you've got all the tanker

[1] calendar-year contracts and they encourage you

[2] to do calendar-year contracts.

[3] I think it's easier to keep up with

[4] because different cities have different budget

[5] schedules. You don't always have to be on June-

[6] July. So why mess with that? A calendar year

[7] is always going to be a calendar year.

[8] **COUNCILMEMBER FLEMING:** Thank you.

[9] **MAYOR JENKINS:** Okay. Citizens'

[10] comments.

[11] **MS. KOONTZ:** Real quick, just the thing

[12] you brought up about Longmire. I know that's a

[13] big problem. And I like what you -- all your

[14] arguments were real good, but then also what

[15] Maria said about -- my concern is when they come

[16] up to Buford Highway, are they going to think,

[17] "Nobody's looking. I'm going to just shoot over

[18] here to 85?"

[19] And the only way that I can see this

[20] working is you're going to have to make like a

[21] really stiff fine for these guys if they get

[22] caught driving through there so that -- you

[23] know, because I think the truckers, if they find

[24] out, "Well, if I get caught driving through

[25] here, it's a thousand dollars," they're not

[1] trucks coming down Buford Highway.

[2] So you've got this tremendous traffic

[3] queue that you've got to deal with on Buford

[4] Highway, and that's interrupted by that shopping

[5] center entrance right there at the -- you know

[6] where the new Waffle House is, and so people

[7] have to cut through there to go in the entrance.

[8] If that entrance was closed or that island was

[9] continued all the way to Longmire, then it would

[10] provide for the proper traffic queue.

[11] Thank you.

[12] **COUNCILMEMBER FLEMING:** Thank you.

[13] **MAYOR JENKINS:** Come on up, Stuart.

[14] **MR. ANDERSON:** Stuart Anderson.

[15] Bob, the moratorium was for the used

[16] car lots, not so much for the M1/M2. You guys

[17] were discussing it earlier.

[18] I also have something to say about

[19] Pam's proposed traffic situation. It's an

[20] effort to fix a situation that shouldn't be

[21] there in the first place. What we're trying to

[22] do here is fix M2 traffic that shouldn't be

[23] there in the first place. So that's an

[24] objection I have to the whole thing in the first

[25] place, regardless.

[1] How to fix the deal about going down  
[2] through Oakcliff would be to put a big sign  
[3] about -- if we had an industrial truck ordinance  
[4] about eight feet, we could put the sign ten feet  
[5] tall, and it would say, "Welcome to Oakcliff  
[6] Estates." And so when one of those trucks wipes  
[7] out that sign and takes out its own windshield,  
[8] we'll know that it was there. That would solve  
[9] going down Oakcliff cutting through. "Welcome  
[10] to Oakcliff," you know, and 18-wheelers wouldn't  
[11] fit. So that's that.

[12] - - -  
[13] (Laughter)  
[14] - - -

[15] **MR. ANDERSON:** As far as The Champion  
[16] thing goes, we've gone over this and over this.  
[17] Yes, we need to go to The Champion for our legal  
[18] organ, whatever it is, but that doesn't keep us  
[19] from putting it in The North Dekalb News. Okay.  
[20] We could do all of that as well as The Champion  
[21] that nobody reads, and we kind of dropped the  
[22] discussion at The Champion a while ago.

[23] That's enough.  
[24] **COUNCILMEMBER FLEMING:** Thank you.  
[25] **MAYOR JENKINS:** Thank you, Stuart.

[1] **MAYOR JENKINS:** Call the roll.  
[2] **CLERK BLACKMON:** Councilmember  
[3] Alexander?  
[4] **COUNCILMEMBER ALEXANDER:** Yes.  
[5] **CLERK BLACKMON:** Councilmember Bates?  
[6] **COUNCILMEMBER BATES:** Yes.  
[7] **CLERK BLACKMON:** Councilmember Fleming?  
[8] **COUNCILMEMBER FLEMING:** Yes.  
[9] **CLERK BLACKMON:** Councilmember Pittman?  
[10] **COUNCILMEMBER PITTMAN:** Yes.  
[11] **CLERK BLACKMON:** Councilmember Roche?  
[12] **COUNCILMEMBER ROCHE:** Yes.  
[13] **CLERK BLACKMON:** Councilmember  
[14] Spangler?  
[15] **COUNCILMEMBER SPANGLER:** Yes.  
[16] **MAYOR JENKINS:** Thank you.

[17] - - -  
[18] (Whereupon, the meeting was concluded at  
[19] 11:15 p.m. the same day.)  
[20] -000-  
[21]  
[22]  
[23]  
[24]  
[25]

[1] **MS. CALVERT:** I don't agree with Pam on  
[2] the Longmire situation because if they come out  
[3] there toward Oakcliff Road, they will be on  
[4] Oakcliff -- they will be on Buford Highway a lot  
[5] longer period of time. So when they come on  
[6] Longmire, it's a lot shorter.

[7] I'm not going to continue my speech. I  
[8] figure there'll be ample time to do it over  
[9] times that it's going to be brought up.

[10] And another thing. You know, some of  
[11] you have got a year to go and some of you have  
[12] got three years to go. Why can't you spread out  
[13] what you want over the years instead of us being  
[14] here till after 11 o'clock? I mean one or two  
[15] things per person on the agenda would be great.  
[16] We could be out of here by 9 o'clock.

[17] Isn't that right?  
[18] Yeah, right.

[19] **MAYOR JENKINS:** Thank you, Ginny.  
[20] **COUNCILMEMBER ROCHE:** For what it's  
[21] worth, I started limiting myself to no more than  
[22] three things per meeting.  
[23] **COUNCILMEMBER BATES:** Motion to  
[24] adjourn.  
[25] **COUNCILMEMBER PITTMAN:** Second.

[1] C E R T I F I C A T E  
[2] STATE OF GEORGIA]  
[3] COUNTY OF DEKALB]  
[4] I hereby certify that the foregoing transcript  
[5] was taken down, as stated in the caption, and the  
[6] proceedings were reduced to typewriting under my  
[7] direction and control.  
[8] I further certify that the transcript is a true  
[9] and correct record of the evidence given at the said  
[10] proceedings.  
[11] I further certify that I am neither a relative  
[12] or employee or attorney or counsel to any of the  
[13] parties, nor financially or otherwise interested in  
[14] this matter.  
[15] This the 25th day of November, 2009.

[16]  
[17]  
[18]  
[19]  
[20] Theresa Bretch, CCR  
[21] Permit No. B-755  
[22]  
[23]  
[24]  
[25]

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<p style="text-align: center;"><b>\$</b></p> <p><b>\$122,903.68</b> 22:17  <b>\$130,000</b> 51:9  <b>\$1400</b> 149:12  <b>\$1430</b> 3:24  <b>\$150</b> 16:7  <b>\$1600</b> 4:22  <b>\$210</b> 39:9  <b>\$215</b> 39:9  <b>\$2500</b> 13:16;15:13;  209:23;238:12  <b>\$4,400</b> 76:9  <b>\$40,000</b> 73:6  <b>\$40,568.00</b> 23:9  <b>\$5,000</b> 75:1;155:21  <b>\$50</b> 16:8;151:18,21,21;  246:15,23  <b>\$500</b> 214:8;220:14,15  <b>\$670,000</b> 174:1  <b>\$775</b> 213:13  <b>\$8,000</b> 184:14  <b>\$800</b> 13:11;18:9;149:12  <b>\$840</b> 15:14</p>	<p><b>130</b> 52:24  <b>14</b> 183:24,25;192:14;  193:20  <b>140</b> 52:14  <b>14-12</b> 198:19  <b>145</b> 172:5  <b>15</b> 169:23  <b>150</b> 18:3;172:5  <b>16</b> 62:9;227:7  <b>168</b> 13:15;123:23  <b>17</b> 23:19;227:8  <b>17th</b> 37:13,14  <b>18-wheelers</b> 257:10  <b>19</b> 20:3  <b>19-12</b> 134:11;135:12;  137:17;139:3  <b>19-61</b> 212:14;213:5,9;  216:6  <b>19-63</b> 213:10  <b>19-65</b> 213:11  <b>19-67</b> 215:10,19;216:8  <b>1969</b> 107:2;189:9,11  <b>1st</b> 6:13,20;8:7,20;9:13;  10:9,20;11:2,4,20;12:5,6;  13:9;37:12</p>	<p><b>27</b> 123:22  <b>275</b> 39:19  <b>285</b> 138:9;183:17,22;  184:2;185:10,16;255:14  <b>290</b> 39:20  <b>2-90</b> 74:1  <b>2nd</b> 118:18,20;143:24;  144:5;165:1,12,15;166:9;  253:1</p>	<p><b>6481</b> 126:21  <b>65</b> 212:14</p> <p style="text-align: center;"><b>7</b></p>	<p>117:23;118:8;155:9  <b>account</b> 21:9  <b>accountable</b> 174:4  <b>accounting</b> 170:11  <b>accounts</b> 21:8;221:8,  10,13  <b>accurately</b> 67:25  <b>achieve</b> 145:25  <b>acknowledge</b> 9:2;  113:1  <b>across</b> 45:2;98:4;153:2;  255:7,18  <b>act</b> 171:1  <b>Act</b> 222:25</p>
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