

**In The Matter Of:**

*City Council Meeting  
City of Doraville*

---

*Before Mayor Ray Jenkins  
October 6, 2008*

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

Transcript of the proceedings of the meeting held in the City Council Room at Doraville City Hall, 3725 Park Avenue, Doraville, Georgia, Mayor Ray Jenkins presiding, before Theresa Bretch, Certified Court Reporter, commencing at approximately 7:00 p.m. on Monday, October 6, 2008.

\* \* \*

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[1] PROCEEDINGS  
[2] **MAYOR JENKINS:** Meeting come to order.  
[3] Call the roll, please.  
[4] **DEPUTY CLERK BRYANT:** Councilmember  
[5] Alexander?  
[6] **COUNCILMEMBER ALEXANDER:** Here.  
[7] **DEPUTY CLERK BRYANT:** Councilmember  
[8] Bates?  
[9] **COUNCILMEMBER BATES:** Here.  
[10] **DEPUTY CLERK BRYANT:** Councilmember  
[11] Fleming?  
[12] **COUNCILMEMBER FLEMING:** Here.  
[13] **DEPUTY CLERK BRYANT:** Councilmember  
[14] Pittman?  
[15] **COUNCILMEMBER PITTMAN:** Here.  
[16] **DEPUTY CLERK BRYANT:** Councilmember  
[17] Roche?  
[18] **COUNCILMEMBER ROCHE:** Here.  
[19] **DEPUTY CLERK BRYANT:** Councilmember  
[20] Spangler?  
[21] **COUNCILMEMBER SPANGLER:** Here.  
[22] **MAYOR JENKINS:** I'd like to have a  
[23] motion to approve the minutes of the September  
[24] the 2nd regular meeting.  
[25] **COUNCILMEMBER PITTMAN:** So moved.

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[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] Freeman, Mathis & Gary, LLP  
[12] Ms. Rhonda Blackmon, City Clerk  
[13] Scott Haeberlin, Planning Department  
[14]  
[15]  
[16]  
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[18]  
[19]  
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[21]  
[22]  
[23]  
[24]  
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[1] **MAYOR JENKINS:** Second?  
[2] **COUNCILMEMBER BATES:** Second.  
[3] **MAYOR JENKINS:** Call the roll, please.  
[4] **DEPUTY CLERK BRYANT:** Councilmember  
[5] Alexander?  
[6] **COUNCILMEMBER ALEXANDER:** Yes.  
[7] **DEPUTY CLERK BRYANT:** Councilmember  
[8] Bates?  
[9] **COUNCILMEMBER BATES:** Yes.  
[10] **DEPUTY CLERK BRYANT:** Councilmember  
[11] Fleming?  
[12] **COUNCILMEMBER FLEMING:** Yes.  
[13] **DEPUTY CLERK BRYANT:** Councilmember  
[14] Pittman?  
[15] **COUNCILMEMBER PITTMAN:** Yes.  
[16] **DEPUTY CLERK BRYANT:** Councilmember  
[17] Roche?  
[18] **COUNCILMEMBER ROCHE:** Yes.  
[19] **DEPUTY CLERK BRYANT:** Councilmember  
[20] Spangler.  
[21] **COUNCILMEMBER SPANGLER:** Yes.  
[22] **MAYOR JENKINS:** Motion carried.  
[23] We've got a long agenda tonight. We've  
[24] been over it and over it, and I don't see any  
[25] reason why we shouldn't be able to get out of

[1] here in possibly less than three hours.  
[2] So I'm going to ask for a motion from  
[3] the Council members to not let this meeting go  
[4] over three hours, which will be 10 o'clock, and  
[5] I hope it would be less than that, but I would  
[6] like to have a motion from the Council.

[7] I actually can do that without a  
[8] motion, but I'd like for the Council to approve  
[9] it. Do I get a motion?

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

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

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

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

[14] **COUNCILMEMBER ROCHE:** Do we have  
[15] discussion?

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

[17] **COUNCILMEMBER ROCHE:** What do we do if  
[18] it does go past three hours?

[19] **MAYOR JENKINS:** We'll have another  
[20] meeting Thursday like we did the other one.

[21] **COUNCILMEMBER ROCHE:** Okay. That's  
[22] going to be an issue because I plan to be out of  
[23] the country Wednesday.

[24] **MAYOR JENKINS:** Let's get it over.  
[25] We've already discussed everything on here.

[1] **DEPUTY CLERK BRYANT:** Councilmember  
[2] Pittman?

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

[4] **DEPUTY CLERK BRYANT:** Councilmember  
[5] Roche?

[6] **COUNCILMEMBER ROCHE:** No.

[7] **DEPUTY CLERK BRYANT:** Councilmember  
[8] Spangler?

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

[10] **MAYOR JENKINS:** I say yes.

[11] The meeting will adjourn at 10 o'clock.

[12] There's no reason why we shouldn't finish this  
[13] meeting.

[14] Murray, on the IT contract, can you  
[15] bring an update on that?

[16] **ATTORNEY WEED:** Yes, Mr. Mayor. I've  
[17] been in contact with the MIS attorney. We were  
[18] in communication both Friday and today.

[19] The suggested changes are in the hands  
[20] of the MIS counsel, and he indicated to me by  
[21] e-mail that he hoped to be in communication with  
[22] me this week.

[23] **MAYOR JENKINS:** Okay. In other words,  
[24] we have -- you're saying that he will meet with  
[25] you within a couple days?

[1] **COUNCILMEMBER SPANGLER:** Well, Mayor,  
[2] if for some reason we can't finish it in three  
[3] hours but rather it's -- you know, we've made  
[4] some concessions for other Council people, so if  
[5] Mr. Roche is going to be in town and can't make  
[6] a make-up meeting, we might want to finish.  
[7] There's no reason we can't finish in three, but  
[8] if we don't, maybe we need to go a little longer  
[9] until we do finish.

[10] **MAYOR JENKINS:** I have a motion and a  
[11] second.

[12] Anymore discussion?

[13] - - -

[14] (No response)

[15] - - -

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

[17] **DEPUTY CLERK BRYANT:** Councilmember  
[18] Alexander?

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

[20] **DEPUTY CLERK BRYANT:** Councilmember  
[21] Bates?

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

[23] **DEPUTY CLERK BRYANT:** Councilmember  
[24] Fleming?

[25] **COUNCILMEMBER FLEMING:** No.

[1] **ATTORNEY WEED:** Yes, sir.

[2] **MAYOR JENKINS:** I gave each Councilman  
[3] a copy of the proposed -- this is the one that  
[4] Murray has, I believe, reworded and changed.

[5] **ATTORNEY WEED:** Well, at this point,  
[6] Mr. Mayor, MIS, their lawyer provided a sample  
[7] contract. I made commentary on it to the Mayor  
[8] and Council. The Council discussed it.

[9] I made -- I issued a letter to opposing  
[10] counsel -- well, I shouldn't say "opposing;"  
[11] we're both negotiating -- to explain to him what  
[12] I thought needed to be modified in the  
[13] agreement.

[14] Now it's in his hands. I'm sure he'll  
[15] review it and bring comments back to me, and he  
[16] indicated he would do so this week.

[17] **MAYOR JENKINS:** Okay. Does the Council  
[18] want to table this until we get the final  
[19] results or how do you want to do it?

[20] **COUNCILMEMBER BATES:** Mr. Mayor, I  
[21] would move that we do table the accounting  
[22] contract until we get the comments back, but I  
[23] would recommend that we move forward with an RFP  
[24] for IT services based upon the comments from MIM  
[25] Consulting in their review of our IT status.

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[1] I believe that at the work session,  
 [2] Ms. Murphy indicated that either she or  
 [3] Mr. Murphy was going to respond to the comments  
 [4] from MIS -- MIM, and I have not received those  
 [5] comments regarding the IT audit. So I would  
 [6] recommend that we do go out for an RFP on the IT  
 [7] services.  
 [8] **MAYOR JENKINS:** Is that in the form of  
 [9] a motion?  
 [10] **COUNCILMEMBER BATES:** I will make it in  
 [11] the form of a motion. I move that we submit an  
 [12] RFP for IT services for the City of Doraville.  
 [13] **COUNCILMEMBER ALEXANDER:** Second.  
 [14] **MAYOR JENKINS:** Anymore discussion?  
 [15] **COUNCILMEMBER ROCHE:** Yeah. I think  
 [16] that I've been happy with IT services.  
 [17] Basically they have done a very good job of what  
 [18] we've hired them to do.  
 [19] There's a lot of things that should  
 [20] have been done. There's a lot of things we  
 [21] should have hired them to do, but we flat  
 [22] haven't done that.  
 [23] I mean I remember the first time I came  
 [24] here and I saw where the computers were sitting  
 [25] over there, and there was absolutely no security

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[1] whatsoever. And it's my understanding that MIS  
 [2] Consulting has offered many, many times to  
 [3] resolve some of these issues. But you know, the  
 [4] way we've been using MIS Consulting apparently,  
 [5] at least from the computer side, is, you know,  
 [6] when something's broken, we call -- we call  
 [7] someone up to fix it. It's like the TV  
 [8] repairman.  
 [9] The problem is we haven't been using --  
 [10] Any IT system, any IT infrastructure  
 [11] needs regular maintenance, you know. And you  
 [12] know, to try to put the blame on someone like  
 [13] that for -- for our own problems I think is  
 [14] unfair, I think it's unfounded, and I think that  
 [15] what needs to happen is that at least --  
 [16] Right now, frankly, because  
 [17] everything's such a mess and all the servers are  
 [18] running on different operating systems and  
 [19] different kind of et cetera, et cetera, if we  
 [20] lost MIS Consulting, I think we'd be in a world  
 [21] of hurt right now.  
 [22] What we need to do is to find a way to  
 [23] put together a plan and get someone out here  
 [24] that knows how to do IT, or either use them, and  
 [25] come up with a plan for cleaning up the system,

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[1] doing a makeover of the system, providing  
 [2] regular scheduled maintenance on the system just  
 [3] like everybody needs to do, and then and only  
 [4] then do we need to consider getting someone  
 [5] else.  
 [6] **COUNCILMEMBER PITTMAN:** Priscilla, I  
 [7] don't see Mr. Murphy here tonight. How long  
 [8] will it take him to get the responses back?  
 [9] **MS. MURPHY:** I know he was working on  
 [10] some of them, and he may still be in this  
 [11] building across the street. I can have him come  
 [12] and talk to you now.  
 [13] **COUNCILMEMBER PITTMAN:** I think  
 [14] probably if we could just address it in writing  
 [15] how can fix some of those issues, is that -- in  
 [16] a timely manner?  
 [17] **DEPUTY CLERK BRYANT:** There's a motion  
 [18] and a second on the floor.  
 [19] **COUNCILMEMBER BATES:** With all due  
 [20] respect, that's three weeks ago.  
 [21] **MS. MURPHY:** I believe that was two  
 [22] weeks ago, I think. At the work session?  
 [23] **COUNCILMEMBER BATES:** Yes.  
 [24] **COUNCILMEMBER SPANGLER:** I agree with  
 [25] Mr. Roche. At one point, Mr. Murphy was told he

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[1] was not to do anything, that he was only to do  
 [2] certain things, and we've given him no  
 [3] direction. Okay?  
 [4] **COUNCILMEMBER BATES:** Do you know what  
 [5] those certain things are?  
 [6] **COUNCILMEMBER SPANGLER:** Mr. Bates, I'm  
 [7] not going to get into an argument with you  
 [8] tonight. I know you want to get rid of IT  
 [9] services. You'd like to get rid of MIS  
 [10] altogether. I think it would be a big  
 [11] disservice to the city --  
 [12] **COUNCILMEMBER BATES:** No. What I --  
 [13] **COUNCILMEMBER SPANGLER:** -- to lose  
 [14] either one of them.  
 [15] **COUNCILMEMBER BATES:** What I want to do  
 [16] is per our charter and per our own financial  
 [17] policies is I want to bid it out, put out an RFP  
 [18] as is appropriate for services to the City that  
 [19] are over \$5,000.  
 [20] We've not done that in some time. It's  
 [21] time for us to do that. It's the appropriate,  
 [22] fair, legal thing to do.  
 [23] **COUNCILMEMBER SPANGLER:** Well, let's  
 [24] just say this, then: if we're going to do this  
 [25] on MIS, let's do it on everything. Okay?

[1] Everything.  
[2] **COUNCILMEMBER BATES:** When it's  
[3] appropriate for other things to come out for  
[4] bid, then we should do it appropriately.

[5] **COUNCILMEMBER SPANGLER:** I think we  
[6] should just start from scratch and make  
[7] everybody put out an RFP.

[8] If you're picking at one particular  
[9] company, I think all of them need to do it.

[10] **COUNCILMEMBER BATES:** Well, we've done  
[11] appropriate RFPs and bids for other services up  
[12] to this point in time. I would say that the IT  
[13] and the accounting services need to be in  
[14] compliance with the other RFPs and bids that  
[15] have come in.

[16] **COUNCILMEMBER ROCHE:** Well, as far as  
[17] the list of issues, I mean I was not a bit  
[18] surprised when I saw the results of the IT  
[19] audit. In fact, I thought it was going to be  
[20] worse than that. Because again, when you don't  
[21] take positive direction and positively maintain  
[22] and modify these systems, that's exactly what  
[23] you get. So, you know, I've seen it before.  
[24] You know, like I said, I'm not surprised at all.

[25] The problem is if you bring in someone

[1] not preclude MIS from responding to the IT  
[2] services RFP. And if the majority of this  
[3] Council wishes to retain them, that is this  
[4] Council's prerogative.

[5] I will make sure that we're in  
[6] compliance with our own laws that we send out  
[7] RFPs for services that are over \$5,000.

[8] Additionally, much like what we did  
[9] with the city attorney, if another firm is  
[10] selected, I would expect that there would be a  
[11] transition period, an overlap period, that would  
[12] allow for information to be shared from the  
[13] current provider to the new provider.

[14] Again, that is hypothetical based upon  
[15] this Council doing an RFP and this Council  
[16] selecting a different firm to provide.

[17] **COUNCILMEMBER ROCHE:** Well, as long as  
[18] the RFP contains language that says that if we  
[19] go out and hire someone, we're going to let them  
[20] do their job, because that's not what we're  
[21] doing now. That's exactly what we're not doing  
[22] now. We're basically saying, you know, come and  
[23] fix the TV when it's broken, but we're never  
[24] going to say, "This is how to wire up the TV,"  
[25] or, "This is how to plug in the cable or

[1] brand new, they're not going to know, well, this  
[2] system's running this version and that system's  
[3] running that version and this is not really  
[4] connected very well to that, and this has  
[5] already got licenses expired, and this one  
[6] hasn't been updated or whatever, and that  
[7] person's probably going to take a month just to  
[8] figure out what the heck's going on.

[9] **COUNCILMEMBER ALEXANDER:** Well, I would  
[10] hope that we would share the audit with them,  
[11] and they would have the information.

[12] **COUNCILMEMBER ROCHE:** Yeah. But just  
[13] having the audit doesn't tell you how to fix  
[14] something, the underlying stuff. I'm sure that  
[15] there's a lot of things that weren't in the  
[16] audit that just weren't picked up for various  
[17] reasons. That's what happens when you basically  
[18] don't take an overall directorial management  
[19] approach to IT.

[20] **COUNCILMEMBER BATES:** This process --

[21] **COUNCILMEMBER ROCHE:** You end up in a  
[22] mess.

[23] **COUNCILMEMBER BATES:** Need to be --  
[24] make sure everybody understands. This process  
[25] is to put an RFP out for IT services. That does

[1] whatever." "You're not allowed to do preventive  
[2] maintenance. We're only going to hire you to  
[3] fix it when it's broke." And that's been the  
[4] problem.

[5] **COUNCILMEMBER SPANGLER:** And I believe  
[6] in the past Mr. Murphy has made some recommenda-  
[7] tions that we haven't followed through with.

[8] **COUNCILMEMBER ROCHE:** Several times.

[9] **COUNCILMEMBER ALEXANDER:** I've never  
[10] seen those.

[11] **COUNCILMEMBER SPANGLER:** Well, this is  
[12] before your time. Okay?

[13] **COUNCILMEMBER BATES:** But Mr. Roche has  
[14] seen it.

[15] **COUNCILMEMBER SPANGLER:** Mr. Roche  
[16] probably has.

[17] **COUNCILMEMBER ROCHE:** Well, I didn't  
[18] have to . . . Frankly, I could just take one  
[19] look and know what's going on, but --

[20] **COUNCILMEMBER BATES:** But you knew  
[21] about the recommendations for changes?

[22] **COUNCILMEMBER ROCHE:** Why, certainly.

[23] **COUNCILMEMBER BATES:** And those would  
[24] be?

[25] **COUNCILMEMBER ROCHE:** There were

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[1] several.

[2] **COUNCILMEMBER BATES:** Those would be?

[3] **COUNCILMEMBER ROCHE:** I mean there were

[4] recommendations that apparently have been made,

[5] and I've had a couple of conversations with

[6] Mr. Murphy and some other people around here.

[7] But there is no one in City Hall that

[8] has the expertise to know how to manage an I.S.

[9] department, frankly. And the one person that

[10] does have that has not been allowed to do the

[11] job.

[12] So if you want me to dig back through

[13] e-mails or try to recall particular

[14] conversations, that's fine, but I think that

[15] that's kind of a waste of time.

[16] **COUNCILMEMBER BATES:** I find it hard to

[17] believe that we would need to direct a

[18] consultant to update current antivirus software.

[19] **COUNCILMEMBER ROCHE:** That's not the

[20] issue. There's a lot more issues to it than

[21] just directing I --

[22] And when that consultant comes out

[23] here, that consultant, the meter starts running.

[24] And until someone --

[25] **MAYOR JENKINS:** Excuse me.

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[1] Murray, this particular person is

[2] present. How deep do we let this go?

[3] **ATTORNEY WEED:** Mr. Mayor, that's

[4] entirely up to you and the Council. You

[5] obviously have the authority to manage the

[6] meeting. The charter provides that. If the

[7] Council wanted to ask some questions, they have

[8] the right to do that within the purviews of your

[9] leadership as the head of Council.

[10] **MAYOR JENKINS:** Well, I would like --

[11] if we're going to get any deeper in this, I'd

[12] like for Mr. Murphy to come up and answer the

[13] questions rather than just --

[14] Does the Council want to do that?

[15] **COUNCILMEMBER BATES:** Mr. Mayor, I

[16] would say that if the motion passes, then he

[17] would be within his purview to the submit the

[18] RFP and address the concerns that were raised.

[19] If the motion fails, then the point is moot.

[20] **COUNCILMEMBER FLEMING:** In the previous

[21] work session when we were discussing this, I was

[22] under the impression that we had more than one

[23] vendor for IT services. So I would like to

[24] understand your motion. Are we talking about IT

[25] services out of MIS Consulting or are we talking

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[1] about city-wide IT services?

[2] **COUNCILMEMBER BATES:** The motion would

[3] be for general IT services. There are specific

[4] vendors that I believe the Police Department and

[5] the courts use that are specific and germane to

[6] their departments only. That would not be

[7] covered under this motion.

[8] **COUNCILMEMBER SPANGLER:** So it would

[9] just be MIS.

[10] **COUNCILMEMBER FLEMING:** Then, you're

[11] singling out one vendor, and I have a problem

[12] with your motion.

[13] **COUNCILMEMBER BATES:** If I am under-

[14] standing the services that are being provided by

[15] the Police Department -- or by IT services for

[16] the Police Department, those are on a per usage

[17] basis and not on a contract, and therefore would

[18] not be applicable to the city law requiring

[19] items to be put out for bid for \$5,000 or more.

[20] Is that -- would that be safe, Chief?

[21] **CHIEF KING:** Sir, the --

[22] **COUNCILMEMBER BATES:** "Yes" is fine.

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

[24] **COUNCILMEMBER ROCHE:** And thanks for

[25] making that point. The situation is that

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[1] multiple people have access to these computer

[2] systems to load software, make changes or

[3] whatever.

[4] And what we're doing here is the

[5] passwords or something that was brought up in

[6] the audit, when everybody has access, it's like

[7] me leaving my computer around for everybody that

[8] wants to to come and play with it and then

[9] wondering what happens when something went

[10] wrong.

[11] So essentially what we're doing is

[12] we're taking the person that comes in and cleans

[13] things up when things go wrong and we're blaming

[14] them for the fact that there is no security,

[15] that anybody, any vendor, any employee,

[16] basically can go in and do whatever they want to

[17] do.

[18] **MAYOR JENKINS:** Okay, Bob.

[19] **COUNCILMEMBER PITTMAN:** You know, I do

[20] appreciate --

[21] Can I say something real quick?

[22] I can appreciate what Mr. Bates is

[23] trying to say and what he is saying.

[24] But being from the past Council, I will

[25] say that he did come to us and ask us for

[1] direction and I think we pretty much just passed  
[2] the buck and didn't do anything. And based on  
[3] that, I think at least we should give him the  
[4] opportunity to fix whatever needs to be fixed  
[5] and address the issues that -- the IT audit. I  
[6] would at least like to give him that opportunity  
[7] because I do feel a part -- a part of the  
[8] responsibility that we did not give you any  
[9] direction and we never came back and gave you  
[10] anything as far as I know. So I'd at least like  
[11] to give you the opportunity to do that.

[12] **MAYOR JENKINS:** Okay. I think we need  
[13] to go through with the motion, and we have a  
[14] second and have already had discussion.

[15] Call the roll, please.

[16] **COUNCILMEMBER ALEXANDER:** I have some  
[17] questions if I may, sir.

[18] Section 2.90, I just want to make  
[19] perfectly -- make sure I understand this  
[20] properly.

[21] This IT contract could not be  
[22] considered a single-source vendor; is that  
[23] correct? Because I was the subject of a very  
[24] lengthy e-mail that someone was not happy that  
[25] we used the single-source contract on a previous

[1] **COUNCILMEMBER ALEXANDER:** Okay.  
[2] **ATTORNEY WEED:** -- with regard to  
[3] what's in writing right now, it would be my  
[4] opinion that the group that determines whether  
[5] or not something is worthy of being single-  
[6] source is the Mayor and Council themselves.

[7] **COUNCILMEMBER ALEXANDER:** Well, like I  
[8] said, I had a citizen that was not happy with us  
[9] because we did choose the probation services as  
[10] single source, and they did not think that that  
[11] was correct and they voiced their opinion as  
[12] such.

[13] So I wanted to make extremely careful  
[14] decisions of whenever we apply that single-  
[15] source rule, that it is actually a single  
[16] source.

[17] **ATTORNEY WEED:** Councilman, until  
[18] there's been some further definition of how to  
[19] apply the rule, then the ultimate interpreter of  
[20] the rule would be the Mayor and Council.

[21] **COUNCILMEMBER ALEXANDER:** (Reading)  
[22] Section 2.90 I feel strongly was written by  
[23] previous governing bodies to make sure that the  
[24] taxpayers' dollars were spent in a fair and just  
[25] manner, and I believe there was a reason that

[1] contractor.

[2] Is that your opinion, Mr. Weed?

[3] **ATTORNEY WEED:** My opinion, Councilman  
[4] Alexander, the section is written vaguely  
[5] enough, probably on purpose to benefit the  
[6] Council, that you could determine, pretty much  
[7] based upon whatever criteria that the Council  
[8] wanted to apply to it, when you would use the  
[9] single-source vendor rule.

[10] It's written very, very vaguely, and I  
[11] think if there's a motion and a second to apply  
[12] it, it applies. And I think whoever drafted it,  
[13] I think that was their intention.

[14] **COUNCILMEMBER ALEXANDER:** Because this  
[15] contract would not be -- fall under the  
[16] exclusions listed.

[17] **ATTORNEY WEED:** The only -- the only  
[18] exclusion I think would be relevant would be the  
[19] single-source vendor exclusion.

[20] **COUNCILMEMBER ALEXANDER:** And I don't  
[21] know how you could declare IT a single-source  
[22] when you do a Google search and you get over  
[23] 1700 responses in this Zip code.

[24] **ATTORNEY WEED:** I understand your point  
[25] of view, but --

[1] the \$5,000 expenditure was put into place.

[2] After reviewing Section 2.90 regarding  
[3] the \$5,000 limit and subsequently Section 1.12,  
[4] the general penalty clause, and re-reading the  
[5] oath of office that we took that clearly states  
[6] we will observe the provisions of the charter  
[7] and ordinances of the City of Doraville, I  
[8] cannot in good faith vote affirmatively for this  
[9] contract without seeking proper RFPs.

[10] The balance of Council may have a clear  
[11] conscience in doing so, but I would not.

[12] That's all I have to say, sir.

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

[14] **MS. MURPHY:** Mayor, I'm all for  
[15] following the rules, and I'm familiar with  
[16] Section 2.9 also. I'm not sure how this Council  
[17] interprets it, whether it's \$5,000 per year or  
[18] \$5,000 per occurrence, because this very Council  
[19] didn't go out for RFPs when we replaced or  
[20] renewed the contract for our judges in our court  
[21] system recently, their service contracts also.  
[22] And if it's \$5,000 per year, there is a  
[23] tremendous amount of things that we haven't went  
[24] out for RFPs for.

[25] So is it \$5,000 per occurrence or



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[1] \$5,000 per year and does it apply to everything?  
 [2] And it is my belief that there are  
 [3] other software or IT agreements that are on an  
 [4] annual maintenance plan. Is that not right?  
 [5] There are other IT vendors that are on an annual  
 [6] type contract, not as a call basis.  
 [7] I feel like that we've been on more of  
 [8] an as-call basis because we've been the one  
 [9] operating without a contract.  
 [10] Can anybody say if it's \$5,000 per  
 [11] occurrence or \$5,000 a year? because there's an  
 [12] awful lot of things that cost more than \$5,000.  
 [13] **MAYOR JENKINS:** Okay.  
 [14] **COUNCILMEMBER ROCHE:** One last thing on  
 [15] the structure. If I understand correctly, the  
 [16] motion itself is to table one contract and put  
 [17] the other contract out for RFP, that we make  
 [18] them two separate --  
 [19] **COUNCILMEMBER BATES:** It was --  
 [20] **COUNCILMEMBER ROCHE:** -- motions?  
 [21] **COUNCILMEMBER BATES:** -- only for an  
 [22] RFP. I did not have a motion to table.  
 [23] **COUNCILMEMBER ROCHE:** Okay.  
 [24] **MAYOR JENKINS:** Call the roll for his  
 [25] motion on an RFP.

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[1] **DEPUTY CLERK BRYANT:** Councilmember  
 [2] Alexander?  
 [3] **COUNCILMEMBER ALEXANDER:** Yes.  
 [4] **DEPUTY CLERK BRYANT:** Councilmember  
 [5] Bates?  
 [6] **COUNCILMEMBER BATES:** Yes.  
 [7] **DEPUTY CLERK BRYANT:** Councilmember  
 [8] Fleming?  
 [9] **COUNCILMEMBER FLEMING:** No.  
 [10] **DEPUTY CLERK BRYANT:** Councilmember  
 [11] Pittman?  
 [12] **COUNCILMEMBER PITTMAN:** No, based on  
 [13] what I said earlier.  
 [14] **DEPUTY CLERK BRYANT:** Councilmember  
 [15] Roche?  
 [16] **COUNCILMEMBER ROCHE:** No.  
 [17] **DEPUTY CLERK BRYANT:** Councilmember  
 [18] Spangler?  
 [19] **COUNCILMEMBER SPANGLER:** No.  
 [20] **COUNCILMEMBER ROCHE:** And I will make a  
 [21] motion to go ahead and table the accounting --  
 [22] actually both contracts, I guess -- until we get  
 [23] a final version or closer to a final version.  
 [24] **COUNCILMEMBER FLEMING:** Second.  
 [25] **MAYOR JENKINS:** Second?

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[1] **COUNCILMEMBER FLEMING:** Second.  
 [2] **COUNCILMEMBER SPANGLER:** Say again what  
 [3] your motion is?  
 [4] **COUNCILMEMBER ROCHE:** Just that we'll  
 [5] table the -- I mean we don't have a contract to  
 [6] look at. I'm not even sure we necessarily need  
 [7] a motion to do that. But to table this agenda  
 [8] item until we get contracts.  
 [9] **MAYOR JENKINS:** Anymore discussion?  
 [10] - - -  
 [11] (No response)  
 [12] - - -  
 [13] **MAYOR JENKINS:** Call the roll.  
 [14] **DEPUTY CLERK BRYANT:** Councilmember  
 [15] Alexander?  
 [16] **COUNCILMEMBER ALEXANDER:** Yes.  
 [17] **DEPUTY CLERK BRYANT:** Councilmember  
 [18] Bates?  
 [19] **COUNCILMEMBER BATES:** Yes.  
 [20] **DEPUTY CLERK BRYANT:** Councilmember  
 [21] Fleming?  
 [22] **COUNCILMEMBER FLEMING:** Yes.  
 [23] **DEPUTY CLERK BRYANT:** Councilmember  
 [24] Pittman?  
 [25] **COUNCILMEMBER PITTMAN:** Yes.

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[1] **DEPUTY CLERK BRYANT:** Councilmember  
 [2] Roche?  
 [3] **COUNCILMEMBER ROCHE:** Yes.  
 [4] **DEPUTY CLERK BRYANT:** Councilmember  
 [5] Spangler?  
 [6] **COUNCILMEMBER SPANGLER:** Yes.  
 [7] **MAYOR JENKINS:** Okay. Autumn Park. I  
 [8] think we need a -- I'm pretty sure we need a  
 [9] motion. I understand the Council did not agree  
 [10] with letting the people that are working on  
 [11] Autumn at this time continue.  
 [12] Am I correct on that? And the Council  
 [13] wants to go out for RFPs? We have discussed  
 [14] this.  
 [15] **COUNCILMEMBER ALEXANDER:** Why would w  
 [16] e  
 [17] apply the RFP ruling to this?  
 [18] **MAYOR JENKINS:** Excuse me?  
 [19] **COUNCILMEMBER ALEXANDER:** Why would w  
 [20] e  
 [21] apply the RFP ruling to this when we ignored it  
 [22] on the previous contract?  
 [23] **COUNCILMEMBER ROCHE:** Personally, I  
 [24] would like to see English Oak finished before we  
 [25] go any further with Autumn Park.  
 [26] **COUNCILMEMBER ALEXANDER:** They're  
 [27] different monies.

[1] **MAYOR JENKINS:** It's a different  
 [2] situation. That's stormwater money.  
 [3] **COUNCILMEMBER FLEMING:** But it's the  
 [4] same contractor --  
 [5] **MAYOR JENKINS:** I'm not against you.  
 [6] **COUNCILMEMBER FLEMING:** -- that we're  
 [7] using.  
 [8] **MAYOR JENKINS:** I'm just making you  
 [9] aware that that's stormwater money versus City  
 [10] money.  
 [11] **COUNCILMEMBER ROCHE:** Yeah. And  
 [12] originally I think when we discussed this, we  
 [13] had assumed that the contractor would be able to  
 [14] work on both projects simultaneously, but --  
 [15] **MAYOR JENKINS:** That's what we thought.  
 [16] **COUNCILMEMBER ROCHE:** -- apparently  
 [17] that's not the case.  
 [18] **MAYOR JENKINS:** They're not doing it  
 [19] that way, no, and I don't --  
 [20] **COUNCILMEMBER ROCHE:** Right.  
 [21] **MAYOR JENKINS:** Maybe that's one reason  
 [22] they're the ones that got the bid.  
 [23] **COUNCILMEMBER BATES:** They have started  
 [24] English Oak Park; correct?  
 [25] **COUNCILMEMBER ROCHE:** Right. Finally,

[1] (No response)  
 [2] - - -  
 [3] **MAYOR JENKINS:** Call the roll, please.  
 [4] **DEPUTY CLERK BRYANT:** Councilmember  
 [5] Alexander?  
 [6] **COUNCILMEMBER ALEXANDER:** Yes.  
 [7] **DEPUTY CLERK BRYANT:** Councilmember  
 [8] Bates?  
 [9] **COUNCILMEMBER BATES:** Yes.  
 [10] **DEPUTY CLERK BRYANT:** Councilmember  
 [11] Fleming?  
 [12] **COUNCILMEMBER FLEMING:** Yes.  
 [13] **DEPUTY CLERK BRYANT:** Councilmember  
 [14] Pittman?  
 [15] **COUNCILMEMBER PITTMAN:** Yes.  
 [16] **DEPUTY CLERK BRYANT:** Councilmember  
 [17] Roche?  
 [18] **COUNCILMEMBER ROCHE:** Yes.  
 [19] **DEPUTY CLERK BRYANT:** Councilmember  
 [20] Spangler?  
 [21] **COUNCILMEMBER SPANGLER:** Yes.  
 [22] **MAYOR JENKINS:** Good.  
 [23] - - -  
 [24] (Applause)  
 [25] - - -

[1] yeah.  
 [2] **COUNCILMEMBER SPANGLER:** Well, they put  
 [3] a fence up.  
 [4] **COUNCILMEMBER BATES:** There's a start.  
 [5] **COUNCILMEMBER SPANGLER:** Ms. Weese,  
 [6] have they done anything on English Oak Park?  
 [7] **MS. WEESE:** They put the permit up.  
 [8] **COUNCILMEMBER SPANGLER:** Ma'am?  
 [9] **MS. WEESE:** They put the permit up.  
 [10] **COUNCILMEMBER ROCHE:** They put the  
 [11] permit up?  
 [12] **MS. WEESE:** They put the permit up.  
 [13] **COUNCILMEMBER SPANGLER:** Okay.  
 [14] **UNIDENTIFIED SPEAKER:** One thing a  
 [15] month.  
 [16] **UNIDENTIFIED SPEAKER:** Get off the  
 [17] lawn.  
 [18] **COUNCILMEMBER SPANGLER:** I'd like to  
 [19] make a motion that we postpone the second phase  
 [20] of Autumn Park until English Oak gets finished.  
 [21] **COUNCILMEMBER BATES:** And I'll second  
 [22] that.  
 [23] **MAYOR JENKINS:** Okay. Anymore  
 [24] discussion?  
 [25] - - -

[1] **MAYOR JENKINS:** Lynn, are you here?  
 [2] Lynn wants to make a report on the  
 [3] library.  
 [4] Is that correct?  
 [5] **MS. WATANABE:** That's correct.  
 [6] **MAYOR JENKINS:** Three minutes.  
 [7] **MS. WATANABE:** Good evening. I'm Lynn  
 [8] Wantanabe, the director of the Doraville  
 [9] Library.  
 [10] And before I give my report, I just  
 [11] want to give you an invitation and give you a  
 [12] chance to discuss or at least think about taking  
 [13] a tour of the administrative offices and the  
 [14] processing center of the DCPL libraries. I  
 [15] think that will give you a good background on  
 [16] what they are contributing to this partnership  
 [17] in providing library services to the city of  
 [18] Doraville.  
 [19] The invitation is an open invitation.  
 [20] What we would like to do is any one of the  
 [21] Council members that would like to take a tour,  
 [22] I'd like to do it as a group if possible, and it  
 [23] would have to be during regular business hours  
 [24] because the processing center closes up in the  
 [25] evening.

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[1] So think about it and let me know what  
[2] days might be convenient for all of you.  
[3] First of all, I want to thank all of  
[4] you for your support of the library. Without  
[5] your support -- the Mayor, the Council and the  
[6] community -- we would not have been able to  
[7] accomplish what we have in the last two years.  
[8] I have been giving you statistics on a  
[9] monthly basis at least since July and  
[10] periodically prior to that, and each one has  
[11] indicated that there has been growth in the last  
[12] two years, but I would like to just give you a  
[13] little bit more of an annual overview so that  
[14] you get a better picture of what's been going  
[15] on.  
[16] Recently, I found an article in the  
[17] Doraville Neighbor that disturbed me greatly.  
[18] Back in 1970, our collection size was  
[19] over 25,000. There were almost 64,000 items  
[20] that were circulated. Back in 2006, our  
[21] collection size had actually dropped to 22,000  
[22] and we were circulating 8,000 less items.  
[23] Since that time, in the last two years,  
[24] our circulation has increased up to 80,000 items  
[25] and our collection size has increased to 27,000

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[1] items.  
[2] One other change that has been made is  
[3] that we have increased the number of programs  
[4] that we've been providing to the citizens. Back  
[5] in 2006, we only offered 46 programs. When you  
[6] consider that there are 52 weeks in a year,  
[7] that's less than one program a week, and that  
[8] was basically for preschool children.  
[9] In 2008, we offered 170 programs.  
[10] - - -  
[11] (Applause)  
[12] - - -  
[13] **MS. WATANABE:** And our attendance has  
[14] increased to having nearly 2700 children and  
[15] 1800 adults that attended those programs.  
[16] On Friday, I happened to be out, but I  
[17] came back today, and my request for two new  
[18] computers has been granted and they were  
[19] installed on Friday.  
[20] On Friday, we also had a program on the  
[21] Georgia Perimeter College Prime-Timers program.  
[22] They offer college classes and even degrees for  
[23] free for anyone over 62. We had 20 people  
[24] attend that program.  
[25] In the last year, we've been focusing

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[1] on increasing programming and services to young  
[2] adults and adults. And the evidence from the  
[3] summer months indicates even though we have not  
[4] been promoting our services to the teens like we  
[5] want to yet, our circulations have nearly  
[6] doubled just by installing the teen reading  
[7] area. So I'm very pleased.  
[8] Our new staff, our part-time librarian  
[9] has hit the ground running. Since she started  
[10] in June, we have offered many adult programs and  
[11] we have many more in the works.  
[12] In November, the County Extension  
[13] Service is presenting a program on holiday  
[14] arrangements, floral arrangements. At the end  
[15] of October, we are going to be doing a soils and  
[16] composting program.  
[17] So we're getting out there and  
[18] connecting with the churches, with the agencies,  
[19] Pan Asian Center, and the Extension Service.  
[20] One of the people that attended our  
[21] Friday's program actually said that their church  
[22] had put our announcement in their bulletin and  
[23] they came because of that. And this was because  
[24] of the efforts of our part-time librarian who  
[25] sent these flyers out to all the churches.

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[1] Do you have any questions?  
[2] **COUNCILMEMBER FLEMING:** You're doing an  
[3] outstanding job. I commend you and your staff.  
[4] **MS. WATANABE:** Well, I have a fantastic  
[5] staff.  
[6] **MAYOR JENKINS:** Thank you.  
[7] **COUNCILMEMBER PITTMAN:** Thank you.  
[8] - - -  
[9] (Applause)  
[10] - - -  
[11] **MAYOR JENKINS:** Maria?  
[12] **COUNCILMEMBER ALEXANDER:** Yes, sir.  
[13] I did receive -- this is a continuing  
[14] item, number 4 under old business. I did  
[15] receive some further information from the City  
[16] of Duluth regarding their civil defense warning  
[17] system. They believe it cost approximately  
[18] \$80,000, but she didn't have the exact year it  
[19] was purchased.  
[20] I have requested more information from  
[21] the company that supplied it, and I hope that we  
[22] can start looking for possibly getting just some  
[23] grants if this is something we'd like to  
[24] undertake.  
[25] And that's all I have for that, sir.

[1] **MAYOR JENKINS:** Okay. Brian?  
[2] **COUNCILMEMBER BATES:** Items, 5, 6 and  
[3] 7, I'm going to pull and recommend that we talk  
[4] about those during the budget/spending/financial  
[5] policy report section.

[6] **COUNCILMEMBER ROCHE:** Well, number 6,  
[7] bonding, I think that that was actually  
[8] something that was holding up the contract with  
[9] MIS Consulting because they didn't really --  
[10] Did you guys agree on a bonding or  
[11] where are we at with that, on that?

[12] **ATTORNEY WEED:** Ms. Murphy indicated  
[13] that if the Council wanted her to be bonded, she  
[14] was willing to do so; she already had insurance  
[15] coverage.

[16] So I think where we're at now is to try  
[17] to figure out how much is an appropriate bond.  
[18] I contacted GIRMA, trying to talk to Angela  
[19] Nixon, who is general counsel with the division  
[20] that deals with risk management. I'm trying to  
[21] get a recommendation from them.

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

[23] **COUNCILMEMBER SPANGLER:** Also, did you  
[24] include the other positions that require  
[25] bonding?

[1] going to do just a handful, I think we need to  
[2] do anybody and everybody that comes in contact  
[3] with any sensitive -- again, sensitive  
[4] information or any kind of money.

[5] How do we stand on the employment  
[6] manual?

[7] **ATTORNEY WEED:** Actually that's back  
[8] before the Mayor and Council. The Mayor and  
[9] Council actually approved engaging my firm to do  
[10] the employment manual at \$5,000. The Mayor  
[11] asked us to reduce the price down to \$4,000. I  
[12] told the Council that I would check with my firm  
[13] to see what we could do, and then we counter-  
[14] offered at \$4,500.

[15] With that, if you would still like to  
[16] do the project, we're willing to do it for  
[17] \$4,500.

[18] **COUNCILMEMBER SPANGLER:** The way that  
[19] we want it done.

[20] **ATTORNEY WEED:** Hopefully, Mr.  
[21] Spangler. I mean we'll -- whatever the majority  
[22] rule is, we'll certainly do it that way within  
[23] the confines of the law, which of course we  
[24] don't --

[25] **COUNCILMEMBER SPANGLER:** We'd never ask

[1] **ATTORNEY WEED:** The other positions  
[2] that require bonding so far include, in my  
[3] opinion, the mayor, the city clerk, the finance  
[4] director, police chief, and court clerk and the  
[5] deputy clerks.

[6] With regard to amount of bonding, when  
[7] I do actually talk to Ms. Nixon, I'll go over  
[8] the whole laundry list.

[9] **COUNCILMEMBER SPANGLER:** Because I'd  
[10] like to know. I think there's probably even  
[11] more than that. If you're going to bond part of  
[12] the staff, then I think there's a lot more that  
[13] needs to be bonded too.

[14] As far as contractors, anybody that  
[15] comes in contact with any sensitive information  
[16] or any possible potential monies that would be  
[17] left out after hours or whatever when they do  
[18] their services I think need to be also  
[19] considered.

[20] **ATTORNEY WEED:** That's always the Mayor  
[21] and Council decision. You can always have more  
[22] people bonded than would be necessarily mandated  
[23] by state law. That's up to you.

[24] **COUNCILMEMBER SPANGLER:** I'd feel more  
[25] comfortable. If we're going to do -- if we're

[1] you to do anything outside the law.

[2] **ATTORNEY WEED:** I'm not implying that,  
[3] Councilman, and I --

[4] **COUNCILMEMBER SPANGLER:** I'm just --

[5] **ATTORNEY WEED:** -- apologize to you if  
[6] you thought that I was.

[7] **COUNCILMEMBER SPANGLER:** No. It's just  
[8] the way that I took that. I mean I would not  
[9] ask and never have asked.

[10] **ATTORNEY WEED:** Of course not.

[11] **COUNCILMEMBER ROCHE:** Do you want to  
[12] make a motion?

[13] **ATTORNEY WEED:** If I impugned your  
[14] integrity in any way, I apologize.

[15] **COUNCILMEMBER BATES:** Move to make the  
[16] motion to accept the counter-offer at \$4,500.

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

[18] **MAYOR JENKINS:** More discussion?

[19] - - -

[20] (No response)

[21] - - -

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

[23] **DEPUTY CLERK BRYANT:** Councilmember  
[24] Alexander?

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

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[1] **DEPUTY CLERK BRYANT:** Councilmember  
[2] Bates?  
[3] **COUNCILMEMBER BATES:** Yes.  
[4] **DEPUTY CLERK BRYANT:** Councilmember  
[5] Fleming?  
[6] **COUNCILMEMBER FLEMING:** Yes.  
[7] **DEPUTY CLERK BRYANT:** Councilmember  
[8] Pittman?  
[9] **COUNCILMEMBER PITTMAN:** Yes.  
[10] **DEPUTY CLERK BRYANT:** Councilmember  
[11] Roche?  
[12] **COUNCILMEMBER ROCHE:** Yes.  
[13] **DEPUTY CLERK BRYANT:** Councilmember  
[14] Spangler.  
[15] **COUNCILMEMBER SPANGLER:** As long as  
[16] it's legal, yes.  
[17] **MAYOR JENKINS:** Murray, I believe you  
[18] have the trash ordinance and the tattoo?  
[19] **ATTORNEY WEED:** Yes, Mr. Mayor, members  
[20] of the Council.  
[21] The trash ordinance deals with  
[22] relocating trash and recycling receptacles  
[23] ideally to a point where they could not  
[24] necessarily be seen from street frontage.  
[25] This ordinance has had a great deal of

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[1] attention by the Mayor and Council and has gone  
[2] through multiple revisions. I believe that the  
[3] last revision that was made was on September the  
[4] 17th and the Council seemed satisfied with that  
[5] version of it.  
[6] Unless there are any further changes, I  
[7] think it's ready for adoption if the Council so  
[8] chooses.  
[9] **MAYOR JENKINS:** Do I have a motion?  
[10] **COUNCILMEMBER PITTMAN:** So moved.  
[11] **MAYOR JENKINS:** Second?  
[12] **COUNCILMEMBER BATES:** Second.  
[13] **MAYOR JENKINS:** Call the roll.  
[14] **DEPUTY CLERK BRYANT:** Councilmember  
[15] Alexander?  
[16] **COUNCILMEMBER ALEXANDER:** Yes.  
[17] **DEPUTY CLERK BRYANT:** Councilmember  
[18] Bates?  
[19] **COUNCILMEMBER BATES:** Yes.  
[20] **DEPUTY CLERK BRYANT:** Councilmember  
[21] Fleming?  
[22] **COUNCILMEMBER FLEMING:** Yes.  
[23] **DEPUTY CLERK BRYANT:** Councilmember  
[24] Pittman?  
[25] **COUNCILMEMBER PITTMAN:** Yes.

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[1] **DEPUTY CLERK BRYANT:** Councilmember  
[2] Roche?  
[3] **COUNCILMEMBER ROCHE:** Yes.  
[4] **DEPUTY CLERK BRYANT:** Councilmember  
[5] Spangler?  
[6] **COUNCILMEMBER SPANGLER:** Yes.  
[7] **MAYOR JENKINS:** Murray?  
[8] **ATTORNEY WEED:** Mr. Mayor, item number  
[9] 10 is the tattoo parlor ordinance.  
[10] The short version of this story, once  
[11] again, this ordinance has been before the  
[12] Council on numerous prior occasions.  
[13] State law dictates that the County  
[14] board of health is in charge of tattoo parlor  
[15] regulation. However, when there was an effort  
[16] to open a tattoo parlor in Doraville, the County  
[17] officers indicated that they would not enforce  
[18] the County code unless the City adopted an  
[19] ordinance similar to the County code.  
[20] Rather than have an ordeal with Dekalb  
[21] County, we have drafted a body crafting/tattoo  
[22] parlor ordinance which we feel like follows  
[23] State law and also the County code and would be  
[24] of benefit to the city.  
[25] I think this is the third or fourth

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[1] time this ordinance has been before the Council,  
[2] and unless there are any changes, we would  
[3] advise adoption thereof.  
[4] **COUNCILMEMBER ALEXANDER:** Do we need to  
[5] waive first reading?  
[6] **ATTORNEY WEED:** Frankly, this has  
[7] appeared before the Council so many times, I  
[8] don't know that you need to do that in that  
[9] you've read it numerous times before; however,  
[10] if you're so inclined. The way your agendas are  
[11] structured, these ordinances appear on multiple  
[12] agendas, so you could essentially pick any one  
[13] as first reading; however, if you are inclined  
[14] to, you know, waive first reading particularly,  
[15] there's nothing wrong with doing it that way.  
[16] **COUNCILMEMBER ALEXANDER:** So we already  
[17] have one of these establishments unfortunately  
[18] on Buford Highway. Have they been inspected by  
[19] the health department prior to their opening?  
[20] **DEPUTY CLERK BRYANT:** Yes.  
[21] **COUNCILMEMBER ALEXANDER:** They have?  
[22] Okay.  
[23] **COUNCILMEMBER BATES:** Move to waive  
[24] first reading.  
[25] **COUNCILMEMBER ALEXANDER:** Second.

[1] **MAYOR JENKINS:** Call the roll.  
 [2] **DEPUTY CLERK BRYANT:** Councilmember  
 [3] Alexander?  
 [4] **COUNCILMEMBER ALEXANDER:** Yes.  
 [5] **DEPUTY CLERK BRYANT:** Councilmember  
 [6] Bates?  
 [7] **COUNCILMEMBER BATES:** Yes.  
 [8] **DEPUTY CLERK BRYANT:** Councilmember  
 [9] Fleming?  
 [10] **COUNCILMEMBER FLEMING:** Yes.  
 [11] **DEPUTY CLERK BRYANT:** Councilmember  
 [12] Pittman?  
 [13] **COUNCILMEMBER PITTMAN:** Yes.  
 [14] **DEPUTY CLERK BRYANT:** Councilmember  
 [15] Roche?  
 [16] **COUNCILMEMBER ROCHE:** Yes.  
 [17] **DEPUTY CLERK BRYANT:** Councilmember  
 [18] Spangler?  
 [19] **COUNCILMEMBER SPANGLER:** Yes.  
 [20] **COUNCILMEMBER BATES:** Move to adopt.  
 [21] **MAYOR JENKINS:** Second?  
 [22] **COUNCILMEMBER ALEXANDER:** Second.  
 [23] **MAYOR JENKINS:** Call the roll.  
 [24] **DEPUTY CLERK BRYANT:** Councilmember  
 [25] Alexander?

[1] \$10,525.  
 [2] **COUNCILMEMBER FLEMING:** Second.  
 [3] **MAYOR JENKINS:** Call the roll, please.  
 [4] **DEPUTY CLERK BRYANT:** Councilmember  
 [5] Alexander?  
 [6] **COUNCILMEMBER ALEXANDER:** Yes.  
 [7] **DEPUTY CLERK BRYANT:** Councilmember  
 [8] Bates?  
 [9] **COUNCILMEMBER BATES:** Yes.  
 [10] **DEPUTY CLERK BRYANT:** Councilmember  
 [11] Fleming?  
 [12] **COUNCILMEMBER FLEMING:** Yes.  
 [13] **DEPUTY CLERK BRYANT:** Councilmember  
 [14] Pittman?  
 [15] **COUNCILMEMBER PITTMAN:** Yes.  
 [16] **DEPUTY CLERK BRYANT:** Councilmember  
 [17] Roche?  
 [18] **COUNCILMEMBER ROCHE:** Yes.  
 [19] **DEPUTY CLERK BRYANT:** Councilmember  
 [20] Spangler?  
 [21] **COUNCILMEMBER SPANGLER:** Yes.  
 [22] **MAYOR JENKINS:** Thank you.  
 [23] Donna?  
 [24] **COUNCILMEMBER PITTMAN:** Propane tank  
 [25] businesses or business. It was brought to light

[1] **COUNCILMEMBER ALEXANDER:** Yes.  
 [2] **DEPUTY CLERK BRYANT:** Councilmember  
 [3] Bates?  
 [4] **COUNCILMEMBER BATES:** Yes.  
 [5] **DEPUTY CLERK BRYANT:** Councilmember  
 [6] Fleming?  
 [7] **COUNCILMEMBER FLEMING:** Yes.  
 [8] **DEPUTY CLERK BRYANT:** Councilmember  
 [9] Pittman?  
 [10] **COUNCILMEMBER PITTMAN:** Yes.  
 [11] **DEPUTY CLERK BRYANT:** Councilmember  
 [12] Roche?  
 [13] **COUNCILMEMBER ROCHE:** Yes.  
 [14] **DEPUTY CLERK BRYANT:** Councilmember  
 [15] Spangler?  
 [16] **COUNCILMEMBER SPANGLER:** Yes.  
 [17] **MAYOR JENKINS:** Thank you.  
 [18] Carol could not be here tonight, so at  
 [19] the last meeting, we chose to let the City Clerk  
 [20] and the Mayor open the bids. We opened the  
 [21] bids, and you-all have a copy, and Carol is  
 [22] recommending number two which is Atlas Pools  
 [23] which is only like \$200 above the low bid.  
 [24] **COUNCILMEMBER SPANGLER:** I make a  
 [25] motion that we accept Atlas Pool's bid of

[1] that the business on Woodwin was not working  
 [2] with us as far as the regulations and the  
 [3] permits process as the tanker trucks.  
 [4] And I feel that they are equally as  
 [5] dangerous if not more, so I asked Mr. Weed to  
 [6] look into drawing up something that we possibly  
 [7] could enforce to help that process happen.  
 [8] Mr. Weed?  
 [9] **ATTORNEY WEED:** Councilman, after your  
 [10] request, I did draft an ordinance. It had been  
 [11] before the Council on at least one other  
 [12] previous occasion.  
 [13] The short version of what the ordinance  
 [14] does, as all of you know, the petroleum tank  
 [15] facilities are required to have their drivers  
 [16] wear identification badges and go through a  
 [17] process to apply to get an identification badge.  
 [18] That does not, however, apply to the propane  
 [19] industry.  
 [20] We've got a propane industry locally  
 [21] that appears to both tank propane as well as  
 [22] have a retail portion of the business.  
 [23] What the proposed ordinance does, it  
 [24] simply levels the playing field between the  
 [25] petroleum tankers and the propane tankers. It

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[1] does not, however, impact the retail element of  
 [2] these operations nor does this ordinance deal  
 [3] with any kind of fencing issues.  
 [4] The last time you discussed this in a  
 [5] work session, the Police Department was going to  
 [6] do some further investigation with regard to  
 [7] fencing issues. That is not addressed by this  
 [8] draft ordinance, and we're kind of awaiting some  
 [9] kind of final report with regard to that issue  
 [10] if you want to go into that type of regulation.  
 [11] **COUNCILMEMBER PITTMAN:** So the one that  
 [12] you have drawn up, with the exception of the  
 [13] safety or the fencing issue, is ready for  
 [14] approval?  
 [15] **ATTORNEY WEED:** It's in a format that  
 [16] could be approved if the Council so desired.  
 [17] **COUNCILMEMBER PITTMAN:** Okay. I just  
 [18] feel that it's necessary that we move forward  
 [19] with that because I, again, feel they are  
 [20] equally as dangerous if not more so.  
 [21] So I would like to make a motion to go  
 [22] ahead.  
 [23] **COUNCILMEMBER SPANGLER:** Do we require  
 [24] these drivers of the propane trucks to have a  
 [25] background check like we do the --

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[1] **COUNCILMEMBER PITTMAN:** They have  
 [2] refused in the past to work with us.  
 [3] **COUNCILMEMBER SPANGLER:** And why  
 [4] wouldn't we -- why wouldn't we do that?  
 [5] **CHIEF KING:** Mr. Spangler, the  
 [6] ordinance, the current ordinance does not cover  
 [7] the propane facilities because it was a retail  
 [8] facility. That was the original thought  
 [9] process. And the Council hasn't passed an  
 [10] ordinance to cover that.  
 [11] **COUNCILMEMBER SPANGLER:** Mr. Weed, can  
 [12] you add this?  
 [13] **ATTORNEY WEED:** That's what this does.  
 [14] **COUNCILMEMBER PITTMAN:** That's what it  
 [15] does. That's what it's addressing.  
 [16] **ATTORNEY WEED:** Now, there may still be  
 [17] -- when we actually get this thing in play, if  
 [18] the deliveries are for propane tanking  
 [19] facilities as opposed to retail sales, obviously  
 [20] the large trucks that deal with the propane  
 [21] element may have some offshoot with regard to  
 [22] the smaller tanks that are for retail sale.  
 [23] What I'm a little concerned about would  
 [24] be somebody trying to raise a defense in the  
 [25] tanker industry, saying, "Well, I'm here to

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[1] deliver only for -- the small tanks for retail  
 [2] sale," but I think some very simple  
 [3] investigation by the Police Department can clear  
 [4] that up pretty quickly as to where those tanks  
 [5] are going and where they're going to offload.  
 [6] So I want you to be prepared that,  
 [7] thinking ahead of the game, the defense is going  
 [8] to be, "Oh, my truck is only for the retail  
 [9] sales operation," which would not be affected by  
 [10] this. So please bear that in mind.  
 [11] But until we get something in place and  
 [12] see how the engine runs, it's going to be hard  
 [13] to perfect an ordinance. I may be back in a  
 [14] couple months to tell you, with advice of the  
 [15] Chief, that we need to do some tweaking. That's  
 [16] how these things are done.  
 [17] **COUNCILMEMBER PITTMAN:** This is not  
 [18] considered the first reading, then, or do we  
 [19] need to waive that?  
 [20] **ATTORNEY WEED:** Once again, the way you  
 [21] have your agenda structured, these ordinances  
 [22] appear on multiple agendas multiple times. So  
 [23] in my opinion, you could pick any agenda where  
 [24] it was on the agenda and that would be first  
 [25] reading.

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[1] **COUNCILMEMBER PITTMAN:** Okay.  
 [2] **ATTORNEY WEED:** However, there's no  
 [3] mistake to ever simply waive first reading.  
 [4] That's always appropriate.  
 [5] **COUNCILMEMBER PITTMAN:** Okay. I'd like  
 [6] to make a motion to pass the ordinance in  
 [7] regards to the propane tank business.  
 [8] **MAYOR JENKINS:** Second?  
 [9] **COUNCILMEMBER BATES:** Second.  
 [10] **MAYOR JENKINS:** Call the roll.  
 [11] **COUNCILMEMBER ROCHE:** I don't have a  
 [12] copy of it. I don't have a way to -- maybe it  
 [13] came out, and I know we get a whole bunch of  
 [14] e-mails all the time.  
 [15] **COUNCILMEMBER SPANGLER:** I didn't  
 [16] receive a copy of it.  
 [17] **COUNCILMEMBER FLEMING:** Has he asked  
 [18] for discussion yet? because I need to --  
 [19] **ATTORNEY WEED:** It appears that my  
 [20] office sent it to the Council on August the  
 [21] 28th, 2008, at 2:52 p.m.  
 [22] **COUNCILMEMBER ROCHE:** August 28th?  
 [23] **ATTORNEY WEED:** Yes, sir.  
 [24] **COUNCILMEMBER FLEMING:** I did want to  
 [25] ask a question if you don't mind.

[1] Mr. Weed, the potential lawsuit from  
[2] Amerigas --  
[3] **COUNCILMEMBER ROCHE:** You say August  
[4] 28t?

[5] **ATTORNEY WEED:** Yes.  
[6] **COUNCILMEMBER ROCHE:** Okay.  
[7] **MAYOR JENKINS:** Go ahead.

[8] **COUNCILMEMBER FLEMING:** Mr. Weed, my  
[9] question was the potential lawsuit from AmeriGas  
[10] for demanding -- or for our ordinance now  
[11] demanding that their drivers all be going  
[12] through investigations and so forth, what's the  
[13] potential there?

[14] **ATTORNEY WEED:** Anyone who has money  
[15] who finds themselves aggrieved of a law may find  
[16] it in their interest to file a lawsuit, and we  
[17] won't know until the regulations are applied and  
[18] we see how Amerigas responds.

[19] I do think it's appropriate to maybe  
[20] send a delegation to go inform Amerigas that --  
[21] if you pass it, that it's been passed, or that  
[22] if you don't pass it tonight, that it's coming  
[23] down the pipeline -- no pun intended -- and  
[24] address it with them. Apparently in the past,  
[25] those type of communications have fallen on deaf

[1] them to do it or suggested that they do it  
[2] before, that I think that they should have a  
[3] right to a public -- you know, have a public  
[4] hearing rather than going through waiving the  
[5] first reading. Of course that's first and  
[6] second on the floor right now.

[7] **COUNCILMEMBER ROCHE:** I guess maybe  
[8] another way of looking at it is that we're  
[9] including them with all the other people hauling  
[10] haz mats.

[11] **COUNCILMEMBER FLEMING:** Pardon me?

[12] **COUNCILMEMBER ROCHE:** I guess another  
[13] way of looking at it would be that we're -- now  
[14] we're including them with all these petroleum  
[15] people.

[16] **COUNCILMEMBER FLEMING:** I thoroughly  
[17] agree.

[18] **COUNCILMEMBER ROCHE:** All the other big  
[19] tankers.

[20] **COUNCILMEMBER FLEMING:** I thoroughly  
[21] agree. I just want them to be aware that we're  
[22] getting ready to pass this --

[23] **COUNCILMEMBER PITTMAN:** And I think --

[24] **COUNCILMEMBER FLEMING:** -- or that we  
[25] are.

[1] ears; however, there's one more -- one more  
[2] chance, and there's nothing wrong with  
[3] continuing to try.

[4] But there's always a possibility that  
[5] if a government does anything, someone will sue  
[6] you.

[7] **COUNCILMEMBER FLEMING:** Well, my  
[8] comment at this point is that now we are  
[9] singling out one particular vendor or one  
[10] business.

[11] **COUNCILMEMBER PITTMAN:** Actually, we're  
[12] not. I think that's the only one we have, isn't  
[13] it, in the city? That's the only one we have.

[14] **COUNCILMEMBER FLEMING:** But --

[15] **COUNCILMEMBER PITTMAN:** They are the  
[16] ones that have not chosen -- excuse me -- have  
[17] not chosen to. They were presented with this  
[18] before when we wanted the tankers to do this,  
[19] and they just refused. And I find it to be a  
[20] really huge risk and a danger for them not to  
[21] comply like everyone else has to.

[22] **COUNCILMEMBER FLEMING:** I don't have a  
[23] problem with their complying at all, but since  
[24] we are now basically singling them out to say,  
[25] "You now must do this," even though you've asked

[1] **COUNCILMEMBER PITTMAN:** -- you're going  
[2] to be issuing something to them.

[3] **ATTORNEY WEED:** Well, I hadn't planned  
[4] on doing that, but certainly --

[5] **COUNCILMEMBER FLEMING:** Not after the  
[6] fact, though, Donna.

[7] **COUNCILMEMBER PITTMAN:** Yeah, we would.

[8] **ATTORNEY WEED:** There's absolutely  
[9] nothing wrong with that, and that's very  
[10] courteous on your part.

[11] **COUNCILMEMBER PITTMAN:** I think we  
[12] could do that.

[13] **COUNCILMEMBER ROCHE:** Well, that's a  
[14] very good point. And when would this take  
[15] effect? Would that take effect as of tomorrow?

[16] **ATTORNEY WEED:** Yes. Or you could  
[17] modify the effective date to whatever you feel  
[18] would be appropriate.

[19] **COUNCILMEMBER ROCHE:** I mean on the one  
[20] hand, I mean I think I would like to have it  
[21] happen tomorrow, but on the other hand, I think  
[22] that Councilwoman Fleming has a very good point:  
[23] that suddenly, "Hey, guess what? Now you got to  
[24] get all your people registered," and who's going  
[25] to pay for it, and then you've got --



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[1] **COUNCILMEMBER PITTMAN:** Well, pending  
[2] notification. Maybe we can set a time after  
[3] they're notified to have that occur.  
[4] **COUNCILMEMBER BATES:** Well, much like  
[5] any other law, we can have a January 1, 2009,  
[6] effective date.  
[7] **COUNCILMEMBER PITTMAN:** Yeah.  
[8] **COUNCILMEMBER ROCHE:** Or maybe even  
[9] November 1 or something.  
[10] **ATTORNEY WEED:** All those are legal  
[11] options.  
[12] **COUNCILMEMBER PITTMAN:** Okay. So I  
[13] will go back and I guess amend my motion to be  
[14] effective pending notification.  
[15] And what date? Bryan?  
[16] **COUNCILMEMBER ROCHE:** Is November 1  
[17] reasonable?  
[18] **COUNCILMEMBER BATES:** Well, I would be  
[19] more comfortable to --  
[20] **CHIEF KING:** (Inaudible)  
[21] **COUNCILMEMBER BATES:** Personally, I  
[22] would be more comfortable to go along with Ms.  
[23] Fleming's concerns that we give them ample time  
[24] to --  
[25] **COUNCILMEMBER PITTMAN:** That's what I

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[1] was --  
[2] **COUNCILMEMBER BATES:** -- argue or  
[3] contest it. I would say January 1, 2009, would  
[4] be perfectly acceptable. That's three months.  
[5] **COUNCILMEMBER PITTMAN:** That's fine.  
[6] I'm okay with that.  
[7] That's my motion.  
[8] **MAYOR JENKINS:** Second?  
[9] **COUNCILMEMBER BATES:** Second.  
[10] **COUNCILMEMBER FLEMING:** What's the  
[11] motion?  
[12] **COUNCILMEMBER PITTMAN:** To accept it  
[13] pending notification and make it affective  
[14] January 2009, January 1, 2009. That gives them  
[15] ample time to be notified and notify their  
[16] drivers.  
[17] **COUNCILMEMBER FLEMING:** Bringing them  
[18] in for a public hearing type thing?  
[19] **COUNCILMEMBER PITTMAN:** No, I'm not for  
[20] doing that. I think they need to be legally  
[21] notified that this is going to occur, but I  
[22] don't know that a public hearing --  
[23] **COUNCILMEMBER ROCHE:** We're going to  
[24] pass the ordinance but we're going to modify it  
[25] to say it takes effect the first of next year.

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[1] **ATTORNEY WEED:** And also to provide  
[2] them sort of, I assume, written notice --  
[3] **COUNCILMEMBER PITTMAN:** Right.  
[4] **COUNCILMEMBER ROCHE:** Right.  
[5] **ATTORNEY WEED:** -- on its existence.  
[6] I'll send them a copy of it.  
[7] **COUNCILMEMBER PITTMAN:** And if they  
[8] would like to request to come in and speak,  
[9] certainly we would not object to that, but I'm  
[10] not -- I'm not -- or just setting hearing for  
[11] them. But if they would like to come forward,  
[12] that's fine.  
[13] I stick to my motion.  
[14] **MAYOR JENKINS:** Anymore discussion?  
[15] - - -  
[16] (No response)  
[17] - - -  
[18] **MAYOR JENKINS:** Call the roll.  
[19] **DEPUTY CLERK BRYANT:** Councilmember  
[20] Alexander?  
[21] **COUNCILMEMBER ALEXANDER:** Yes.  
[22] **DEPUTY CLERK BRYANT:** Councilmember  
[23] Bates?  
[24] **COUNCILMEMBER BATES:** Yes.  
[25] **DEPUTY CLERK BRYANT:** Councilmember

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[1] Fleming?  
[2] **DEPUTY CLERK BRYANT:** Councilmember  
[3] Pittman?  
[4] **COUNCILMEMBER PITTMAN:** Yes.  
[5] **DEPUTY CLERK BRYANT:** Councilmember  
[6] Roche?  
[7] **COUNCILMEMBER ROCHE:** Yes.  
[8] **DEPUTY CLERK BRYANT:** Councilmember  
[9] Spangler?  
[10] **COUNCILMEMBER SPANGLER:** Yes.  
[11] **MAYOR JENKINS:** Good.  
[12] We have a candidate for Superior Court  
[13] judge of Dekalb County with us tonight.  
[14] Would you stand up, Ma'am?  
[15] This is Tangela Barrie.  
[16] **MS. BARRIE:** That's correct.  
[17] **MAYOR JENKINS:** Good. I've got it  
[18] right. Okay.  
[19] - - -  
[20] (Applause)  
[21] - - -  
[22] **MAYOR JENKINS:** Would you like to say a  
[23] word?  
[24] **MS. BARRIE:** Okay. Sure.  
[25] Good evening. Thank you so much for

[1] giving me the opportunity to address Council  
[2] members as well as the citizens of Doraville.  
[3] My name is Tangelo Barrie. I am  
[4] running for Superior Court judge here in Dekalb  
[5] County.

[6] My background is with the District  
[7] Attorney's office. I was a former prosecutor.  
[8] We were called -- I'm called a special  
[9] prosecutor in the Crimes Against Women unit. In  
[10] that unit, I'm responsible for rape crimes that  
[11] happen in Dekalb County, particularly rape  
[12] crimes against the elderly, rape crimes that has  
[13] DNA or any complex issues, domestic murders and  
[14] also domestic violence. So any complex issue  
[15] involving a woman that happens in Dekalb County,  
[16] those particular types of crime come to my desk.

[17] Prior to becoming a special prosecutor,  
[18] I did work in the D.A.'s office and I was on a  
[19] trial line and I tried I guess a little bit of  
[20] everything.

[21] I am running on the November 4th ticket  
[22] or ballot, and I do ask for your support.  
[23] Hopefully, after the meeting, I may be able to  
[24] give you a little bit more information so that  
[25] you'll know that in regard to the candidates, I

[1] **MAYOR JENKINS:** Thank you.  
[2] Donna?

[3] **COUNCILMEMBER PITTMAN:** The rest of  
[4] mine are just FYI inquiries from various  
[5] citizens and businesses.

[6] The red lights on Longmire seems to  
[7] have been concern with the tank farms as well as  
[8] some citizens. I was able to contact Dekalb  
[9] County and have them go out. They did a study  
[10] on this and sent a letter a couple weeks ago  
[11] stating that at this time they did not feel that  
[12] they could do a turn signal there; they would do  
[13] further investigations, though, to see if it  
[14] might be feasible for everyone involved; but in  
[15] the meantime, that they would be able to extend  
[16] the light there so it will stay green a little  
[17] bit longer to allow the tankers to get through,  
[18] hopefully not causing any more accidents.

[19] And also they had mentioned that the  
[20] sensors due to the construction on Buford  
[21] Highway, there had been concerns about lights  
[22] holding too long or turning green really  
[23] quickly. But the sensors were off, and they  
[24] have reported that to DOT so they can work on  
[25] that and hopefully get that fixed.

[1] am the candidate with extensive trial court  
[2] experience, which of course is very important  
[3] because Superior Court judges, about 75 percent  
[4] of the trials that they handle are criminal in  
[5] nature, and certainly you need someone who has  
[6] tried criminal matters. I'm also your 2007  
[7] Assistant District Attorney of the year.

[8] But I thank you for the opportunity  
[9] address you tonight, and hopefully I'll have an  
[10] opportunity to present you with some information  
[11] as you leave and answer any questions certainly  
[12] that you might have regarding that office and my  
[13] qualifications.

[14] Thank you.

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

[16] ---  
[17] (Applause)

[18] ---

[19] **MAYOR JENKINS:** I understand that  
[20] Tangelo is working with us on the Doraville  
[21] Days; is that correct?

[22] **MS. BARRIE:** Yes? I'm sorry?

[23] **MAYOR JENKINS:** On the Doraville Days.

[24] **MS. BARRIE:** Most certainly. Most  
[25] certainly.

[1] Next item was just some inquiries from  
[2] my neighborhood in reference to -- well, Sonny's  
[3] Barbecue, those of you that are familiar with  
[4] that, it went out of business almost overnight  
[5] and is going to be an extension now of Quik  
[6] Trip. It's going to have additional tanks in  
[7] there. So that's a good thing.

[8] The Los Gatitas bar, they did come  
[9] before us to open a grocery store there although  
[10] the sign, rental sign is still up. I'm not sure  
[11] what's going on with that, but we did grant them  
[12] permission to open a grocery store.

[13] And Friday's Plaza, I actually met with  
[14] them, and they're wanting to put some very good  
[15] -- hopefully, get some really good quality  
[16] businesses in there. That's what they're  
[17] shooting for. They said they'd love to see a  
[18] grocery store or some nice restaurants in there,  
[19] so keep our fingers crossed on that. That's  
[20] Dekalb County, but they did want to meet with us  
[21] in the event of annexation, they did -- were  
[22] very excited to be possibly annexed into  
[23] Doraville.

[24] **COUNCILMEMBER BATES:** Ms. Pittman?

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

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[1]           **COUNCILMEMBER BATES:** Back on the  
[2]           Sonny's, if you haven't been by it, it's gone.  
[3]           They tore it down. It's --  
[4]           **COUNCILMEMBER PITTMAN:** It's completely  
[5]           gone.  
[6]           **COUNCILMEMBER BATES:** -- completely  
[7]           gone.  
[8]           **COUNCILMEMBER PITTMAN:** Almost  
[9]           overnight, it just disappeared.  
[10]          **COUNCILMEMBER BATES:** It started  
[11]          Thursday and was --  
[12]          **COUNCILMEMBER PITTMAN:** It did.  
[13]          **COUNCILMEMBER BATES:** -- down,  
[14]          complete, gone, kaput --  
[15]          **COUNCILMEMBER PITTMAN:** Yeah.  
[16]          **COUNCILMEMBER BATES:** -- fini.  
[17]          **COUNCILMEMBER PITTMAN:** I mean it was  
[18]          almost overnight that they closed. They were  
[19]          open one day, and the next day they were closed.  
[20]          But Quik Trip has bought it, so that's  
[21]          a good thing for us.  
[22]          And we've had complaints between the  
[23]          Winters Chapel/Tilly Mill area in reference to  
[24]          loitering and prostitution. We've got a lot of  
[25]          graffiti. Along with our Police Department,

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[1]           Code Enforcement and Dekalb County Code  
[2]           Enforcement and Police Department, we are making  
[3]           progress on cleaning those areas up.  
[4]           We still have one problem area there at  
[5]           the animal clinic. That is Dekalb County. The  
[6]           owner is out of the country. They're trying to  
[7]           take further steps to possibly condemn the  
[8]           building because now it has burned a couple of  
[9]           times and have a lot of vagrants living in the  
[10]          back and setting fires, and it's just -- it's a  
[11]          big hazard.  
[12]          As far as the tagging going on, Dekalb  
[13]          County DOT is working with us as well to try to  
[14]          get that cleaned up, and I appreciate our Police  
[15]          Department and Code Enforcement in helping get  
[16]          that area clean.  
[17]          That's it.  
[18]          **MAYOR JENKINS:** Thank you, Donna.  
[19]          Bob?  
[20]          **COUNCILMEMBER SPANGLER:** The last few  
[21]          years, we've had a lot of problems with 18-  
[22]          wheelers in the neighborhoods, and we've had  
[23]          citizens follow them, get the tag numbers, try  
[24]          to block them and what-have-you, and it's a real  
[25]          serious issue.

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[1]           We just had Oakcliff Road repaved last  
[2]           year, and it's just a matter of time until we  
[3]           start getting big potholes again. And I've  
[4]           asked for any and all help that we can get on  
[5]           stopping these 18-wheelers from traveling up and  
[6]           down not only Oakcliff but English Oak, and I've  
[7]           heard there's some over in Northwoods on  
[8]           Chestnut.  
[9]           You know, what do we have to do to get  
[10]          this situation fixed and have them stopped from  
[11]          traveling on the roads that they're not supposed  
[12]          to be on?  
[13]          **MAYOR JENKINS:** You want to answer  
[14]          that, John?  
[15]          **CHIEF KING:** Sir, it all goes down to  
[16]          officer availability. When the officers -- when  
[17]          they're not on calls, we have them patrolling  
[18]          the area. We've issued a number of citations.  
[19]          A lot of this will become as far as,  
[20]          you know, officer availability. If I have  
[21]          officers available, they'll be monitoring the  
[22]          area. But I have to compete with officer -- you  
[23]          know, for calls for service. It's a supply-and-  
[24]          demand issue.  
[25]          **COUNCILMEMBER SPANGLER:** One thing that

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[1]           we talked about in the past and I think you said  
[2]           you were going to do was to send letters or  
[3]           e-mails to all the trucking companies, and we  
[4]           also talked about increasing the fines for those  
[5]           trucks being on those roads.  
[6]           **CHIEF KING:** Yes.  
[7]           **COUNCILMEMBER SPANGLER:** And I guess we  
[8]           probably need to get some new, bigger signs,  
[9]           maybe?  
[10]          **CHIEF KING:** Sir, that's probably a  
[11]          good idea.  
[12]          We have covered this with the tanker  
[13]          trucks from the co-op. Some of the companies  
[14]          have been identified. We have talked to the  
[15]          managers.  
[16]          A lot of the problem that we're facing  
[17]          is that some of these trucks are rental, are  
[18]          rented by companies. So when we had to locate  
[19]          the companies, the rental companies do not know  
[20]          -- they cannot identify the driver.  
[21]          All these things will continue helping,  
[22]          sir.  
[23]          **COUNCILMEMBER SPANGLER:** Well, I would  
[24]          think the rental company could, since the  
[25]          company -- whatever company it is, whether it be

[1] Chevron or whoever, Saraguay -- when they rent a  
[2] truck, then their company knows who's going to  
[3] be the driver.

[4] So there's no reason, Chief, that they  
[5] can't give to the tanker farms and the other  
[6] trucking companies around, especially the ones  
[7] that we know have been coming through those  
[8] areas. We can't give them a letter or an e-mail  
[9] saying, "These are the streets in Doraville that  
[10] you cannot travel"?

[11] **CHIEF KING:** Those have been done, sir.  
[12] We have issued citations to many of those.

[13] We're not talking about tanker trucks,  
[14] sir. We're talking about regular cargo trucks  
[15] they use --

[16] **COUNCILMEMBER SPANGLER:** All 18-  
[17] wheelers.

[18] **CHIEF KING:** -- going into the  
[19] warehouse area.

[20] **COUNCILMEMBER SPANGLER:** Anything  
[21] that's --

[22] **CHIEF KING:** And we are issuing  
[23] citations, sir, when we see them and we observe  
[24] them. It's just I don't have enough officers to  
[25] monitor that street 24/7, sir.

[1] Highway.

[2] **CHIEF KING:** -- Buford Highway into  
[3] English Oak, there's no signage.

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

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

[6] **COUNCILMEMBER ALEXANDER:** And that was  
[7] something that I had asked the City Attorney and  
[8] Captain Brown to work on and address any other  
[9] city streets.

[10] **CHIEF KING:** That would be helpful.

[11] But there are challenges. The signage.

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

[13] **CHIEF KING:** And like Mr. Spangler  
[14] says, notifying, you know, every company that we  
[15] get.

[16] My biggest challenge, sir, is the cargo  
[17] companies who deal with just outside of the  
[18] Oakcliff Industrial area. That's our biggest  
[19] challenge.

[20] **COUNCILMEMBER SPANGLER:** Well, there's  
[21] no reason we can't find out which carriers are  
[22] coming into that area and send them, again, an  
[23] e-mail or a letter and, you know, hold the  
[24] companies responsible. And let's look at  
[25] doubling the fine.

[1] **COUNCILMEMBER ALEXANDER:** If I may, you  
[2] were not here at the work session, and I think  
[3] part of the situation on English Oak is we don't  
[4] have signs posted, because I don't know if we  
[5] have a law on the books that says trucks are not  
[6] allowed on that street.

[7] And then we had some issues before  
[8] where we had "No Parking" signs but then no law  
[9] to back up those signs.

[10] **CHIEF KING:** The law is covered, ma'am,  
[11] because the entrance to Oakcliff coming from  
[12] outside, you know --

[13] **COUNCILMEMBER ALEXANDER:** I'm talking  
[14] about English Oak.

[15] **CHIEF KING:** -- going north from  
[16] outside the city, if they're going east into the  
[17] city from Oakcliff, there's signage there  
[18] saying, you know, not allowed in the city  
[19] limits.

[20] **COUNCILMEMBER ALEXANDER:** Okay. I'm  
[21] talking about English Oak. There's no --

[22] **CHIEF KING:** But if --

[23] **COUNCILMEMBER ALEXANDER:** -- signs --

[24] **CHIEF KING:** -- go from --

[25] **COUNCILMEMBER ALEXANDER:** -- at Buford

[1] **CHIEF KING:** Sir, the challenge is,  
[2] legally, the company that leases a vehicle, I  
[3] cannot issue them a citation. I can only --

[4] **COUNCILMEMBER SPANGLER:** Not that --  
[5] no, no.

[6] **CHIEF KING:** -- issue a citation to the  
[7] driver.

[8] **COUNCILMEMBER SPANGLER:** That wasn't  
[9] what I said, Chief.

[10] The company that leases the vehicle,  
[11] no, they don't know who the driver's going to  
[12] be, usually. But the company that does lease  
[13] the vehicle from that company knows who the  
[14] driver's going to be.

[15] **CHIEF KING:** They are unwilling to  
[16] share that information with the Police  
[17] Department, sir, and I do not have a vehicle to  
[18] force them to do that, sir.

[19] **COUNCILMEMBER ALEXANDER:** I also  
[20] contacted Georgia DOT regarding the signage on  
[21] Oakcliff at Buford Highway because when you're  
[22] coming from the Hugo Arango Bridge to Oakcliff,  
[23] the "No Trucks" sign that is on the overhead  
[24] wires is obstructed behind the traffic signal.  
[25] They were going to send an engineer out there

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[1] and see if they can improve that.

[2] I also contacted Dekalb County, coming

[3] from the Oakcliff side, and told them they had a

[4] good number of signs but if they had a larger

[5] size --

[6] She said they only had two sizes of

[7] signs, and she was supposed to get back to me

[8] and let me know if we could get the larger ones

[9] installed or not.

[10] But pursuant to the other thing,

[11] Northwoods area and if there's instances in

[12] Tilly Mill and Oakcliff, we need to get this

[13] addressed so we can have laws on the books that

[14] says "No trucks in this neighborhood" and have

[15] the signs installed.

[16] **ATTORNEY WEED:** All we need is the

[17] list. I've been in contact with Captain Brown,

[18] and when I -- when the list has been generated,

[19] I'll write an ordinance.

[20] **MAYOR JENKINS:** We have a question.

[21] Yes, ma'am.

[22] **UNIDENTIFIED SPEAKER:** This is kind of

[23] a sidebar. I was on Addison outside my house

[24] Saturday, and two huge passenger buses went

[25] through. So I mean that's a new one. Can we

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[1] put a sidebar on that 18-wheelers and passenger

[2] buses if we don't have any type of ordinance on

[3] the book about them?

[4] **COUNCILMEMBER SPANGLER:** Any vehicle

[5] over a gross weight of 70,000 pounds.

[6] **UNIDENTIFIED SPEAKER:** I mean there's

[7] no way that driver would have seen if I had been

[8] walking my dog or if a kid was on the street,

[9] there's no way they would have seen him. And

[10] they were speeding like crazy.

[11] I don't know where they came from, but

[12] they were heading toward Chamblee-Tucker from

[13] Shallowford.

[14] **ATTORNEY WEED:** With regard to

[15] passenger buses, I dealt with this one time

[16] before with regard to Hapeville and the MARTA

[17] system. There was a street that they would have

[18] preferred that the buses did not go down, and

[19] apparently there is a state law that deals with

[20] MARTA buses at least.

[21] **UNIDENTIFIED SPEAKER:** Well, this

[22] wasn't MARTA. This was like Adame.

[23] **ATTORNEY WEED:** And we might be able to

[24] do something with that.

[25] But, you know, what Hapeville ended up

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[1] doing is closing the street in its entirety to

[2] remove the bus traffic. I doubt that's an

[3] option here, but we'll look into it.

[4] **COUNCILMEMBER ROCHE:** On Chestnut, I

[5] can say that, you know, I live in one of those

[6] newer houses where the earth was kind of

[7] compacted to build the houses on. And you know,

[8] you can repave Chestnut over and over and over

[9] again, but, you know, my driveway's beginning to

[10] sink out of synch with the rest of the house.

[11] And again, you can repave Chestnut Drive but you

[12] can't -- you know, no one's going to build me a

[13] new house. And that goes for the people that

[14] live up and down, you know, English Oak and all

[15] these others. It is a very serious problem.

[16] And I guess my question would be what

[17] would it take to increase the coverage for

[18] enforcement on those streets? What are we going

[19] to lose if we do that?

[20] **CHIEF KING:** Sir, I guess it all

[21] depends on what kind of coverage you want and if

[22] you're willing to give up response time.

[23] **COUNCILMEMBER ROCHE:** Give up response

[24] time? I mean currently we have a lot of traffic

[25] enforcement; right?

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[1] **CHIEF KING:** Not really, sir. You have

[2] -- right now, the patrols are in the neighbor-

[3] hood and they're also answering calls. Like

[4] this afternoon, they were directing traffic

[5] because the power went out and the traffic

[6] lights went out so we were forced to put

[7] officers to direct traffic at the traffic --

[8] intersections.

[9] I guess if you want an officer to

[10] monitor Oakcliff, you know, 12 hours a day or 24

[11] hours a day and, you know, Chestnut, obviously

[12] that's one officer that I have to take off the

[13] answering-calls availability.

[14] **COUNCILMEMBER ROCHE:** Yeah. And I

[15] don't think anyone's really asking for that,

[16] obviously. I think it's just a matter of if

[17] you're more in the vicinity.

[18] That's kind of a leading question

[19] because I have an agenda item coming up that's

[20] going to kind of address that, too, so I'll just

[21] leave it there.

[22] **MR. SHERE:** Regis Shere.

[23] I just wanted to know what the rules

[24] were for the gas trucks on Woodwin Road. That

[25] is a neighborhood, and Hightower Elementary is

[1] right around the corner, and it's almost like a  
[2] highway.

[3] **COUNCILMEMBER PITTMAN:** Well, they  
[4] typically don't go in front of the school.

[5] But Chief, if you could give the route  
[6] there. They're supposed to be turning, I  
[7] believe, off of Woodwin to the --

[8] **MR. SHERE:** Onto Tilly Mill.

[9] **COUNCILMEMBER PITTMAN:** Right; to the  
[10] right.

[11] **MR. SHERE:** Right.

[12] **COUNCILMEMBER PITTMAN:** Right. And  
[13] then -- okay, I'm sorry.

[14] **MR. SHERE:** Okay.

[15] **COUNCILMEMBER PITTMAN:** I was going to  
[16] let the Chief --

[17] **CHIEF KING:** They're allowed certain  
[18] hours. From Tilly Mill, they can make a left  
[19] onto Woodwin Road, sir, but they are not allowed  
[20] to continue down Tilly Mill Road in front of the  
[21] school.

[22] **MR. SHERE:** Okay. I just wanted to  
[23] know, because there is a neighborhood there.

[24] **COUNCILMEMBER PITTMAN:** There is. And  
[25] it's very rare that you see it. Our

[1] an opportunity to catch that truck.

[2] **CHIEF KING:** You are correct, sir. And  
[3] we are -- and that was the goal that we try to  
[4] achieve. If that patrolman is on a call -- a  
[5] traffic accident or an emergency call -- he  
[6] won't be able to be readily available. We try  
[7] to have those available subject to being  
[8] available for calls.

[9] **COUNCILMEMBER SPANGLER:** But I thought  
[10] you said, if my memory serves me correct, that  
[11] they were to be in the neighborhoods, not to  
[12] have to go out on call for an accident or  
[13] whatever.

[14] **CHIEF KING:** No, sir, that is not  
[15] accurate.

[16] The officers are available in the  
[17] neighborhood to answer calls. I don't have the  
[18] authorization to have -- I haven't been allowed  
[19] to have that many officers.

[20] **COUNCILMEMBER SPANGLER:** And how many  
[21] officers do we have right now, Chief?

[22] **CHIEF KING:** Sir, I have 31 officers.

[23] **COUNCILMEMBER SPANGLER:** 31?  
[24] I'm finished.

[25] **MAYOR JENKINS:** Okay. Mr. Roche?

[1] department's really good at enforcing and  
[2] catching the ones that do. I go that way many  
[3] times a day, and very rarely do you see them go  
[4] down in front of the school, although turning  
[5] the other way, to me, is a little scary but --  
[6] you know.

[7] **MAYOR JENKINS:** Thank you, sir.

[8] **COUNCILMEMBER SPANGLER:** Yeah, that's  
[9] all you have. Like the Chief said, he'd already  
[10] sent out e-mail and letters to the trucking  
[11] companies and the tank farms and --

[12] **CHIEF KING:** Mr. Spangler, we will  
[13] continue putting out the word as we identify  
[14] companies. Just being able to identify every  
[15] company that goes through that street will be  
[16] quite a task, and we will endeavor to accomplish  
[17] that.

[18] **COUNCILMEMBER SPANGLER:** One thing I do  
[19] remember as we talk about it, last year you'd  
[20] mentioned putting one patrolman in each  
[21] neighborhood. And if we had a patrolman in each  
[22] neighborhood, then if somebody called in and  
[23] said, "Hey, there's a truck on Chestnut," or  
[24] "there's a truck on Oakcliff" or "a truck on  
[25] English Oak," that patrolman would have more of

[1] **COUNCILMEMBER ROCHE:** Well, we've  
[2] talked about this at the work session also,  
[3] budget enforcement ordinance.

[4] I did some research, and we talked  
[5] about this at the work session. There are  
[6] several other municipalities or whatever that  
[7] actually have ordinances that make certain that  
[8] the budgets don't get overdone.

[9] And as we all know, last year, as a  
[10] city, I think we spent \$680,000 more than we  
[11] took in, and certain departments overspent their  
[12] budgets too. I don't want to necessarily get  
[13] into all that at this point. But I think that  
[14] this -- I think, going forward, we need to make  
[15] certain that department heads are given budgets  
[16] that they're responsible and that there needs to  
[17] be some kind of ramifications or consequences if  
[18] they department head or whoever's responsible  
[19] does not maintain budget discipline, because  
[20] without budget discipline, we may as well not  
[21] have a budget at all. And we want to make  
[22] certain that whatever happened last fiscal year  
[23] doesn't happen next fiscal year and beyond.

[24] Now, over the course of the last month  
[25] or so when we had our work session, we also have

[1] a document called a financial policies document,  
 [2] and we have actually two copies of it, and I'm  
 [3] still trying to find out which version --  
 [4]       Apparently, we have a copy and then we  
 [5] have a copy that was going to be updated. And I  
 [6] have still never found out which copy is the one  
 [7] that's actually in force.  
 [8]       So what we essentially agreed to do, I  
 [9] think, over the work session was to hold a  
 [10] hearing to basically go over the financial  
 [11] policies and come up with updated financial  
 [12] policies.  
 [13]       And I figured instead of having an  
 [14] ordinance for this budget thing, I think I'm  
 [15] fine with just adding it to the financial  
 [16] policies. I think it's easier to modify a  
 [17] financial policy than it is to pass ordinances  
 [18] and take back ordinances and fine tune ordi-  
 [19] nances, et cetera, so I'm comfortable with that.  
 [20]       So the plan was that we would get a  
 [21] copy of the correct version of the financial  
 [22] policy, and then at some point set a time for a  
 [23] hearing or a special meeting. And I know that  
 [24] Rhonda's just been working her you-know-what off  
 [25] back there, so -- we haven't seen anything yet,

[1]       **COUNCILMEMBER ROCHE:** Well, one thing  
 [2] the charter does say is that the Mayor and  
 [3] Council are responsible putting down a budget,  
 [4] coming up a budget and basically maintaining it.  
 [5] So ultimately, the responsibility falls upon the  
 [6] people at this table, the elected officials.  
 [7]       **ATTORNEY WEED:** I agree with that, sir.  
 [8]       **COUNCILMEMBER ROCHE:** And I think we  
 [9] need to push. And you know, budgeting's a tough  
 [10] thing to do. It's hard decisions, you know, and  
 [11] we need to take up -- we need to step up to that  
 [12] responsibility, so --  
 [13]       Which brings me to number 19, which is  
 [14] the budget and spending policies. I'm very  
 [15] concerned, because anyone that saw Wednesday's  
 [16] Dekalb Neighbor, right on the center of the  
 [17] front page was a thing that says, you know, soon  
 [18] as GM property -- according to us, according to  
 [19] spokespeople from Doraville city -- we're going  
 [20] to lose somewhere between eight hundred thousand  
 [21] and a million dollars a year of revenue.  
 [22]       Now, last year, our revenue was much  
 [23] less than what we budgeted for and we ended up  
 [24] having to take \$680,000 out of savings. When  
 [25] you add that up, we're talking somewhere over a

[1] SO --  
 [2]       **COUNCILMEMBER ALEXANDER:** A policy  
 [3] would not supersede an ordinance; is that  
 [4] correct?  
 [5]       **ATTORNEY WEED:** A policy would not  
 [6] supersede an ordinance; that is correct.  
 [7]       **COUNCILMEMBER ALEXANDER:** Thank you.  
 [8]       **COUNCILMEMBER ROCHE:** But we don't have  
 [9] any ordinances right now that specifically deal  
 [10] with, you know, budget discipline, to my  
 [11] knowledge.  
 [12]       **ATTORNEY WEED:** To my knowledge, no.  
 [13]       That's of course without me looking it  
 [14] up. But I state in my place based upon my  
 [15] general reading of them, there are no detailed  
 [16] ordinances that would -- that would contemplate  
 [17] what a policy would contemplate.  
 [18]       **COUNCILMEMBER ROCHE:** Right.  
 [19]       **ATTORNEY WEED:** You know, obviously, a  
 [20] policy's usually the fine detail of you-will-do-  
 [21] this/you-will-not-do-that --  
 [22]       **COUNCILMEMBER ROCHE:** Right.  
 [23]       **ATTORNEY WEED:** -- within certain time  
 [24] frames, et cetera. We don't have that, to the  
 [25] best of my knowledge.

[1] million and a half dollars a year, the money's  
 [2] not going to be there.  
 [3]       And our response to that apparently was  
 [4] to increase our spending, expenditures, for next  
 [5] year by \$460,000. Well, to me, that's kind of  
 [6] the wrong way to go, frankly. If I know my  
 [7] income's going to go down, the last thing I'm  
 [8] going to do is go out and spend more money -- or  
 [9] at least I'd hope so. Don't know about my  
 [10] girlfriend, but whatever.  
 [11]       I know it's been talked about to wait  
 [12] till mid-year review and all that, but I think  
 [13] that, you know, a true budget process that would  
 [14] start -- that we would pass a budget in July,  
 [15] usually the process would start around January  
 [16] and February and have plenty of time to look at  
 [17] all the stuff and work it out.  
 [18]       Well, if we're going to do a mid-year  
 [19] budget review in December and January, I think  
 [20] now is the time to get started looking at the  
 [21] budget, first of all, going through the revenue  
 [22] side of the budget and coming up with some  
 [23] realistic numbers instead of the numbers that we  
 [24] have, because the numbers we have, frankly, are  
 [25] I think -- you know, we didn't hit 'em last

[1] time, and we're not going to -- and they're  
[2] going to be worse next time.  
[3] And once we face the reality of what  
[4] our revenues are going to be, then we can sit  
[5] there or go through and come up with a revised  
[6] budget. Particularly if the annexation passes  
[7] through, that means we're going to be stretched  
[8] that much thinner in some areas.

[9] The sooner we do something about it,  
[10] the better we'll be. If we want to wait and  
[11] stay in the crisis mode, fine.

[12] Again, the charter says that we're  
[13] responsible for doing this, and I want to make a  
[14] motion that we ask the Mayor and the  
[15] administrative part of the City Hall to generate  
[16] a new budget and have it ready to talk about  
[17] probably around the first of December. I'm open  
[18] to, you know, flexibility on that.

[19] **COUNCILMEMBER SPANGLER:** What I'd like  
[20] to also ask, Mr. Roche, is the -- we've had some  
[21] citizens ask for an advisory committee to the  
[22] department heads, to the Mayor and the  
[23] department heads --

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

[25] **COUNCILMEMBER SPANGLER:** -- on the

[1] to do this, and we need to take it -- we need to  
[2] take it in hand and begin to do it.

[3] **COUNCILMEMBER ALEXANDER:** So you're  
[4] proposing we adopt a second budget for fiscal  
[5] year '08/'09?

[6] **COUNCILMEMBER ROCHE:** No.

[7] I'm proposing that we begin the process  
[8] today of looking at our budget for this year,  
[9] adjust the revenue numbers to something a little  
[10] more appropriate, a little more realistic, and  
[11] then once we have the numbers -- and by "we," I  
[12] mean, you know, the way it works in the charter,  
[13] the Mayor presents the budget.

[14] So we'd work it all the way down to the  
[15] department heads. We work with our accounting  
[16] people; we work with, you know, the people that  
[17] know how much money we're going to be taking in  
[18] or whatever. We come up with some realistic --  
[19] you know, basically we redo the budget process,  
[20] such as it is, on a smaller scale, because we  
[21] already have basically the numbers.

[22] And this idea of right now we're saying  
[23] we're going to take over a million dollars out  
[24] of savings to cover our expenses next year --  
[25] and that's with our higher revenue numbers; so I

[1] budgets. I think that's something we seriously  
[2] need to look at because I don't want to see us  
[3] going a million and a half over this year, which  
[4] looks like -- according to what we did last  
[5] year, that looks like it could very well happen  
[6] this year with less revenues coming in from the  
[7] GM plant.

[8] So I would recommend that we do form a  
[9] committee, and I think there's a couple citizens  
[10] that would be more than happy to be on the  
[11] committee and a couple of Council people to sit  
[12] in with the Mayor and the department heads to go  
[13] over the budgets. And during the monthly  
[14] meetings, I think the Mayor has with the  
[15] department heads, I think everybody should have  
[16] a pretty good feel for how they stand on their  
[17] budget.

[18] **COUNCILMEMBER ROCHE:** Well, and I was  
[19] also approached, and I'm not saying it's a bad  
[20] idea. My concern -- I felt embarrassed,  
[21] frankly. When it gets to the point to where  
[22] citizens have to come and say, "Look. You  
[23] people are not doing your job up there. Let us  
[24] help you do your job," frankly, I was  
[25] embarrassed. It is our responsibility up here

[1] think it's going to be way more than a million  
[2] dollars, frankly.

[3] So what I'm saying is I think that we  
[4] need to start now as far as redoing the budget,  
[5] redoing the expenditures, coming up with some  
[6] real numbers.

[7] **COUNCILMEMBER ALEXANDER:** And that's  
[8] what I just asked you, because it's my under-  
[9] standing --

[10] Is that correct, Mr. Weed, the state  
[11] law, that you adopt one budget annually?

[12] **ATTORNEY WEED:** Yes. You can always --

[13] **COUNCILMEMBER ALEXANDER:** Okay. So --

[14] **ATTORNEY WEED:** You can always amend a  
[15] budget, however.

[16] **COUNCILMEMBER ALEXANDER:** You want to  
[17] amend a budget.

[18] **ATTORNEY WEED:** You know, I don't know  
[19] if that's what the Councilman is proposing.

[20] **COUNCILMEMBER ROCHE:** That's exactly  
[21] what I'm saying.

[22] **ATTORNEY WEED:** I'm just saying you can  
[23] do that.

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

[25] **COUNCILMEMBER ALEXANDER:** And we have



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[1] to file that with the State.  
[2] **COUNCILMEMBER ROCHE:** Whatever it  
[3] takes.  
[4] **COUNCILMEMBER ALEXANDER:** I guess I'm  
[5] just a little confused here. I just -- I just  
[6] tried to get us to follow our financial policies  
[7] and to follow our ordinances by requesting we do  
[8] our due diligence in spending money and go out  
[9] and get RFPs for service, and you declined to do  
[10] that.  
[11] So I'm trying to figure out exactly  
[12] what we're trying to accomplish here, if we're  
[13] trying to accomplish doing our job.  
[14] **COUNCILMEMBER SPANGLER:** I think what  
[15] we're doing is we're just going out for the  
[16] request for proposals for certain contractors,  
[17] okay, for certain people.  
[18] **COUNCILMEMBER ALEXANDER:** I want to --  
[19] **COUNCILMEMBER SPANGLER:** We're not  
[20] doing it for everybody. That's --  
[21] **COUNCILMEMBER ALEXANDER:** That's why --  
[22] **COUNCILMEMBER SPANGLER:** -- the feeling  
[23] that I get.  
[24] **COUNCILMEMBER ALEXANDER:** -- I made my  
[25] point.

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[1] **A** citizen pointed out to me he was not  
[2] happy that we did a single-source contract on  
[3] the contract we approved for probation services.  
[4] I don't want to ever be put in that  
[5] place again.  
[6] That's why I suggested we follow the  
[7] financial policy and the ordinance of the city  
[8] like we took an oath of office to do.  
[9] **COUNCILMEMBER ROCHE:** Well, I think  
[10] that's not germane to the topic we're talking  
[11] about right now. Right now, we're talking about  
[12] a budget. We're not talking about vendor  
[13] management. We may have to get rid of some of  
[14] our vendors when we start to realize how much  
[15] our -- you know, what our vendors are going to  
[16] be, because the fact is the money is not going  
[17] to be there.  
[18] **COUNCILMEMBER SPANGLER:** Well, we can  
[19] continue to take it out of the -- originally, we  
[20] started with seven million dollars in savings.  
[21] We're down to what? About five and a quarter?  
[22] We can continue to take --  
[23] **COUNCILMEMBER ROCHE:** Where are we at  
[24] now?  
[25] **MS. MURPHY:** Well, we haven't taken

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[1] that much out of savings. We're still up there.  
[2] We anticipate taking some out.  
[3] **COUNCILMEMBER SPANGLER:** We took out  
[4] three-quarters of a million, right?, from last  
[5] year's budget.  
[6] Okay. So we had seven million to start  
[7] with.  
[8] **MS. MURPHY:** Yes.  
[9] **COUNCILMEMBER SPANGLER:** Took out  
[10] three-quarters of a million --  
[11] **MS. MURPHY:** Yes.  
[12] **COUNCILMEMBER SPANGLER:** -- from last  
[13] year's budget.  
[14] **MS. MURPHY:** Yes.  
[15] **COUNCILMEMBER SPANGLER:** Okay? At the  
[16] rate we're going and with what Mr. Roche said,  
[17] we're going to be well over three-quarters of a  
[18] million dollars for this year at the rate we're  
[19] going with the less revenues that we have coming  
[20] in.  
[21] So you're -- you're looking at least,  
[22] at the very least, a million and a half.  
[23] **MS. MURPHY:** Well, our revenues were  
[24] lowered some due to what we anticipated losing  
[25] due to GM.

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[1] I think we're going to see our biggest  
[2] losses from GM closing next fiscal year, not  
[3] necessarily this fiscal year, because they just  
[4] closed in September.  
[5] So we did lower our revenues where we  
[6] thought -- where we fell short on court fines,  
[7] things like that, and some of our franchise fees  
[8] that we think are going to be less.  
[9] Now, whether we lowered them enough, I  
[10] don't know yet, but I think our biggest hit is  
[11] going to be in next year's fiscal budget because  
[12] the plant just closed.  
[13] **COUNCILMEMBER ALEXANDER:** And the  
[14] franchise fee lost next year.  
[15] **MS. MURPHY:** Right; because most of  
[16] this year, calendar year 2008, what we're going  
[17] to receive franchise fees on in February of 2009  
[18] is they were going to be open most of this year.  
[19] **COUNCILMEMBER ROCHE:** Right.  
[20] **MS. MURPHY:** So our biggest changes are  
[21] going to be in next year's fiscal budget.  
[22] **COUNCILMEMBER ROCHE:** I understand, and  
[23] we're going to -- it's going to be a pretty good  
[24] hit next year, which is all the more reason to  
[25] conserve what we have today.

[1] Because the other things that are  
[2] happening is -- you know, I don't know if  
[3] anyone's bought any gas lately or can find gas  
[4] lately, but our revenues are down from traffic  
[5] enforcement, and I think part of that may be  
[6] that people are driving less and people are  
[7] slowing down. You know, darn them, you know, we  
[8] can't give them so many speeding tickets, you  
[9] know.

[10] I had lunch today at a restaurant here  
[11] in Doraville, and the person said that he was  
[12] very seriously considering not renewing his  
[13] liquor license, you know, and I asked him --  
[14] that's about \$4,000 just from one restaurant,  
[15] you know.

[16] The housing values are going down, and  
[17] our taxes are based on housing values.

[18] This is coming. Now, we can wait until  
[19] it hits. You know, we can wait until the crisis  
[20] happens and then we can all run around and then  
[21] we'll be forced to do things that we really  
[22] don't want to do.

[23] My number one thing, frankly, at this  
[24] point is I don't want to see any layoffs. I  
[25] don't want to see any cuts in pay for our

[1] whatever. So we're in more of a situation than  
[2] we may think we are.

[3] Now, I will say this: I think about  
[4] two years from now, hopefully if the annexation  
[5] passes, particularly once the GM property comes  
[6] back online, I think we're going to be fine. I  
[7] think we'll be in great shape. This is not a  
[8] permanent situation.

[9] But we've got to tighten our belts and  
[10] be ready for the next couple or three years,  
[11] because anybody who turns on a TV lately or  
[12] picks up a newspaper, it ain't going to be fun.

[13] **COUNCILMEMBER BATES:** Are there any  
[14] revenue projections for the Peachtree Pavilion  
[15] properties that will be starting to come online  
[16] in the next few weeks and months?

[17] **MS. MURPHY:** I can check with Dekalb  
[18] County as to what they're going to be evaluated  
[19] at, but right now we don't have any.

[20] **COUNCILMEMBER BATES:** And the same  
[21] would apply to Clover Plaza and Plaza One which  
[22] are also coming online.

[23] **MS. MURPHY:** Right. The same thing's  
[24] going to happen with the GM property, too,  
[25] depending on how fast they make a move there.

[1] employees. For the most part, we have some of  
[2] the best employees around, and I want to do  
[3] everything we can to protect them. I don't want  
[4] to find us in a situation like so many cities  
[5] have where they have to start laying people off,  
[6] they have to start limiting positions, they have  
[7] to stop providing services to the citizens. I  
[8] don't want to get there.

[9] Now, of that -- you know, people think  
[10] seven million dollars. Hey, no problem. We've  
[11] got lots and lots of money.

[12] We don't get our -- and you can verify  
[13] this, I'm sure, do a better job of explaining  
[14] this than I can. It's not like we get a  
[15] paycheck every month from every place. We spend  
[16] about a million dollars a month, and we may go  
[17] four months without getting any income at all.  
[18] Then suddenly we'll get some income or whatever.

[19] So when we talk about six or seven  
[20] million dollars, at least three months' worth of  
[21] that, which is about three million dollars, has  
[22] to be in liquid cash so we can make payroll. So  
[23] it's kind of a misnomer to think we've got all  
[24] this money laying around. And there's money  
[25] obviously that's in savings and CD's or

[1] How it gets evaluated on January 1 is going to  
[2] affect our property taxes for the next fiscal  
[3] year.

[4] **MAYOR JENKINS:** Yeah. I think Plaza  
[5] One and Peachtree Pavilion's going to -- we're  
[6] hoping they come pretty close to making up.

[7] And on the franchise fees, we will lose  
[8] some, but those two will bring that partly back  
[9] up. Plus the fact last year we got a lot more  
[10] from franchise than we thought we would. So if  
[11] we lose, we won't be losing quite as much from  
[12] the franchise fees.

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

[14] **MAYOR JENKINS:** That's just a  
[15] projection, as he's projecting we're going down.  
[16] I think we can hold it as he says if we do some  
[17] buckling down, but I don't believe it's quite  
[18] that drastic.

[19] **COUNCILMEMBER ROCHE:** Well, for  
[20] instance, our business occupational taxes, those  
[21] are based on how much the income is? And I know  
[22] my income --

[23] **MS. MURPHY:** The number of employees or  
[24] the gross receipts, whichever one's greater.

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

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[1] Well, again, people are doing a lot  
[2] less business.  
[3] We have increased our projections from  
[4] -- by half a million dollars. We're saying  
[5] we're going to collect a half million dollars  
[6] more this year than we did last year, and I  
[7] think we probably went in the wrong direction on  
[8] that one.  
[9] **MAYOR JENKINS:** Maybe.  
[10] **COUNCILMEMBER ROCHE:** And that's half a  
[11] million dollars.  
[12] **COUNCILMEMBER BATES:** That half a  
[13] million was based upon?  
[14] **MS. MURPHY:** What we brought in last  
[15] year.  
[16] **COUNCILMEMBER BATES:** Which was over  
[17] the 2007/2008 budget.  
[18] **MS. MURPHY:** Yes.  
[19] **COUNCILMEMBER ROCHE:** Before the  
[20] economy crashed, before -- you know.  
[21] Again, you look at all levels of  
[22] government -- you know, the city, the state --  
[23] you know, they're having to fire teachers. I  
[24] mean it's rough out there right now.  
[25] And we can all bury our heads in the

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[1] sand, you know, or we can start doing something  
[2] now, so --  
[3] **MS. MURPHY:** Right. And while I'm up  
[4] here, if you don't mind, there is something  
[5] called homestead tax relief grant. You might  
[6] have read about losing it because of the State's  
[7] budget. And I've checked with Dekalb County.  
[8] We very well may get ours this year, but in all  
[9] probability, we will not get it next year  
[10] because the State can't afford to fund it  
[11] anymore. So that may be a possibility, too.  
[12] But we're anticipating, and they have billed for  
[13] it or applied to get it back from the State, and  
[14] they think that we're going to be able to get it  
[15] this fiscal year but probably not anymore.  
[16] **COUNCILMEMBER ROCHE:** How much is  
[17] that?  
[18] **MS. MURPHY:** It's roughly around --  
[19] it's under 75,000.  
[20] **COUNCILMEMBER ROCHE:** So can we put  
[21] together some kind of motion that we can pass  
[22] that essentially says we begin a process of  
[23] reviewing and adjusting our budget and begin the  
[24] process as soon as possible?  
[25] **COUNCILMEMBER BATES:** Well, Mr. Roche,

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[1] I'm absolutely in favor of doing a mid-year  
[2] budget review. I would ask that we look at  
[3] refining and adopting a renewed and amended set  
[4] of financial policies that include a time frame  
[5] and timeline on budget preparation.  
[6] As we were all intimately familiar  
[7] with, we started our '08/'09 budget in June,  
[8] which, as you've pointed out previously, really  
[9] should have been started much earlier than that.  
[10] So if we can look at doing an overhaul of the  
[11] financial policies that would address those  
[12] things along with that review, I would certainly  
[13] be in favor.  
[14] Just for the audience information, the  
[15] last revision date I have on the financial  
[16] policies for the city is August 2 of 2004. So  
[17] we're four years without doing significant or  
[18] serious contemplation of our financial policies.  
[19] **MAYOR JENKINS:** Did you say revision?  
[20] I believe there's . . .  
[21] **COUNCILMEMBER BATES:** It was adopted  
[22] June 21 of '04 and revised August 2nd of '04.  
[23] **MAYOR JENKINS:** Well, that revision  
[24] stands. Somebody says they want a revision now?  
[25] **COUNCILMEMBER BATES:** Well, it's

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[1] unclear in the documents I have, because both of  
[2] them are marked up, as to which one, if either,  
[3] is the current functional policy. So I would  
[4] certainly be in favor of reviewing and adopting,  
[5] amending.  
[6] **MR. LOWE:** We revised it twice, as a  
[7] matter of fact --  
[8] **MAYOR JENKINS:** Yes.  
[9] **MR. LOWE:** -- but it never did pass.  
[10] The original financial policies the city had  
[11] before is what is current now.  
[12] **MAYOR JENKINS:** It still stands.  
[13] **COUNCILMEMBER BATES:** Well, I would be  
[14] in favor of doing a thorough review of them.  
[15] **MAYOR JENKINS:** Okay.  
[16] **COUNCILMEMBER ROCHE:** Well, I think we  
[17] need to do that, anyway. I mean if we want to  
[18] wait to the middle of the year, then, you know,  
[19] we're saying roughly we're probably going to be  
[20] a million and a half in the hole. So we can  
[21] wait till the middle of the year and then we'll  
[22] only be \$750,000 in the hole, or we could start  
[23] now and maybe save some of that too.  
[24] **COUNCILMEMBER BATES:** Well, you threw a  
[25] December 1st date out there. I'm perfectly

[1] acceptable for that date.

[2] **COUNCILMEMBER ROCHE:** So do we want to

[3] begin to have a hearing sometime either the last

[4] part of -- well, probably right after

[5] Thanksgiving, then, and have City Hall be ready

[6] to present a new budget or an amended budget

[7] around the 1st of December?

[8] **COUNCILMEMBER BATES:** I'm personally

[9] fine with that.

[10] **COUNCILMEMBER ROCHE:** Okay. Well, I'll

[11] make a motion that we ask the City Council to --

[12] the Mayor and City Hall to propose an amended

[13] budget as of the 1st of December.

[14] **COUNCILMEMBER ALEXANDER:** Will we have

[15] November financials by then?

[16] **COUNCILMEMBER ROCHE:** Of course not,

[17] no, because it takes awhile to get November

[18] financials by December 1st, but we will have

[19] October. We should have October.

[20] **COUNCILMEMBER BATES:** What day is

[21] December 1st?

[22] **COUNCILMEMBER ROCHE:** I don't know. My

[23] thing's not on, so I don't know.

[24] **COUNCILMEMBER BATES:** It's a Monday?

[25] **UNIDENTIFIED SPEAKER:** It's the first

[1] **COUNCILMEMBER SPANGLER:** Did you not

[2] want to do anything as far as the committee or

[3] meeting with the Mayor when he meets with the

[4] department heads to go over the monthly budget?

[5] **COUNCILMEMBER ROCHE:** I'm very -- I'm

[6] very glad that we have --

[7] And by the way, I'm glad to see so many

[8] people here tonight. It shows that people are

[9] interested.

[10] And I'm very glad that people, like I

[11] said -- they want to come and chip in. But

[12] frankly, we should be doing that, you know. And

[13] I greatly respect, you know, the people that

[14] have volunteered to help out. But you know, I

[15] mean it's not really in the charter or anything,

[16] either, and I --

[17] **MAYOR JENKINS:** I think it should be up

[18] to the Council, the Mayor and Council.

[19] **COUNCILMEMBER SPANGLER:** So are you in

[20] agreement, Mayor, to take a couple Council

[21] people to meet with you when you do meet with

[22] the department heads?

[23] **MAYOR JENKINS:** As long as we don't

[24] have a quorum.

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

[1] Monday.

[2] **MAYOR JENKINS:** Monday? We have a

[3] meeting on that night.

[4] **COUNCILMEMBER BATES:** I would concur

[5] with Ms. Alexander and would rather have four

[6] months of information to review, so I would be

[7] amenable to a mid December.

[8] **COUNCILMEMBER ALEXANDER:** What is the

[9] date in December?

[10] **COUNCILMEMBER BATES:** Ms. Murphy, when

[11] do you think we could have November financials,

[12] hypothetically speaking?

[13] **MS. MURPHY:** Well, the next Monday is

[14] the 8th and the following is the 15th, so --

[15] **COUNCILMEMBER BATES:** I would then

[16] suggest that we use the December 15th work

[17] session as a financial policy and mid-year

[18] budget review session.

[19] **COUNCILMEMBER ROCHE:** Well, I don't

[20] think we need to take a motion because it will

[21] be the mid-year budget review, right? because

[22] it'll be the mid-year.

[23] **MAYOR JENKINS:** That's fine.

[24] **COUNCILMEMBER ROCHE:** Okay. Like I

[25] said, I'll leave it there.

[1] **COUNCILMEMBER ROCHE:** I will say one

[2] thing. I've heard loud and clear from those

[3] citizens. And by all means, don't hesitate to

[4] make sure that all of us up here hear loud and

[5] clear from Mr. Livingston and Mr. Ambrose and

[6] from everyone else. So we need to hear from

[7] you, so -- in fact, the next thing I'm talking

[8] about is about that, so --

[9] 20 and 22, I mean these kind of got

[10] mixed up on the agenda. Let me pass these out.

[11] I'm passing out a copy of . . .

[12] What you're looking at, by the way,

[13] this comes from the budget report of Roswell,

[14] City of Roswell. And I mean the numbers

[15] obviously don't apply to us, but I was trying to

[16] show an example of what we're trying to do.

[17] In basic accounting, a lot of times

[18] it's a very good idea to break things out into

[19] separate cost centers or divisions or

[20] departments or whatever you want to call it.

[21] And if you could just glance at that

[22] and pass that along.

[23] One of the issues that we have in

[24] Doraville is that everything is kind of just

[25] lumped together. And the first item on the

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[1] agenda had to do with breaking out the  
[2] expenditures for accounting, and if I read it  
[3] correctly, it says, 20, "Report jail  
[4] expenditures separately from P.D.," and I think  
[5] the original language, that was changed  
[6] slightly, "Account for jail expenditures  
[7] separately from P.D."  
[8] We are not talking about breaking out  
[9] the jail from the Police Department. I still  
[10] don't know where that came from. I looked at  
[11] the tape. I don't know where anyone would have  
[12] gotten that idea, but anyway --  
[13] **MAYOR JENKINS:** It's in the minutes.  
[14] **COUNCILMEMBER ROCHE:** It's in the  
[15] minutes? We don't have minutes.  
[16] **MAYOR JENKINS:** We did.  
[17] **COUNCILMEMBER ROCHE:** Well, we had the  
[18] tape. I looked at the tape. I couldn't see  
[19] anything there, so --  
[20] **MAYOR JENKINS:** We had court recorder  
[21] minutes.  
[22] **COUNCILMEMBER ROCHE:** I'm sorry?  
[23] **MAYOR JENKINS:** Court recorder minutes.  
[24] **COUNCILMEMBER ROCHE:** At the work  
[25] session?

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[1] **COUNCILMEMBER SPANGLER:** I don't  
[2] believe we did, Mayor.  
[3] **COUNCILMEMBER ROCHE:** We didn't have a  
[4] court reporter for the work session. I reviewed  
[5] the video. But anyway, that's neither here nor  
[6] there.  
[7] Just want to reassure everyone there  
[8] was never any intention of breaking away the  
[9] jail from the Police Department. Again, I don't  
[10] know where that came from.  
[11] However, the citizens that approached  
[12] us about the budget said, you know, this town  
[13] has this many police officers and spends this  
[14] much, this town has that many.  
[15] Well, because we lump it all together,  
[16] it's very difficult for us to understand if  
[17] we're on a par with other cities, other  
[18] organizations. And by breaking it out, it  
[19] allows us to do a couple of things. First of  
[20] all, it allows us to account separately for  
[21] jails so we know exactly what the jails cost.  
[22] You know, the employees for the jail, I think  
[23] they're all hourly employees, they get overtime  
[24] for the most part; whereas, police department --  
[25] I'm sorry -- sworn officers do not; just like

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[1] the 911 system, just like the Code Enforcement.  
[2] And that's all we're talking about is breaking  
[3] them out separately.  
[4] And what you're looking at, though, in  
[5] Roswell, is not only do they break out the  
[6] detention center. They also break out different  
[7] activities of the Police Department.  
[8] Now, obviously they have a lot bigger  
[9] police department than we have. They also  
[10] apparently have a lot better computer system  
[11] than we have because a given police officer on a  
[12] given day may spend some time on traffic  
[13] enforcement and other time on special  
[14] investigations and another period of time on  
[15] patrol. Now, maybe they're big enough to have  
[16] people dedicated. I don't know. Most of the  
[17] time-clock type stuff is fairly straightforward.  
[18] You know, if you're doing traffic enforcement,  
[19] you just put, you know, your start time on your  
[20] laptop, on your computer, if you're an officer  
[21] or whatever and you can track that down.  
[22] By breaking them out into separate cost  
[23] centers -- and I'm not necessarily saying we  
[24] should do this part of it today -- what it  
[25] allows everyone to do is to understand what our

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[1] priorities are for the Police Department, which  
[2] is the next, if I remember, 22, Police  
[3] Department Priorities and Goals.  
[4] There's been a lot of discussion here  
[5] about, you know, what do you want the Police  
[6] Department to do? Do you want them to be in the  
[7] neighborhoods? Do you want them to be out  
[8] writing tickets? Do you want them to be doing  
[9] special investigations, et cetera, et cetera?  
[10] Well, today it's all kind of lumped together.  
[11] And what they can do in Roswell is they  
[12] can say, well, you know, we've got this in  
[13] special investigations. We need to increase  
[14] that more because maybe we have burglaries and  
[15] we're not catching anybody; or maybe we don't  
[16] have enough people out doing traffic  
[17] enforcement, so maybe we need to increase that  
[18] but we'll have to reduce something else.  
[19] And I think that obviously our whole  
[20] accounting system -- and this is not just the  
[21] Police Department -- our overall accounting  
[22] system does need a makeover. I think this also  
[23] applies to the Maintenance Department; you know,  
[24] the time spent doing landscaping versus time  
[25] spent, you know, fixing automobiles or fixing,

[1] you know, different vehicles or whatever; to the  
[2] extent, it may or may not apply to the Parks &  
[3] Recreation Department or whatever.

[4] Someone ran for Council last year who  
[5] kept talking about running City Council like a  
[6] business. Well, this is how businesses do it,  
[7] and that way, you have a lot better control.  
[8] And the nice thing about it is that if you have  
[9] a particular officer, for instance, who's in  
[10] charge of special investigations, that officer  
[11] has his own budget. If you have someone who's  
[12] in charge of the jail, they have their own  
[13] budget and their own expenditures. And you push  
[14] everything down, you push the responsibility  
[15] down if you so choose so that the budgets are a  
[16] lot smaller and a lot easier to manage and  
[17] maintain.

[18] **COUNCILMEMBER BATES:** On the breakdown,  
[19] what would you be advocating be broken out and  
[20] separated?

[21] **COUNCILMEMBER ROCHE:** Well, initially  
[22] we just need the detention center.

[23] **COUNCILMEMBER BATES:** I mean what of  
[24] that?

[25] **COUNCILMEMBER ROCHE:** Well, obviously,

[1] chart that says, "Police facilities maintenance  
[2] and jail facilities maintenance have been  
[3] consolidated in the building operations and the  
[4] administration department."

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

[6] **COUNCILMEMBER BATES:** And then when you  
[7] drill down into it, under the detention center  
[8] actual budget, it only lists salaries and  
[9] benefits and operating total. It doesn't spell  
[10] out electrical or administrative costs or things  
[11] along that nature. So I'm trying to get a sense  
[12] of what you're looking to pull out of and  
[13] compartmentalize.

[14] **COUNCILMEMBER ROCHE:** Well, I think  
[15] initially exactly what you just talked about:  
[16] the employment. People are usually the most  
[17] important thing. And if we could start there  
[18] and go from there, I think that would be a good  
[19] start.

[20] **COUNCILMEMBER PITTMAN:** So what are you  
[21] trying to accomplish? I mean first of all, we  
[22] are not a detention center, we are a jail, which  
[23] is a big difference.

[24] And Roswell Police, I believe theirs is  
[25] not housed on the Police Department. They also

[1] the jail -- the personnel for the jail, the  
[2] administration stuff for the jail, that sort of  
[3] thing.

[4] And I know that someone's going to say,  
[5] "What about the electric bill?" Well, the  
[6] electric bill, there's a thing in accounting  
[7] called allocations. And there's several ways of  
[8] doing allocations. You can do it by square  
[9] footage. You can do it by number of hours  
[10] people are occupying the room. Exactly -- you  
[11] know, basically it's the same thing I guess we  
[12] do now for the 911 system. We may or may not.

[13] It is not a perfect science, and no  
[14] one's asking for that and we understand that.

[15] Right now, we don't know what it  
[16] necessarily costs for our jail, you know. But  
[17] yeah, on the other hand, we're charging other  
[18] people for that. And maybe we're making a  
[19] fortune. Maybe we're not. I don't know. Maybe  
[20] it's costing money. But until we get some real  
[21] numbers, we won't know. Until we have real  
[22] numbers, we can't really set policy up here and  
[23] manage that.

[24] **COUNCILMEMBER BATES:** The reason why I  
[25] ask is because there's an asterisk beneath the

[1] house immigration, which would make a huge  
[2] difference in why they would need to do separate  
[3] budget item.

[4] And I'm trying to understand what  
[5] you're trying to accomplish by breaking off the  
[6] jail which is on site and part of our Police  
[7] Department, because oftentimes we do have to  
[8] have sergeants or other members of the police --  
[9] sworn officers come in to assist the jail for  
[10] various reasons, illnesses, fights or whatever,  
[11] and I don't know what you're trying to -- help  
[12] me understand what you're trying to accomplish  
[13] by just doing the jail.

[14] **COUNCILMEMBER ROCHE:** Well, if the  
[15] police -- if there's a fight over in the  
[16] Recreation Department and a policeman comes over  
[17] there, he's still a policeman.

[18] **COUNCILMEMBER PITTMAN:** That doesn't  
[19] have anything to do with the Recreation  
[20] Department.

[21] I'm asking you what you're trying to  
[22] accomplish by breaking off the jail from the  
[23] Police Department.

[24] **COUNCILMEMBER ROCHE:** What we're trying  
[25] to accomplish is to get an idea of what it costs

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[1] to run a jail versus what it costs to run a  
[2] police department. Unless we know what it costs  
[3] to run a police department --  
[4] We can compare to other -- other areas  
[5] and see how we're doing. Maybe we're doing very  
[6] well. Maybe we're not.  
[7] Because what happens is people -- I  
[8] don't know how many times people have asked me.  
[9] They say, "You know what? Norcross only spends  
[10] four million dollars on their police department.  
[11] My God, we're spending, you know, five and a  
[12] half million dollars."  
[13] **COUNCILMEMBER PITTMAN:** So again --  
[14] **COUNCILMEMBER ROCHE:** And I say --  
[15] **COUNCILMEMBER PITTMAN:** -- what are --  
[16] **COUNCILMEMBER ROCHE:** -- "Well, because  
[17] of the jail."  
[18] **COUNCILMEMBER PITTMAN:** -- you trying  
[19] to accomplish? You know, I'm still not  
[20] understanding what you're trying to accomplish  
[21] by separating the jail. What difference does  
[22] that really -- what big difference does that  
[23] make?  
[24] **COUNCILMEMBER ROCHE:** It allows us to  
[25] compare apples with apples.

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[1] **COUNCILMEMBER PITTMAN:** Okay. So are  
[2] we going to do that with all the other  
[3] departments as well? We're going to break down  
[4] the library and the childrens services and  
[5] everything else too --  
[6] **COUNCILMEMBER ROCHE:** I think where --  
[7] **COUNCILMEMBER PITTMAN:** -- compare  
[8] apples to apples?  
[9] **COUNCILMEMBER ROCHE:** -- appropriate,  
[10] yes.  
[11] **COUNCILMEMBER PITTMAN:** But you didn't  
[12] say that.  
[13] **COUNCILMEMBER ROCHE:** I just did.  
[14] **COUNCILMEMBER PITTMAN:** Well, that's  
[15] because I asked you.  
[16] **COUNCILMEMBER ROCHE:** I just said that,  
[17] you know, I think we need to -- we also need to  
[18] do it for the Maintenance Department and perhaps  
[19] the Parks & Recreation Department.  
[20] **COUNCILMEMBER PITTMAN:** I'm sorry. I  
[21] don't understand what you're trying to  
[22] accomplish there.  
[23] **COUNCILMEMBER ROCHE:** Well, one the  
[24] things I've noticed since I've been here is that  
[25] -- and I think some training might be in order,

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[1] and I don't mean to embarrass or insult anybody,  
[2] but, you know, there's some fundamental  
[3] accounting stuff, you know, concepts that -- and  
[4] I'm certainly no accountant. I'm not a CPA  
[5] myself, but, you know, I think that -- and a lot  
[6] of times, these basic concepts are just not  
[7] understood by people as to why people do that.  
[8] There used to be a thing called  
[9] management information systems. There's a  
[10] difference between bookkeeping and accounting.  
[11] And in accounting, you get answers. In  
[12] bookkeeping, you get data, and where we are  
[13] today is data. More than once, I requested some  
[14] information from a department and I got a stack  
[15] of paper like this (indicating). Well, that was  
[16] data. It never answered the question. You see  
[17] what I'm saying?  
[18] And it's very difficult to manage  
[19] anything if you don't know the answers to a lot  
[20] of these questions. Like how much are we  
[21] spending on the jail? How much are we spending  
[22] to maintain, you know, the equipment that we use  
[23] for landscaping? You know, how many hours are  
[24] we spending doing this, how many hours are we  
[25] spending doing that?

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[1] **MAYOR JENKINS:** Bob, will you move on,  
[2] sir?  
[3] **COUNCILMEMBER ROCHE:** Well, I want to  
[4] make a motion.  
[5] **MAYOR JENKINS:** I think you about wore  
[6] that one out.  
[7] **COUNCILMEMBER ROCHE:** Well, I don't  
[8] know how else to explain this to anybody. I  
[9] mean it's basic accounting stuff. And if we're  
[10] going to become a city that's going to move  
[11] forward, I think we need to move forward and get  
[12] caught up at least to -- at least to the  
[13] seventies.  
[14] Well, I'm feeling no love on that, so I  
[15] guess we'll just move on. Someday people -- I  
[16] don't understand.  
[17] Anyway, number 22 again is P.D.  
[18] priorities and goals, and I think again that  
[19] applies across the city, and eventually we need  
[20] to understand what our priorities are going to  
[21] be.  
[22] We just had a long discussion about  
[23] people concerned about big trucks going up and  
[24] down through neighborhoods. Apparently, we're  
[25] not going to do anything about it. But the

[1] point is, you know, people want a neighborhood  
[2] patrol, you know, or maybe they don't, you know.

[3] **COUNCILMEMBER ALEXANDER:** Well, we  
[4] didn't say we weren't going to do anything about  
[5] it. I don't know where you got that.

[6] **COUNCILMEMBER ROCHE:** Well, the point  
[7] is that until we know what our priorities are,  
[8] it's going to be very difficult to set those  
[9] priorities. Until we understand --

[10] See, the nice thing about doing this is  
[11] by using the budget, we can set priorities and  
[12] these things actually happen.

[13] **COUNCILMEMBER BATES:** Well, I beg to  
[14] differ. I heard very clearly that the priority  
[15] was service calls and 911 calls.

[16] I had my radio on on my way over here,  
[17] and there were some subsequent three alarm calls  
[18] on Buford Highway within a matter of four or  
[19] five minutes.

[20] Now, do you want an officer in the  
[21] neighborhoods patrolling or do you want them  
[22] responding to a 911 alarm call including a  
[23] gunshot? To me, the priority -- and I agree  
[24] with you in setting them, but I didn't hear  
[25] anybody say that they weren't going to look for

[1] department. They made a mistake. They put down  
[2] 1.1 million dollars, I believe it was, for the  
[3] police department for the first year. It's 3.3  
[4] is what they come up with, maybe a little bit  
[5] more. But the city of Dunwoody has 40,000  
[6] residents, and I don't know how much more  
[7] businesses they have than we do. Okay?

[8] So all we're asking for is we don't  
[9] want our homes broken into. We don't want the  
[10] other things that have been happening in the  
[11] neighborhoods to continue to happen. You know,  
[12] we want -- we want our neighborhoods looking  
[13] good, you know.

[14] Again, if it's a situation with money  
[15] on a quality control issue, we've got neighbors  
[16] that are more than happy to help out like mow  
[17] somebody's grass or help them do a little  
[18] painting or whatever. We've all showed examples  
[19] of that, a few of us have.

[20] But what we want, we want the crime to  
[21] stop in the neighborhoods. Okay? And I don't  
[22] think it's too much to ask for the neighborhood  
[23] patrols.

[24] **MAYOR JENKINS:** What have you got next,  
[25] Bob?

[1] 18-wheelers driving through the neighborhood.  
[2] The purpose was, we'll be there, but if we've  
[3] got a service call, we're going to the service  
[4] call, so --

[5] **COUNCILMEMBER ROCHE:** If the officers  
[6] are out doing -- running radar or running laser  
[7] out on 285, they're not in the neighborhoods.

[8] **COUNCILMEMBER PITTMAN:** Well, we have  
[9] talked about the priorities before and we talked  
[10] about putting officers in the neighborhood but I  
[11] didn't get a warm and fuzzy feeling on wanting  
[12] to hire more officers to make it solely to do  
[13] that. We wanted to keep the budget as is and  
[14] not increase it any more. And in order to have  
[15] a officer in each neighborhood, you would have  
[16] to hire more officers in order to do that.

[17] And if you do listen to your radio, you  
[18] will hear those calls go out, and there's just  
[19] not enough sometimes to go around is what  
[20] happens.

[21] **COUNCILMEMBER SPANGLER:** Well, the  
[22] times that I've listened to that radio, I've  
[23] never heard that many calls, but I will say  
[24] this: in the paper just recently there was an  
[25] article about Dunwoody and their police

[1] **COUNCILMEMBER ROCHE:** Well, I'm not  
[2] sure if we're done. I think citizens have --

[3] **MS. SHERLOCK:** My name's Cat Sherlock.

[4] And along the theme of recollection and  
[5] accountability, I remember talking about  
[6] increasing enforcement in the neighborhoods.  
[7] That was before somebody ran over my doberman in  
[8] front of my house. And I remember people  
[9] talking about using alternative methods of  
[10] transportation -- that was even before gas was  
[11] \$4.00 a gallon -- like bicycles and like  
[12] motorcycles -- and ways of decreasing existing  
[13] costs so that the personnel could be stretched.  
[14] And I just wonder what happened to those ideas  
[15] that we discussed two years ago -- no, three  
[16] years ago, two years ago and last year -- and  
[17] where's the continuity of that thread.

[18] I don't feel like any of the citizens  
[19] here are saying we want to micromanage the  
[20] Police Department. We're saying we want to  
[21] protect our property, our children and our pets,  
[22] not necessarily in that order, and that it is a  
[23] reasonable expectation of a property owner,  
[24] indeed, a renter, to think that there are  
[25] patrols so that somebody on Addison Drive, which



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[1] is in the distinct middle of the neighborhood in  
[2] Doraville, doesn't have to worry about people  
[3] speeding, killing a cat several years ago and  
[4] now my dog in October.  
[5] This is not about what can't be done.  
[6] It's about what happened to the creative  
[7] thinking that got discussed and blown off.  
[8] **COUNCILMEMBER BATES:** Well, to answer  
[9] your question, we do have --  
[10] **MS. SHERLOCK:** Thank you.  
[11] **COUNCILMEMBER BATES:** We do have  
[12] officers on bicycles --  
[13] **MAYOR JENKINS:** Thank you.  
[14] **COUNCILMEMBER BATES:** -- and we do have  
[15] officers on motorcycles.  
[16] **MS. SHERLOCK:** In Northwoods?  
[17] **COUNCILMEMBER BATES:** Yes, ma'am.  
[18] **MS. SHERLOCK:** When?  
[19] **COUNCILMEMBER BATES:** I saw an officer  
[20] on a bicycle yesterday on Chestnut Avenue.  
[21] **MS. SHERLOCK:** Good. Let us know that.  
[22] Publish it somewhere. We'll shake their hands.  
[23] **COUNCILMEMBER BATES:** They're out  
[24] there.  
[25] **COUNCILMEMBER ROCHE:** And again, as has

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[1] been mentioned, we have limited resources, and  
[2] when you have limited resources you have to set  
[3] priority and you have to say, "This is what has  
[4] to happen," and then as you go down your  
[5] priorities, you know, if there's something at  
[6] the bottom of the list that doesn't happen,  
[7] well, at least, you know, the department heads  
[8] know what -- they know what to do.  
[9] Today, we don't have that priority. We  
[10] don't have that process, as you said, to  
[11] maintain that or that communications, either.  
[12] **MAYOR JENKINS:** Yes, sir.  
[13] **MR. LOTTS:** My name is Chuck Lotts. I  
[14] live on Chestnut Drive.  
[15] Going back to what Bob was trying to do  
[16] is get numbers as to what costs there are in  
[17] this city, where the money's going, what three  
[18] of you apparently don't understand is where the  
[19] money's going now and also apparently you don't  
[20] want anyone else to know where the money's going  
[21] now or in the future.  
[22] I think what Bob is saying is let's get  
[23] your budget or whatever form you use to find out  
[24] where the money's going and get it in a form  
[25] where you can tell where the money's going.

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[1] **MAYOR JENKINS:** Bob?  
[2] **COUNCILMEMBER ROCHE:** Okay. Well,  
[3] we'll just move on as usual.  
[4] Number 23, legal counsel for the Ethics  
[5] Commission. I think -- and maybe Attorney Weed  
[6] can help us out with this a little bit.  
[7] Obviously, you know, we have an Ethics  
[8] Commission here. A lot of the issues that the  
[9] Ethics Commission has to deal with are obviously  
[10] legal -- legal issues. Just like we have a  
[11] Planning Commission that would presumably work  
[12] with the city planner. However, there are times  
[13] when there's going to be conflicts.  
[14] I brought this up at the work session  
[15] and I didn't really get a whole lot of input on  
[16] it, but it seems like we would need to be able  
[17] to provide some sort of occasional counsel for  
[18] the Ethics Commission so that they can deal with  
[19] complaints brought before the Ethics Commission.  
[20] A lot of the ethics complaints -- or at  
[21] least from reading the ordinance, it's about  
[22] someone that's apparently violated a law and  
[23] therefore they've broken the ethics ordinance.  
[24] Well, knowing whether or not a law has been  
[25] violated is certainly a question for an

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[1] attorney. So I was going to -- I made the  
[2] recommendation that we allocate a small amount  
[3] of money and perhaps even bring on maybe one of  
[4] the attorney firms that we interviewed when we  
[5] selected Mr. Weed to just have a number of hours  
[6] allocated for the Ethics Commission.  
[7] **COUNCILMEMBER ALEXANDER:** I believe the  
[8] Mayor had suggested we use the head judge.  
[9] **MAYOR JENKINS:** Scott Carter. I  
[10] suggested that to you at the last meeting.  
[11] **COUNCILMEMBER ROCHE:** Well, that's okay  
[12] if that's what we want to do. Do we want to --  
[13] **MAYOR JENKINS:** Well, I mean --  
[14] **COUNCILMEMBER ROCHE:** -- make a motion  
[15] to do that?  
[16] **MAYOR JENKINS:** -- I don't know that's  
[17] what we want to do.  
[18] **COUNCILMEMBER ROCHE:** Would that be  
[19] appropriate, Mr. Weed?  
[20] **ATTORNEY WEED:** As far as I'm  
[21] concerned, it is.  
[22] **COUNCILMEMBER ROCHE:** Okay.  
[23] **ATTORNEY WEED:** Ordinarily, the city  
[24] attorney in his or her role would serve as  
[25] counsellor to the ethics panel.

[1] Where that becomes problematic of  
[2] course would be if it is a member of Council or  
[3] the Mayor who is the subject of the ethics  
[4] complaint, which the current ethics complaint  
[5] that is before the Ethics panel is just that  
[6] situation. Therefore, obviously it's the best  
[7] thing for the members of Council and Mayor and  
[8] myself, I think, as city attorney, to recommend  
[9] that you get a third-party lawyer in those  
[10] limited circumstances to give counsel to the  
[11] Ethics panel. And I certainly have no objection  
[12] to Judge Carter doing that.

[13] **MAYOR JENKINS:** Like I say, if it's  
[14] possible, yes. Otherwise, we'll find somebody.

[15] **COUNCILMEMBER ROCHE:** So do we need to  
[16] make a motion to make that happen or anything?

[17] **ATTORNEY WEED:** I don't think you need  
[18] a formal motion to do that. I think at the  
[19] appropriate time when the Ethics panel meets,  
[20] they'll let you know if they want or need that  
[21] service and you will have it -- it might be  
[22] appropriate to have the judge on notice that  
[23] you'd like him to do it.

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

[25] **ATTORNEY WEED:** I think that can be a

[1] **MAYOR JENKINS:** There's somebody  
[2] sitting right back there that's an attorney.

[3] **COUNCILMEMBER FLEMING:** And who might  
[4] that be?

[5] **MAYOR JENKINS:** Ms. Pachuta.

[6] **COUNCILMEMBER FLEMING:** I don't believe  
[7] in this particular instance that that would be  
[8] appropriate.

[9] **MAYOR JENKINS:** I didn't say it was  
[10] appropriate.

[11] I'm trying to answer your question.

[12] We're on personnel policies now. How did we get  
[13] back on that?

[14] **COUNCILMEMBER SPANGLER:** I don't think  
[15] Ms. Fleming is finished with her --

[16] **COUNCILMEMBER FLEMING:** I thought we  
[17] were still on legal counsel for the Ethics  
[18] Commission, sir.

[19] **MAYOR JENKINS:** Whatever.

[20] Bob, you said you was finished with it.

[21] **COUNCILMEMBER FLEMING:** Let's move on.  
[22] That's fine.

[23] **COUNCILMEMBER ROCHE:** Okay. We're done  
[24] on that one.

[25] Personnel issue. This has been going

[1] simple courtesy call from the Mayor to the  
[2] judge.

[3] **COUNCILMEMBER ROCHE:** Okay. If we can  
[4] do that, then I'll be happy.

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

[6] **COUNCILMEMBER ROCHE:** Good.  
[7] Personnel issues.

[8] - - -

[9] (Brief discussion between Ms. Fleming and  
[10] Mr. Roche.)

[11] - - -

[12] **COUNCILMEMBER ROCHE:** Well, I was  
[13] thinking I mean we have two or three judges.  
[14] Maybe we'd want a rotating --

[15] That's a very good point. There may be  
[16] a conflict of interest with the judges.

[17] **MAYOR JENKINS:** We may have to use --  
[18] if we have to use a judge, we'll use a judge.

[19] There's plenty of attorneys in the city  
[20] of Doraville if that's -- if you're still on  
[21] that same subject.

[22] **COUNCILMEMBER FLEMING:** Yeah, but we're  
[23] talking about you, though.

[24] That's fine.

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

[1] on for quite some time, and obviously I didn't  
[2] want to bring it up during a work session.

[3] I thought we had come up with a  
[4] potential solution a couple meetings ago and we  
[5] all agreed to basically have a mediated meeting.  
[6] We brought in a mediator from outside of town  
[7] that sat down. All the people that were  
[8] involved sat through the meeting and we all --  
[9] And during the course of the meeting,  
[10] we made a couple of decisions and we made --  
[11] made a couple of agreements. One agreement was  
[12] a document clarifying the role of city employee  
[13] versus the Mayor versus the City Council, and  
[14] the other thing was a performance improvement  
[15] plan for the employee in question.

[16] City Attorney Weed put together the  
[17] first draft of the performance improvement plan.  
[18] There are a couple of things that had to be  
[19] added to it because they were discussed during  
[20] the meeting but were never really added in the  
[21] final document, and we came up with a final  
[22] document. And I think that the other  
[23] Councilperson that was involved was okay with  
[24] the new document. And then nothing happened.  
[25] And we waited for a while, and we

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[1] expected to see it come up on an agenda. We  
[2] expected to hear the performance improvement  
[3] plan was signed and put into force, but nothing  
[4] happened. And we waited I guess three or four  
[5] weeks, I guess. It was quite a while.  
[6] And finally, I asked the Mayor about  
[7] it, and the Mayor basically said, "Oh, I'm not  
[8] signing anything I don't agree with."  
[9] So the money that we spent, the time  
[10] that we spent, all this was for naught.  
[11] **MAYOR JENKINS:** After the mediation was  
[12] over, you and Ms. Fleming added. I came back  
[13] and I gave you my version, and you said no.  
[14] I had as much right to give my version  
[15] as you and Ms. Fleming.  
[16] **COUNCILMEMBER ROCHE:** Well, the version  
[17] that we had I think matched a lot closer to what  
[18] was happening and what we agreed on in the  
[19] mediated meeting.  
[20] The version that you gave me looked  
[21] more like a letter of recommendation, frankly,  
[22] than a performance improvement plan, and --  
[23] **COUNCILMEMBER ALEXANDER:** I guess I  
[24] have a question as a taxpayer. Why did we not  
[25] receive an unbiased report from the mediator --

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[1] **MAYOR JENKINS:** That's my point.  
[2] **COUNCILMEMBER ALEXANDER:** -- that we  
[3] paid for?  
[4] **COUNCILMEMBER SPANGLER:** I think we  
[5] were supposed to have.  
[6] **MAYOR JENKINS:** We did not get that,  
[7] and I didn't get the letter --  
[8] **COUNCILMEMBER FLEMING:** As a matter of  
[9] fact --  
[10] **MAYOR JENKINS:** -- that Ms. Fleming had  
[11] sent to the mediator.  
[12] **COUNCILMEMBER FLEMING:** Pardon me?  
[13] **MAYOR JENKINS:** Ms. Fleming sent a  
[14] letter to the mediator, and I didn't know about  
[15] the letter until the mediator sent it to me.  
[16] When it first came out, there was three  
[17] items.  
[18] **COUNCILMEMBER FLEMING:** To answer your  
[19] question, Ms. Alexander, there was an  
[20] understanding of -- for the Council to adopt.  
[21] And no, you have not seen that yet because the  
[22] Mayor hasn't given it to us.  
[23] **COUNCILMEMBER ALEXANDER:** Is the letter  
[24] from the mediator --  
[25] **MAYOR JENKINS:** They all got it.

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[1] **COUNCILMEMBER ALEXANDER:** -- or is it  
[2] from the City Attorney?  
[3] **MAYOR JENKINS:** They got it the same as  
[4] anybody did.  
[5] **ATTORNEY WEED:** Maybe this is going to  
[6] help.  
[7] Let me preface my next comment by  
[8] saying that I am a child of a divorced home.  
[9] One thing I have learned is that when Mom and  
[10] Dad are fighting, to just stay out of it.  
[11] Prefacing, what I'm about to say is  
[12] let's -- I'm going to give you just the facts.  
[13] At no point did the mediator agree to  
[14] independently provide a document to the Mayor  
[15] and Council. That was never discussed; that was  
[16] not his intention; that was never on the table.  
[17] What he recommended was that two  
[18] documents be drafted. One document would be a  
[19] performance plan for a particular employee. The  
[20] other document would be a memorandum of  
[21] understanding that would deal with the structure  
[22] of what employees the Mayor would have direct  
[23] control over, how the Mayor would handle those  
[24] employees in the future, and whether or not the  
[25] Council would allow him that liberty and

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[1] authority and authorize him to do that.  
[2] I was asked by the mediator  
[3] specifically to draft those documents, send them  
[4] to him, send them to members of the mediation  
[5] panel. I did those things.  
[6] I inquired about any changes that any  
[7] member of the mediation panel wished to make.  
[8] Those inquiries were answered, and, as they came  
[9] in, I made adjustments to the document, sent  
[10] them out once again to all the members of the  
[11] mediation panel.  
[12] At this point, there was still nothing  
[13] that should actually come become before the  
[14] whole Mayor and Council because it simply never  
[15] got that far.  
[16] So that's the basic fact pattern and  
[17] that's all I have to say.  
[18] **COUNCILMEMBER ROCHE:** So basically  
[19] where we started -- I mean do we need to  
[20] schedule another mediation and only this time  
[21] have the mediator put together some sort of --  
[22] **UNIDENTIFIED SPEAKER:** Oh, for Pete's  
[23] sake.  
[24] **COUNCILMEMBER ROCHE:** I mean we have an  
[25] ongoing issue here that --

[1] **MAYOR JENKINS:** I would not be --

[2] **COUNCILMEMBER ROCHE:** -- apparently no

[3] one wants to solve.

[4] **MAYOR JENKINS:** -- in agreement with

[5] that. We got nothing out of this and it cost us

[6] about 1200 bucks.

[7] **COUNCILMEMBER ROCHE:** And we also don't

[8] have a solution.

[9] **MAYOR JENKINS:** We got nothing out of

[10] it. And you do a mediation like that, you ought

[11] to do it for all employees. Why you do it for

[12] one employee?

[13] **COUNCILMEMBER ROCHE:** Because that's

[14] what you wanted me to do, Mayor --

[15] **MAYOR JENKINS:** No.

[16] **COUNCILMEMBER ROCHE:** -- because I was

[17] going to bring this up --

[18] **MAYOR JENKINS:** No.

[19] **COUNCILMEMBER ROCHE:** -- in an open

[20] Council meeting, which was the last thing I

[21] wanted to do, which was a last resort.

[22] And three or four days before that

[23] Monday night Council meeting when I was going to

[24] bring all this stuff out, that's when I got the

[25] call that you had agreed to do a mediated

[1] went by the -- I went exclusively by what the

[2] mediator said, you said and Ms. Fleming said,

[3] and I put out mine.

[4] As far as I'm concerned, this is over.

[5] Now do what you want to do.

[6] **COUNCILMEMBER ROCHE:** Okay. Well, I

[7] guess that at least I can say at least three

[8] Councilpeople were negotiating in good faith. I

[9] wish I could say that for everyone.

[10] And that looks like -- well, I got M-1

[11] and M-2 ordinance.

[12] **COUNCILMEMBER BATES:** Who --

[13] **COUNCILMEMBER ROCHE:** What is the

[14] status of the M-1 and -2 --

[15] **COUNCILMEMBER BATES:** Who are the three

[16] that were negotiating in good faith?

[17] **COUNCILMEMBER ROCHE:** Well, myself,

[18] Councilwoman Fleming and Councilman Ba- -- Bates

[19] -- Councilman Spangler.

[20] **MAYOR JENKINS:** He wasn't there.

[21] **COUNCILMEMBER ROCHE:** We've had these

[22] issues for quite some time.

[23] **COUNCILMEMBER BATES:** As far as --

[24] **COUNCILMEMBER ROCHE:** There were two of

[25] us that basically agreed to do the mediated

[1] meeting.

[2] And that was fine with me because,

[3] again, we were down to the last resort. We had

[4] an issue that was continuing that was not going

[5] to be resolved no matter what we did, and, you

[6] know, ran out of options. And when you

[7] suggested -- when it was suggested that it be a

[8] mediated meeting, I thought, "Great. Wonderful.

[9] That's what we'll do." So we agreed to do that,

[10] but --

[11] **MAYOR JENKINS:** What came out --

[12] **COUNCILMEMBER ROCHE:** And we were

[13] negotiating in good faith when we de- -- when we

[14] agreed to have that mediated meeting. And we --

[15] **MAYOR JENKINS:** What came out of it?

[16] **COUNCILMEMBER ROCHE:** -- were willing to

[17] live with what came out of it.

[18] Two documents came out of it, Mayor.

[19] **MAYOR JENKINS:** My document came out of

[20] it, too, but it wasn't -- that wasn't

[21] acceptable.

[22] **COUNCILMEMBER ROCHE:** Mayor, your

[23] document didn't apply to what we discussed in

[24] the mediated meeting.

[25] **MAYOR JENKINS:** Oh, yes; exactly. I

[1] meeting --

[2] **COUNCILMEMBER BATES:** Well --

[3] **COUNCILMEMBER ROCHE:** -- and we agreed

[4] to abide by the outcome of that mediated

[5] meeting.

[6] **COUNCILMEMBER BATES:** You made a

[7] statement that you wished the rest of us would

[8] do it in good faith.

[9] I can't speak for Ms. Pittman and

[10] Ms. Alexander, but I --

[11] **COUNCILMEMBER ROCHE:** You're absolutely

[12] right. You were not involved. And I do

[13] apologize. I misspoke.

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

[15] **COUNCILMEMBER ROCHE:** It was not about

[16] the other members of the Council. It was about

[17] three members of the Council that have had

[18] ongoing issues of this personnel issue for quite

[19] some time, and we did everything we could until

[20] we finally came down and we agreed to a mediated

[21] meeting and we agreed to abide by the outcome of

[22] the mediated meeting, and three of the

[23] Councilpeople negotiated in good faith, and I'll

[24] leave the rest to your -- whatever.

[25] Anybody got anything else on that or I

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[1] move on?

[2] **COUNCILMEMBER ALEXANDER:** Agenda item

[3] 21, are we just going to skip over that?

[4] **COUNCILMEMBER ROCHE:** City Attorney

[5] access policy for Councilmembers.

[6] As of right now, I'm not allowed to

[7] speak to the City Attorney unless I go through

[8] the Mayor first. I'm very interested in finding

[9] out what the -- how that's going to balance out.

[10] Having access to the City Attorney for

[11] the first several months of my term, at least --

[12] and I can say the same for -- I won't speak for

[13] other Councilpeople. There's a lot to learn.

[14] There's a lot to learn about the law. There's

[15] advice, et cetera, et cetera.

[16] I've been shut out of that and I

[17] believe other Councilpeople have also.

[18] **MAYOR JENKINS:** That was your opinion.

[19] You were not shut out. All you had to

[20] do was -- I wouldn't care if you called the City

[21] Attorney for City business, not personal

[22] business.

[23] **COUNCILMEMBER ROCHE:** Well, no one ever

[24] used --

[25] **MAYOR JENKINS:** You know -- you know

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[1] that I had to cut down on this. You know that.

[2] You're just trying to get around something.

[3] If you call me and say, "I need to talk

[4] to Mr. Weed," fine.

[5] Everybody does. Mr. Weed does the same

[6] thing. Why should you be called out from it?

[7] **COUNCILMEMBER ROCHE:** Well, I had

[8] proposed a --

[9] **MAYOR JENKINS:** You know what we got

[10] into. You know how much the bill was, and it

[11] was completely unnecessary.

[12] And if the Mayor can't make any

[13] decision, there's something wrong somewhere.

[14] **COUNCILMEMBER ROCHE:** Well, all I'm

[15] asking for is --

[16] **MAYOR JENKINS:** You better check some

[17] of the other cities and see how they do the same

[18] thing that I just did. Been doing it for years.

[19] **COUNCILMEMBER ROCHE:** A lot of the

[20] other cities spend a lot less money than we do,

[21] too.

[22] **MAYOR JENKINS:** That's exactly right.

[23] And we were spending a lot more until I did what

[24] I did. You have access with the Mayor.

[25] **COUNCILMEMBER SPANGLER:** What did you

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[1] do, Mayor?

[2] **MAYOR JENKINS:** And if it is --

[3] **COUNCILMEMBER ROCHE:** Yeah. What did

[4] you do, Mayor?

[5] **MAYOR JENKINS:** I sent out a notice

[6] telling you to check with me before you called

[7] the City Attorney.

[8] **COUNCILMEMBER ROCHE:** Uh-huh. Or even

[9] copied the City Attorney or --

[10] **MAYOR JENKINS:** And you kept on, and I

[11] had to send it the second time.

[12] **COUNCILMEMBER FLEMING:** But Mayor,

[13] excuse me. In the work session, I made a

[14] comment to Mr. Weed and to you and to the rest

[15] of this Council that just that day I received a

[16] reply from Mr. Weed to a request from a

[17] Councilperson and I had no earthly idea what his

[18] response was because I didn't even know what the

[19] question was.

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

[21] **MAYOR JENKINS:** That's right. That's

[22] the reason I told Mr. Weed not to refer back to

[23] anybody except the people that asked him that.

[24] Then if I needed to give it to you, it would be

[25] a -- that was when you'd get it.

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[1] **COUNCILMEMBER ROCHE:** Well, that's --

[2] **COUNCILMEMBER FLEMING:** I think that

[3] the City Council is -- the Mayor and City

[4] Council is the client of -- for Mr. Weed.

[5] **MAYOR JENKINS:** In other words, you say

[6] just open it up and you call him any time you

[7] want to?

[8] **COUNCILMEMBER FLEMING:** No. I'm saying

[9] --

[10] **MAYOR JENKINS:** Yes. That's what you

[11] said.

[12] **COUNCILMEMBER FLEMING:** No, sir.

[13] His response is to the City of

[14] Doraville and I represent the City of Doraville

[15] as well as you do. But I also need to know the

[16] question that's being asked of what -- whomever

[17] the Councilperson was that asked it.

[18] **MAYOR JENKINS:** Well, that was

[19] Mr. Weed's problem if he didn't tell you what

[20] the reason for an e-mail was.

[21] **COUNCILMEMBER ROCHE:** Well, when I got

[22] the second copy of the notice from you, I went

[23] back to try to figure out what it was that I had

[24] done wrong, and apparently I had done a "reply

[25] all."

[1] **COUNCILMEMBER SPANGLER:** So are we not  
 [2] supposed to reply back to Mr. Weed when he asks  
 [3] for information?  
 [4] **MAYOR JENKINS:** That's up to Mr. Weed.  
 [5] **COUNCILMEMBER ROCHE:** No, it's not,  
 [6] Mayor.  
 [7] **COUNCILMEMBER FLEMING:** No, because you  
 [8] told us --  
 [9] **MAYOR JENKINS:** That's what I just told  
 [10] you.  
 [11] **COUNCILMEMBER SPANGLER:** When Mr. Weed  
 [12] calls us or e-mails us and asks us for  
 [13] information regarding a particular subject or  
 [14] incident, then we have to call you before we can  
 [15] reply back to him.  
 [16] **MAYOR JENKINS:** No. Mr. Weed does  
 [17] that.  
 [18] **COUNCILMEMBER PITTMAN:** I think the  
 [19] Mayor was trying to prevent -- by us calling him  
 [20] and asking permission, there are some questions  
 [21] that can be answered without going through  
 [22] Mr. Weed. And there's also a time that maybe  
 [23] there's a couple of us that are calling and  
 [24] asking the same thing, and we can coordinate our  
 [25] efforts together to try to get the same

[1] So going back and redoing some of the  
 [2] ordinances that we'd already had done is what's  
 [3] costing the money, I think, right now. It's not  
 [4] some facts or knowledge that we need to get from  
 [5] the City Attorney, I think, that's running up  
 [6] the bills.  
 [7] **MAYOR JENKINS:** It has been cut down  
 [8] quite a bit, and I appreciate it. That's the  
 [9] only reason I put out the notice: to stop some  
 [10] of the excess calling. And Donna explained part  
 [11] of it, and I think this'll work.  
 [12] **COUNCILMEMBER ROCHE:** But that would  
 [13] mean the --  
 [14] **MAYOR JENKINS:** We had to do something.  
 [15] **COUNCILMEMBER ROCHE:** But if someone  
 [16] then asks the -- asks the Mayor for permission,  
 [17] asks a question of Attorney Weed, then Attorney  
 [18] Weed would then reply to all of the  
 [19] Councilpeople with the original question so we  
 [20] know what they were talking about.  
 [21] **MAYOR JENKINS:** Okay. Do you  
 [22] understand that, Mr. Weed?  
 [23] **ATTORNEY WEED:** Yes, Mr. Mayor. I'm  
 [24] glad to do whatever you tell me to do.  
 [25] **COUNCILMEMBER ROCHE:** And we're not

[1] information through one person. I mean I know  
 [2] Ms. Alexander and I had some questions and we  
 [3] were able to coordinate our efforts and called  
 [4] the Mayor and relayed it back, which saved maybe  
 [5] two or three phone calls.  
 [6] I don't think it has anything to do  
 [7] with replies or anything like that. I just  
 [8] think it's checking.  
 [9] There are cities that council is not  
 [10] even allowed to talk to the city attorney at  
 [11] all. And I think that I, you know, have not  
 [12] experienced a problem calling and saying,  
 [13] "Mayor, I need to ask this, this and this." And  
 [14] there's been times he's said, "Well, I've got  
 [15] the answer to that," and that's wonderful  
 [16] because that's one less time that we have to pay  
 [17] Mr. Weed for his advice. So I personally don't  
 [18] have a problem with going through him, but --  
 [19] **COUNCILMEMBER SPANGLER:** I don't think  
 [20] Mr. Weed's bill was so high because of calls  
 [21] from Councilpeople as far as maybe questions.  
 [22] I think, you know, what I see is like  
 [23] this tattoo parlor ordinance, 37 pages. And I  
 [24] believe the flood plain management ordinance,  
 [25] you said what? five, six hours?

[1] beating up on the City Attorney.  
 [2] **COUNCILMEMBER SPANGLER:** No. Have you  
 [3] been doing that, Mr. Weed? When somebody calls  
 [4] and asks you something, do you share that with  
 [5] all the Council?  
 [6] **ATTORNEY WEED:** I always reply back to  
 [7] everybody.  
 [8] Now, maybe on the one occasion with  
 [9] Ms. Fleming, she certainly got my reply.  
 [10] Whether she knew what the first question that  
 [11] came in was, I have not been --  
 [12] I haven't been in the habit of  
 [13] restating the question for my reply, which I'll  
 [14] be glad to do that.  
 [15] Frankly, I had assume that whoever's  
 [16] asking the question would inform the other  
 [17] members of Council what their question was  
 [18] originally. That was an assumption --  
 [19] **COUNCILMEMBER FLEMING:** And that's not  
 [20] what's happening.  
 [21] **COUNCILMEMBER ROCHE:** Exactly.  
 [22] **ATTORNEY WEED:** That was an assumption  
 [23] on my part.  
 [24] **COUNCILMEMBER FLEMING:** That's --  
 [25] **ATTORNEY WEED:** Apparently that is not

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[1] happening.

[2] I am very happy to restate the question

[3] as I understand it in my reply, or I can forward

[4] the original question out to everybody too in

[5] advance of my answer. Either way, that's fine

[6] with me.

[7] **COUNCILMEMBER ROCHE:** Well, last

[8] meeting, I had presented an across-the-board way

[9] of saving money, and one part of it was the way

[10] we'd use the City Attorney, and that would be to

[11] allocate something like -- and we'd have to

[12] adjust the number -- maybe two hours per month

[13] for each City Councilperson to contact the City

[14] Attorney directly. And if you go and use three

[15] hours one month, then you can only get one hour

[16] the next month.

[17] That way, everyone does have some

[18] access to the City Attorney but it's not

[19] excessive.

[20] **MAYOR JENKINS:** You have access.

[21] **COUNCILMEMBER ROCHE:** It seems

[22] perfectly reasonable to me, so --

[23] **MAYOR JENKINS:** You haven't been cut

[24] out of access.

[25] **COUNCILMEMBER ROCHE:** Well, I've been

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[1] cut out of access from the Chief of Police and

[2] other people too, Mayor. So you know --

[3] **MAYOR JENKINS:** Are you finished with

[4] that?

[5] **COUNCILMEMBER ROCHE:** Well, obviously

[6] you're not going to do anything about it, so I

[7] guess -- as usual.

[8] **MAYOR JENKINS:** We're going to take a

[9] ten-minute break.

[10] **COUNCILMEMBER ROCHE:** Thank you.

[11] - - -

[12] (Recess)

[13] - - -

[14] **MAYOR JENKINS:** Okay. Meeting come

[15] back to order.

[16] Murray?

[17] **ATTORNEY WEED:** Mr. Mayor, I believe

[18] that we're on item 25 --

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

[20] **ATTORNEY WEED:** -- which is the

[21] revision of the M-1 and M-2 ordinance.

[22] The ordinance went out to Council and

[23] Scott on October the 3rd at 4:43. Scott and I

[24] have been working very diligently on this. He

[25] had sent me a version and I sent him a version

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[1] back, and we have continued to communicate about

[2] it.

[3] Neither one of us, I believe, would

[4] recommend passage or adoption of the ordinance

[5] yet, obviously, because the Council hasn't had

[6] any opportunity realistically to input into it,

[7] though we wanted you to -- we are making good

[8] progress on it.

[9] **COUNCILMEMBER ALEXANDER:** Is this one

[10] of the ones that's advertised for a public

[11] hearing?

[12] **ATTORNEY WEED:** No, ma'am.

[13] **COUNCILMEMBER ROCHE:** Hm?

[14] **ATTORNEY WEED:** Strike that, actually.

[15] Let's check.

[16] **COUNCILMEMBER ROCHE:** This is the

[17] one --

[18] **ATTORNEY WEED:** The original

[19] advertisement did go out. However, there was a

[20] typographical error. When the Clerk published

[21] it, it was listed as MS. So the original

[22] advertisement that went out that was published

[23] on September the 11th would not be relevant to

[24] this particular ordinance.

[25] Now, I know that she corrected the

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[1] advertisement, but whether a secondary

[2] advertisement and a date for a hearing was set

[3] on the secondary advertisement, I don't know.

[4] **COUNCILMEMBER BATES:** I believe it's

[5] been set for 6 o'clock on the 27th --

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

[7] **COUNCILMEMBER BATES:** -- at the work

[8] session.

[9] **ATTORNEY WEED:** And I have no reason to

[10] dispute that. I just haven't gotten a copy of

[11] the advertisement.

[12] **COUNCILMEMBER BATES:** Yeah. I believe

[13] that that's --

[14] **COUNCILMEMBER ROCHE:** That's what it

[15] was.

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

[17] **MAYOR JENKINS:** In other words --

[18] **ATTORNEY WEED:** It's not ready for

[19] tonight.

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

[21] **COUNCILMEMBER FLEMING:** Is this the one

[22] that includes the definitions?

[23] **ATTORNEY WEED:** Yes, ma'am. And in

[24] fact it does include -- Scott and I went back to

[25] look at, based upon one of the citizen's

[1] recommendations, the definitions from the flood  
[2] plain ordinance and were able to incorporate  
[3] about 28 of those definitions that were  
[4] appropriate to both. So those have been added.

[5] **COUNCILMEMBER FLEMING:** And you sent it  
[6] on October the 3rd?

[7] **ATTORNEY WEED:** Yes, ma'am --

[8] **COUNCILMEMBER BATES:** With those  
[9] corrections?

[10] **ATTORNEY WEED:** -- at 4:43.

[11] **COUNCILMEMBER SPANGLER:** With those  
[12] corrections and the added definitions?

[13] **ATTORNEY WEED:** The draft, yes, sir,  
[14] with the added definitions; correct. That's the  
[15] version you got.

[16] **COUNCILMEMBER ROCHE:** Yeah. The  
[17] original idea here was that we wanted to make  
[18] sure we didn't end up with any more recycling or  
[19] trash, you know, whatever, in our M-1/M-2.

[20] **ATTORNEY WEED:** That is very clearly  
[21] covered.

[22] **COUNCILMEMBER ROCHE:** Good.

[23] **ATTORNEY WEED:** It's covered ad  
[24] nauseam.

[25] **COUNCILMEMBER ROCHE:** That's what the

[1] M-2P addresses that the new M1-M2 rewrite does  
[2] not. As I've said, the newly-defined M-2 zoning  
[3] should be part of the zoning rewrite and, by all  
[4] means, continue to spruce it up. Still, it has  
[5] nothing to do with M-2P.

[6] The new M-1/M-2 zoning definitions are  
[7] good ones; however, M-2P in the tank farm area  
[8] will immediately limit industry to petroleum  
[9] services -- thus the "P" -- and stop trash and  
[10] garbage processing establishments such as Apex  
[11] from coming in.

[12] By the way, there is Just Trash. I  
[13] discovered a few days ago, a company called Just  
[14] Trash is at 2862 Woodwin.

[15] In the area surrounding the tank farms  
[16] -- if the area surrounding the tank farms is not  
[17] rezoned M-2P, we are condemning that area of the  
[18] city to be M-2. In this case, that means the  
[19] entire of the city will be waste collection,  
[20] processing and other M-2 permitted uses thereby  
[21] giving the 2008 Doraville City Council a legacy  
[22] of planning to put the worst possible materials  
[23] that humans can devise in the future right there  
[24] on the highest property in the city.

[25] Future generations will have to live

[1] -- that's the whole point of the moratorium, and  
[2] as soon as we can vote on this --

[3] **ATTORNEY WEED:** Yes. It's there.

[4] **COUNCILMEMBER ROCHE:** Good.

[5] And that was mine, so I guess I'm done  
[6] for the night.

[7] **MAYOR JENKINS:** Stuart?

[8] **MR. ANDERSON:** I don't know if you-all  
[9] have copies of this. I sent them to you e-mail-  
[10] wise, but I made a few copies (presenting).

[11] **MAYOR JENKINS:** All right. Go ahead  
[12] with your presentation.

[13] **MR. ANDERSON:** I'm not feeling  
[14] particularly good, so I'm going to sit down if  
[15] you don't mind.

[16] First off, I want to say that what this  
[17] is all about is not trash, not garbage, not  
[18] processing so much. It's about planning. Okay?  
[19] That's what this is all about is about planning.  
[20] There's a bunch of issues involved, but the  
[21] primary issue here is planning. And I don't  
[22] seem to be a very good communicator, so people  
[23] keep asking. I send out things, and somehow it  
[24] gets changed around.

[25] On 9/16, Bob Roche asked me what the

[1] with the consequences of this plan. For the  
[2] next hundred years, residents will be dealing  
[3] with your decision.

[4] Another impact in particular on the  
[5] Oakcliff Estates area is that M-2 zoning -- that  
[6] is, the M-2 zoning if that's all you do --  
[7] encourages trucks coming down Oakcliff Road.  
[8] M-2P will eventually result in car traffic  
[9] rather than industrial trucks on Oakcliff Road  
[10] as well as Winters Chapel Road and passing  
[11] Hightower Elementary on Tilly Mill Road.

[12] Now, at a time when the GM property is  
[13] going from M-2 to PUD -- that is, it's going  
[14] from M-2 to Planned Unit Development -- we have  
[15] the opportunity to plan for the future. If we  
[16] neglect to implement M-2P zoning in the tank  
[17] farm area, we will severely limit ourselves.

[18] With the GM zoning change occurring and  
[19] the necessity of the shrinking oil industry in  
[20] the future, we now have the opportunity to be  
[21] responsible and plan for a correct future for  
[22] that area. By adopting M-2P, we will give  
[23] future city planners the tools to transition  
[24] Doraville from an industrial crossroads with  
[25] struggling residential sections to a high-end



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[1] residential area with proper support businesses  
 [2] much like the cities of Sandy Springs, Norcross  
 [3] and Dunwoody. We have a prime location,  
 [4] connecting as we do to any spot in the entire  
 [5] Southeast. We have our own jet port, and we must  
 [6] keep a check on it.  
 [7] In the future, depending on whether we  
 [8] zone carefully or carelessly, Doraville will be  
 [9] a beautiful, sought-after area or we will have  
 [10] left a cancerous sore in the middle of it.  
 [11] Many residents have collaborated to  
 [12] write the M-2P ordinance that you have received.  
 [13] I ask for your discussion and movement toward  
 [14] public hearings and adoption.  
 [15] But once again, in a nutshell, M-2P in  
 [16] the tank farm will immediately limit industry to  
 [17] petroleum services and, over time, stop garbage  
 [18] processing and other M2 traffic from Oak Cliff,  
 [19] Winters Chapel and Tilly Mill roads.  
 [20] It's a simple choice. We have shown  
 [21] you our confidence by electing you to watch out  
 [22] for our city and our properties. Please step up  
 [23] to the plate.  
 [24] Questions?  
 [25] **COUNCILMEMBER SPANGLER:** Stuart, did

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[1] you ever come up with a map?  
 [2] **MR. ANDERSON:** Yes. Thank you. I did.  
 [3] Of course the bulk of them are sitting at home  
 [4] on my desk, but I do have one with me to show  
 [5] you. I apologize. I was helping my neighbor  
 [6] with a problem with his starter, apparently, and  
 [7] forgot to bring the maps.  
 [8] This map here is the basis for it, and  
 [9] I'll pass it around. But it's one from Roberts  
 [10] Company, and what they've showed as the gray  
 [11] area is the suggested area that I'm proposing.  
 [12] **COUNCILMEMBER SPANGLER:** And that  
 [13] covers all the tank farm and --  
 [14] **MR. ANDERSON:** That covers the tank  
 [15] farm. It covers the M-1 area down on McCalla  
 [16] (ph) as well. But this is an absolutely  
 [17] accurate description of what I feel should be  
 [18] the M-2P district.  
 [19] **MAYOR JENKINS:** You can leave that one  
 [20] and make copies?  
 [21] **MR. ANDERSON:** Absolutely. Or I can  
 [22] give it to Sandra, or pass it down and give it  
 [23] to Sandra.  
 [24] **COUNCILMEMBER ROCHE:** I don't know if  
 [25] it's appropriate. I had asked our city planner

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[1] to today about this. Did you want him to  
 [2] comment also on this, Mayor?  
 [3] **MAYOR JENKINS:** (Inaudible), yes.  
 [4] **MR. HAEBERLIN:** I've looked at the  
 [5] proposal. I see it both ways. I can see merits  
 [6] of both items.  
 [7] It doesn't seem that the consensus is  
 [8] for M-2P from the Council. Perhaps I'm  
 [9] misinterpreting that. Of course you do have the  
 [10] opportunity to rezone any property in the city  
 [11] as well as the M-2 properties. It's city-  
 [12] initiated.  
 [13] So there are ways to look at it from  
 [14] both options, and, quite frankly, you know,  
 [15] we'll follow the direction that the Council has  
 [16] provided us unless there's otherwise.  
 [17] **COUNCILMEMBER SPANGLER:** Well, from the  
 [18] standpoint of homeland security, okay -- and  
 [19] that's what I'm looking at, and I'm sure the  
 [20] Chief has thought about that, too -- you know,  
 [21] right now, anybody can drive in to any one of  
 [22] these tank farms with a loaded vehicle with  
 [23] explosives and -- you know, there's --  
 [24] I think we need to do something, and  
 [25] with this M-2P, it looks like it might put a

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[1] little more restrictions on the area to keep  
 [2] anything like that from happening.  
 [3] I've driven down that stretch of road  
 [4] and seen cars broke down. I've seen one on fire  
 [5] one day right there close to the tanks.  
 [6] So you know, M-2P sounds like a pretty  
 [7] good deal to me. It may need some tweaking,  
 [8] but, you know, we need -- we really need to look  
 [9] at something to make that area a little more off  
 [10] limits, a little more not so easily accessible  
 [11] to terrorists or whatever.  
 [12] I didn't really think I'd live here  
 [13] when the tanks caught on fire before, and I  
 [14] certainly don't think I would want to see it  
 [15] again.  
 [16] **COUNCILMEMBER BATES:** This question is  
 [17] going to be for Mr. Weed and Mr. Haerberlin.  
 [18] Based upon your writes, rewrites of the  
 [19] M-1/M-2 zoning including the exclusive  
 [20] definitions, based upon Mr. Stuart's comments,  
 [21] if we adopt the M-1 and M-2, will we prohibit  
 [22] waste collection, processing in the M-2 zoning?  
 [23] **ATTORNEY WEED:** In the current version  
 [24] of the M-1/M-2 zoning, those uses are prohibited  
 [25] already, okay, in that version of it without the

[1] benefit of the M-2P.  
 [2] And my understanding of the purpose of  
 [3] the M-2P is not really to combat those  
 [4] particular uses, but I think -- and please  
 [5] correct me if I'm wrong, Mr. Anderson -- but I  
 [6] think the idea is to ultimately sunset the  
 [7] petroleum uses at some time in the future also,  
 [8] to eventually put a cap on that and not  
 [9] encourage any further uses in the area, with the  
 [10] idea that someday those petroleum tank farms  
 [11] would no longer be there.

[12] I think that is the ultimate goal, I  
 [13] believe -- and you can speak to it yourself --  
 [14] and that is not accomplished by M-1 and M-2, our  
 [15] revision.

[16] But in answer to your question, would  
 [17] those pernicious uses that you mentioned not be  
 [18] included? Absolutely.

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

[20] **ATTORNEY WEED:** They are not allowed.

[21] **COUNCILMEMBER ROCHE:** So couldn't we  
 [22] then remove petroleum tanks from the allowed  
 [23] uses for M-1 and M-2 going forward --

[24] **ATTORNEY WEED:** Yes.

[25] **COUNCILMEMBER ROCHE:** -- and accomplish

[1] M-2 and we've not -- and we commit ourselves  
 [2] into making it into low-rise/low-traffic-impact  
 [3] live, work and play, we connect those two  
 [4] neighborhoods. We don't leave M-2 traffic  
 [5] coming through Oakcliff and all these things.  
 [6] If we leave it M-2, you're going to have trucks  
 [7] regardless of trash or who they are. You're  
 [8] going to have permitted M-2 uses. So you've  
 [9] created M-2 there in the middle of those two  
 [10] neighborhoods.

[11] We have a time now when GM is rezoning  
 [12] themselves whether we like it or not. They're  
 [13] not going to be M-2 anymore. That was a big  
 [14] deal. We were a commercial -- we are a  
 [15] commercial intersection with some neighborhoods.  
 [16] We have the GM plant -- M-2, big money, fine.  
 [17] It's not going to be M-2 any more.

[18] So right now, with the petroleum base  
 [19] -- petroleum thing reducing itself, we have a  
 [20] chance to change this thing, go to M-2P, do  
 [21] overlap -- overlap -- overlay zoning for the  
 [22] future, and as those industries dissipate and  
 [23] lose their leases, et cetera, et cetera, then we  
 [24] have the opportunity to say, "Yes. You want to  
 [25] sell your land? You need to sell it to somebody

[1] the same thing?

[2] **ATTORNEY WEED:** It would make them  
 [3] legal nonconforming uses, and eventually, if  
 [4] there is a six-month-period break in that use,  
 [5] that use would terminate.

[6] **MR. ANDERSON:** The point is, Bob, that  
 [7] when you take in M-1 and the new M-2, which is  
 [8] fine, all those -- I sat in on meetings and  
 [9] stuff doing the definitions -- what you're doing  
 [10] is regardless of whether the trash industry  
 [11] holds sway there or whether the petroleum  
 [12] industry holds sway there, what you're doing is  
 [13] absolutely condemning that area -- and I  
 [14] shouldn't use the word "condemn," but you're  
 [15] committing that area to be M-2.

[16] The idea -- the things that got me into  
 [17] this was the trucks crashing into each other and  
 [18] the fire and all the immediate worries. But the  
 [19] more I studied it and the more I looked at all  
 [20] the various considerations, the main thing  
 [21] that's occurred to me -- I mean I consider  
 [22] myself a planner -- what we're doing a hundred  
 [23] years from now is not a long time.

[24] And what we're doing there right now,  
 [25] if we change from -- if we don't make that area

[1] that's going to do this that agrees with our  
 [2] zoning."

[3] That's how overlays are done. That's  
 [4] how the Comp Plan is done. If you've got a  
 [5] situation and you want to change it, you plan on  
 [6] it. You can't just walk in and say, "You're out  
 [7] of here." You have to say, "After a certain  
 [8] amount of years," or after you lose your lease  
 [9] or you quit or whatever, put all those covenants  
 [10] on it. At that point, you have planned into the  
 [11] future.

[12] Those two neighborhoods are going to  
 [13] deal with what you're doing here tonight and on  
 [14] the 27th and what-not for the next two hundred  
 [15] to several hundred years, regardless of us.

[16] If you put M-2 in there, you're going  
 [17] to have M-2 trucks on Tilly Mill by the school,  
 [18] on Winters Chapel and on -- across Oakcliff. If  
 [19] you do the M-2P and restrict that to a one-use  
 [20] deal, as these things dissipate over time, you  
 [21] will get planning. You will get what you want  
 [22] for the city.

[23] That's my main thing. Like I said, I  
 [24] was worried about the fires and the trucks. I  
 [25] started studying this thing over six years ago.

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[1] I saw all these trucks going in and out of here,  
 [2] and I'm thinking, "Boy, if we double the traffic  
 [3] on this road, we're going to have a fire in  
 [4] here." And so I got all amped up about that,  
 [5] and I started studying it and looking at it, and  
 [6] I've gone to ACR schools and stuff.  
 [7] We need to plan. You people need to  
 [8] plan for the future.  
 [9] M-2 will be fine on its own. A good  
 [10] definition will be down by the McConnell (ph)  
 [11] drums. We've got an M-2 area there. That's  
 [12] fine. But don't have it between those two  
 [13] neighborhoods. Don't have it ongoing for the  
 [14] future. Have a plan for the future is what I'm  
 [15] asking you to do.  
 [16] **MAYOR JENKINS:** Thank you, Stuart.  
 [17] **MR. ANDERSON:** Thank you.  
 [18] **MAYOR JENKINS:** I appreciate it.  
 [19] **COUNCILMEMBER FLEMING:** Mayor?  
 [20] **MAYOR JENKINS:** Yes, ma'am. Come up to  
 [21] the microphone, ma'am.  
 [22] **MS. CRAWFORD:** Susan Crawford.  
 [23] I was listening to everything tonight,  
 [24] and it seems to me that in the short term -- and  
 [25] I guess Stuart's certainly worried about the

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[1] long term -- but in the short term, wouldn't  
 [2] this alleviate to some extent the traffic or the  
 [3] trucks if we --  
 [4] If it is M-2P, which is the petroleum,  
 [5] we'd still have the tankers and all of that  
 [6] there. But if it's M-2, then we're going to  
 [7] also have, whether we limit the garbage and the  
 [8] processing or not -- M-2 is heavy industry, and  
 [9] I would think most of those places would have  
 [10] pretty large trucks coming and going between  
 [11] there and most likely spaghetti junction, and  
 [12] we're right in between.  
 [13] So I don't know all this about homeland  
 [14] security and all of that, but just on a very  
 [15] mundane, boring level, we would have fewer  
 [16] trucks tromping through Oakcliff and I would  
 [17] think the Tilly Mill area as well. And if we  
 [18] have trouble now with catching the truckers --  
 [19] And somebody made the suggestion -- I  
 [20] think it was you, Bob -- that we stop the  
 [21] truckers, and I kind of wondered when you said  
 [22] that but I didn't want to interrupt, how would  
 [23] we? Seems very dangerous to do that. But  
 [24] anyway, that's another issue.  
 [25] But I would think that if we're having

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[1] trouble now keeping the trucks out of these  
 [2] areas, especially Oakcliff -- and I live in  
 [3] Oakcliff, and when I came to City Hall today,  
 [4] there were two of these huge trucks, one in  
 [5] front of me and one behind me just on the way  
 [6] over here. So they are there already. Why  
 [7] would we want to compound it? Wouldn't we want  
 [8] to just limit the truck traffic as much as  
 [9] possible?  
 [10] That's my two cents' worth.  
 [11] **MAYOR JENKINS:** Thank you.  
 [12] **MS. CRAWFORD:** And I think I've broken  
 [13] the microphone.  
 [14] - - -  
 [15] (Laughter)  
 [16] - - -  
 [17] **COUNCILMEMBER FLEMING:** Mayor, I'd like  
 [18] to make a motion that we advertise for a public  
 [19] hearing for the discussion of M-2P.  
 [20] **COUNCILMEMBER SPANGLER:** I'd like to  
 [21] second that.  
 [22] I really seriously think that it'll put  
 [23] some restrictions in the area right now. The  
 [24] trucks that are driving through there that are  
 [25] not petroleum business trucks do not have

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[1] background checks. The drivers do not. We  
 [2] don't know who they are, where they come from or  
 [3] what their intentions or plans are. So I think  
 [4] this will alleviate --  
 [5] **MAYOR JENKINS:** Okay.  
 [6] **COUNCILMEMBER SPANGLER:** -- some of  
 [7] those problems.  
 [8] **MAYOR JENKINS:** Anymore discussion?  
 [9] Call the roll.  
 [10] **COUNCILMEMBER ROCHE:** Rather than  
 [11] just --  
 [12] **MAYOR JENKINS:** Excuse me?  
 [13] **COUNCILMEMBER ROCHE:** Nothing.  
 [14] **MAYOR JENKINS:** Call the roll, please.  
 [15] **DEPUTY CLERK BRYANT:** Councilmember  
 [16] Alexander?  
 [17] **COUNCILMEMBER ALEXANDER:** No.  
 [18] **DEPUTY CLERK BRYANT:** Councilmember  
 [19] Bates?  
 [20] **COUNCILMEMBER BATES:** No.  
 [21] **DEPUTY CLERK BRYANT:** Councilmember  
 [22] Fleming?  
 [23] **COUNCILMEMBER FLEMING:** Yes.  
 [24] **DEPUTY CLERK BRYANT:** Councilmember  
 [25] Pittman?

[1] **COUNCILMEMBER PITTMAN:** What are we --  
[2] we're just advertising to do this?

[3] **UNIDENTIFIED SPEAKER:** Have a public  
[4] discussion about it.

[5] **COUNCILMEMBER FLEMING:** To advertise  
[6] for a public hearing for M-2P.

[7] **COUNCILMEMBER PITTMAN:** Just for that?

[8] **ATTORNEY WEED:** Which will, in effect,  
[9] mean Scott and I will be drafting a draft  
[10] ordinance with the appropriate parts.

[11] **MR. ANDERSON:** I've already written it,  
[12] but --

[13] **MAYOR JENKINS:** You mean before we have  
[14] a public hearing?

[15] **ATTORNEY WEED:** Yes, sir. That's how  
[16] it's ordinarily done. With the zoning  
[17] ordinances so far, you've had Scott and I draft  
[18] the ordinance so you have something to talk  
[19] about, and then you work on changing that as  
[20] relevant.

[21] Mr. Anderson's done an ordinance. It's  
[22] not in the correct format but he's got what his  
[23] vision is. And of course Scott and I would look  
[24] at it and do what -- I would try to make it  
[25] legal and Scott would try to make it good

[1] about, Mr. Mayor? I mean I guess you'd talk  
[2] about Mr. Anderson's thoughts.

[3] **MAYOR JENKINS:** That's what I'm saying.  
[4] But why put it in an ordinance before you talk  
[5] about it?

[6] **ATTORNEY WEED:** Mr. Mayor, that's fine  
[7] with me and I'm sure with Scott. I mean the  
[8] less work, the better.

[9] **COUNCILMEMBER PITTMAN:** He's got some  
[10] good ideas, but I'd like to look at something  
[11] you guys draw up before we get to the point of  
[12] having a public hearing, I guess is what I'm  
[13] saying.

[14] I mean he's got -- but I'd like for you  
[15] guys to put something together and then us look  
[16] at it and then propose to do -- after we look at  
[17] it, to propose to do a public hearing.

[18] **MAYOR JENKINS:** Pam, what did you --  
[19] your motion was to have a public hearing before  
[20] or --

[21] **COUNCILMEMBER FLEMING:** To advertise  
[22] for a public hearing for discussion of M-2P --

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

[24] **COUNCILMEMBER FLEMING:** -- was my  
[25] motion.

[1] planning.

[2] **COUNCILMEMBER PITTMAN:** Well, we  
[3] shouldn't do that before we schedule the public  
[4] hearing? We should --

[5] **ATTORNEY WEED:** Okay. Let's -- in an  
[6] attempt to help, the only hearing that's  
[7] required underneath the Zoning Procedures Act is  
[8] the actual hearing where you vote on the topic.  
[9] At that point, you're going to have a real  
[10] ordinance ready to be passed or not passed.

[11] So what I think -- and Councilman  
[12] Fleming can explain her own motion. She knows  
[13] it better than I do. I think what she wants to  
[14] do is initiate the formal process to have the  
[15] staff now engage Mr. Anderson's subject.

[16] **MAYOR JENKINS:** I think what she's  
[17] saying is having a public hearing before you  
[18] draw up any ordinances or anything. The people  
[19] may not go along with the changes.

[20] **ATTORNEY WEED:** That's --

[21] **COUNCILMEMBER PITTMAN:** That's right.

[22] **ATTORNEY WEED:** -- fine with me.

[23] **MAYOR JENKINS:** So why have the  
[24] ordinance already made up?

[25] **ATTORNEY WEED:** What will you talk

[1] **MAYOR JENKINS:** Do you want the  
[2] ordinance?

[3] **COUNCILMEMBER FLEMING:** If that's a  
[4] document that's needed to have the discussion,  
[5] then I would request it, yes, sir.

[6] **MAYOR JENKINS:** I mean I don't  
[7] understand what you want, if you want to have a  
[8] public hearing before you draw up the ordinance  
[9] or get the ordinance and then have a public  
[10] hearing.

[11] **COUNCILMEMBER ALEXANDER:** Can we table  
[12] this till the work session because I think if we  
[13] go to M-2P, we are eliminating every other  
[14] business that could move into that area.

[15] **MR. ANDERSON:** No, you're -- no, you're  
[16] not, Maria. You're expressing at that point --

[17] **COUNCILMEMBER ALEXANDER:** Can we have  
[18] time to review the 27 pages of work that our  
[19] city planner and our city attorney have given us  
[20] to review?

[21] **MR. ANDERSON:** It doesn't matter. It's  
[22] wonderful stuff. It leaves that area M-2.

[23] That's the difference between these two  
[24] discussions. That's why I say they're not the  
[25] same discussion.

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[1] If you have all the greatest ideas in  
 [2] the world about M-2, you are leaving that area  
 [3] between those two neighborhoods as M-2. You let  
 [4] M-2 industries there from now on and M-2 trucks  
 [5] through your neighborhood from now on.  
 [6] It's a different deal. If you want M-2  
 [7] there, fine. Have it M-2. Regardless of all  
 [8] the restrictions you want to put on it, it's  
 [9] going to remain M-2 between those two  
 [10] neighborhoods.  
 [11] What is it that you don't understand  
 [12] about that? M-1/M-2 there.  
 [13] **MAYOR JENKINS:** Okay. Why don't we  
 [14] have a public hearing before we draw up  
 [15] anything?  
 [16] **MR. ANDERSON:** A public commentary time  
 [17] would be fine. A public hearing for --  
 [18] **COUNCILMEMBER FLEMING:** Mr. Weed?  
 [19] **MR. ANDERSON:** -- comment would be  
 [20] okay.  
 [21] **COUNCILMEMBER FLEMING:** Mr. Weed?  
 [22] **UNIDENTIFIED SPEAKER:** You're just  
 [23] prolonging it.  
 [24] **MAYOR JENKINS:** That's right. That's  
 [25] all you're doing is prolonging it.

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[1] **ATTORNEY WEED:** Let's all agree on the  
 [2] terms. Okay? I'm a lawyer.  
 [3] The term "public hearing" is defined by  
 [4] Title XXXVI as a hearing advertised underneath  
 [5] the Zoning Procedures Act, and you only have to  
 [6] do that before you want to pass an ordinance.  
 [7] That's fine.  
 [8] But if you want to have a public  
 [9] meeting to discuss the matters, I'm all for  
 [10] that.  
 [11] **MAYOR JENKINS:** Public meeting.  
 [12] **ATTORNEY WEED:** Correct.  
 [13] **COUNCILMEMBER PITTMAN:** So a public  
 [14] meeting versus a public hearing.  
 [15] **ATTORNEY WEED:** A public hearing --  
 [16] You know, a public meeting, you know,  
 [17] you can have as many people as you want to talk  
 [18] about the --  
 [19] **COUNCILMEMBER PITTMAN:** Public comment.  
 [20] **COUNCILMEMBER ROCHE:** And there may be  
 [21] multiple ways of solving this issue whether we  
 [22] create a new zoning -- and I've been saying this  
 [23] -- or we modify our existing zoning or create a  
 [24] new zoning designation. We can create M-2C for  
 [25] car dealerships. We can create M-2H for hotel.

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[1] Who knows, you know?  
 [2] **MR. ANDERSON:** Yeah, but they are not  
 [3] necessary, Bob. This is.  
 [4] **COUNCILMEMBER ROCHE:** Well, again --  
 [5] **MAYOR JENKINS:** Would you change it to  
 [6] --  
 [7] **COUNCILMEMBER FLEMING:** I would like to  
 [8] amend my motion. My motion is that I would like  
 [9] to advertise for a public meeting to discuss the  
 [10] M-2P zoning in the tank farm quadrant of the map  
 [11] that we've been given this evening.  
 [12] **COUNCILMEMBER SPANGLER:** And I will  
 [13] second that motion.  
 [14] **MAYOR JENKINS:** Okay. Call the roll,  
 [15] please.  
 [16] **DEPUTY CLERK BRYANT:** Councilmember  
 [17] Alexander?  
 [18] **COUNCILMEMBER ALEXANDER:** Yes.  
 [19] **DEPUTY CLERK BRYANT:** Councilmember  
 [20] Bates?  
 [21] **COUNCILMEMBER BATES:** Yes.  
 [22] **DEPUTY CLERK BRYANT:** Councilmember  
 [23] Fleming?  
 [24] **COUNCILMEMBER FLEMING:** Yes.  
 [25] **DEPUTY CLERK BRYANT:** Councilmember

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[1] Pittman?  
 [2] **COUNCILMEMBER PITTMAN:** Yes.  
 [3] **DEPUTY CLERK BRYANT:** Councilmember  
 [4] Roche?  
 [5] **COUNCILMEMBER ROCHE:** Yes.  
 [6] **DEPUTY CLERK BRYANT:** Councilmember  
 [7] Spangler?  
 [8] **COUNCILMEMBER SPANGLER:** Yes.  
 [9] **MAYOR JENKINS:** Thank you.  
 [10] - - -  
 [11] (Applause)  
 [12] - - -  
 [13] **MAYOR JENKINS:** John, do you want to  
 [14] come up?  
 [15] **CHIEF KING:** I'll make it very --  
 [16] I've handed the City Council a public  
 [17] release from the Indiana State Police where our  
 [18] officers recently assisted the Indiana State  
 [19] Police in the arrest of a child molester who was  
 [20] trying to escape Indiana and came to Doraville,  
 [21] and our officers worked very close with the  
 [22] Indiana police department to apprehend the  
 [23] subject.  
 [24] Of change, you'll notice that a lot of  
 [25] our patrol cars -- and I know there were some

[1] comments made earlier about our patrol cars, a  
[2] lot of our patrol cars. You'll notice the  
[3] patrol cars are having bicycle racks in the  
[4] back. We've outfitted several of our patrol  
[5] cars. We bought four bicycles, and those stay  
[6] at the police station. And as the call volume  
[7] allows, we tell our officers to go and park in  
[8] their assigned zones, park the car and then ride  
[9] the bicycle in that neighborhood.

[10] We've gotten some really good comments  
[11] from the community. The key component is the  
[12] call volume has to allow that. But our standard  
[13] is what we're asking our officers out of every  
[14] hour that they're patrolling, for 20 minutes out  
[15] of that hour, to be riding their bicycles, and  
[16] that's what we're asking our officers to do.

[17] We do not have -- we have currently  
[18] three police officers in field training. I know  
[19] I've updated you in the past about the number of  
[20] officers. We're still one officer short, and we  
[21] have -- we reassign our traffic unit to work in  
[22] the neighborhoods, so we do not have a per se  
[23] traffic unit any longer. Those officers are  
[24] working those neighborhoods and answering calls.  
[25] Also our motorcycles are -- we have our officers

[1] current call volume --  
[2] **COUNCILMEMBER FLEMING:** Can I ask a  
[3] quick question? Was it the handler that crossed  
[4] or was it --

[5] **CHIEF KING:** No, ma'am.  
[6] **COUNCILMEMBER FLEMING:** Okay.  
[7] **CHIEF KING:** It was additional backup.  
[8] **COUNCILMEMBER FLEMING:** Oh, okay.  
[9] **CHIEF KING:** Yes, ma'am. Not the  
[10] handler.

[11] And our call volumes, our entering  
[12] autos are still relatively high. I know you  
[13] have probably that report.

[14] Our burglaries have decreased slightly  
[15] but they're still something of major concern.  
[16] We've made two arrests from burglaries, which  
[17] gives us a good hope that our burglary rate will  
[18] be dropping significantly.

[19] We have been working very hard,  
[20] especially our officers riding bicycles, to  
[21] check the areas where a lot of the vagrants, a  
[22] lot of what I call the urban outdoorsmen are  
[23] camping out under the bridge and some of the  
[24] wooded areas. So we're working those areas to  
[25] try to identify these individuals, but, you know

[1] riding motorcycles.

[2] Currently, one of my officers was bit  
[3] by one of our dogs as he was chasing a suspect.  
[4] He crossed the path of the canine as they were  
[5] chasing the suspect, and the dog focused on him.  
[6] The officer has gone through surgery. He's  
[7] recovering. He developed a slight infection in  
[8] the bite wound that he had. And we're just  
[9] keeping close tabs on him.

[10] He's very embarrassed because that's  
[11] not -- you know, he understands the training our  
[12] officers that use the canine, that you don't  
[13] cross. But he was jumping over the fence,  
[14] chasing a suspect that was setting a fire  
[15] outside the tanks farms. So as you can imagine,  
[16] that was a pretty high -- pretty high response  
[17] for that one because we've had this individual  
[18] that -- you know, clearly we saw that. It's  
[19] right here behind this small cemetery on New  
[20] Peachtree.

[21] So the officer's recovering. Of course  
[22] he understands he made an error by crossing the  
[23] path of the dog, and we're reinforcing training  
[24] again for our officers to be aware of that.

[25] We've had a volume of calls. Our

[1] -- and the bicycles have been ideal to get into  
[2] those areas, the areas that the cars are not  
[3] accessible. So we're still trying to -- we're  
[4] still trying to battle.

[5] The area that right now we're very  
[6] concerned is the area of south Shallowford Road  
[7] between New Peachtree and Buford Highway with  
[8] the apartment complexes and one of those bars in  
[9] that area, and still our armed robbery rate is  
[10] high, especially between us and Chamblee.

[11] Chamblee has had an incidence of  
[12] aggravated assaults, a couple stabbings. But  
[13] what happened, the victim came across the street  
[14] and dialed 911. So initially we responded to it  
[15] but then we were able to follow the blood trail  
[16] to discover that it started in Chamblee, so  
[17] Chamblee has -- their rates have increased,  
[18] unfortunately.

[19] But we have a very good cooperative.  
[20] We have probably a better relationship with the  
[21] city of Chamblee and probably with Dekalb County  
[22] than we've ever had. We've worked very, very  
[23] hard, and Commissioner Pittman has been working  
[24] to help us with Dekalb County.

[25] But Chamblee is -- you know, every-

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[1] body, as the economy -- as you mentioned,  
[2] Mr. Roche, as the economy struggles, clearly our  
[3] call volume is going to increase. The Marshalls  
[4] -- the Dekalb County Marshalls had, I believe I  
[5] reported last time 1600 dispossessories in the  
[6] county of Dekalb. That is significant. That  
[7] means people being put out of their apartments  
[8] or being put out of their homes. That is going  
[9] to increase our call volume. And we continue to  
[10] try to keep a low -- a low response time. That  
[11] is what we strive for.  
[12] That's all I have.  
[13] **MAYOR JENKINS:** Thank you, John.  
[14] Murray, do what you can fast.  
[15] **ATTORNEY WEED:** Well, what we have to  
[16] do, then, Mr. Mayor, would be the Mayor and  
[17] Council moved a zoning issue to a date certain,  
[18] that date being today. That would be the car  
[19] lot ordinance, and we have to do that.  
[20] Rhonda asked me, as Clerk, officially,  
[21] to put it underneath my agenda items. I have  
[22] done that. So if I've only got five minutes,  
[23] let's finish that one out, I hope.  
[24] **COUNCILMEMBER SPANGLER:** Let's also do  
[25] the Sandy Springs fuel use.

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[1] **MAYOR JENKINS:** Well, we started five  
[2] minutes late. He's got about eight or ten  
[3] minutes.  
[4] **COUNCILMEMBER SPANGLER:** Well, I mean,  
[5] and I'd like for the citizens to have a chance  
[6] to comment also, so even if we do run past 10  
[7] o'clock.  
[8] **ATTORNEY WEED:** With regard to the car  
[9] lot ordinance, Scott and I, based upon your last  
[10] commentary about it at the work session, I  
[11] believe we've captured all the changes you  
[12] requested, particularly the 600 feet frontage on  
[13] the right-of-way. It is still six acres. We  
[14] included all the changes that Scott and Rhonda  
[15] had suggested with regard to the fencing and the  
[16] makeup of the fencing.  
[17] With that, we believe this ordinance  
[18] has certainly been vetted at a number of  
[19] meetings and the last public hearing. We sent  
[20] you the draft October 3rd at 2:48 p.m. And if  
[21] there are any additional changes, we make them  
[22] tonight.  
[23] You had a public hearing, opened and  
[24] closed it, and now it's up to the Council to  
[25] decide if you'd like to adopt this ordinance or

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[1] amend it further.  
[2] **COUNCILMEMBER ROCHE:** I make a motion  
[3] that we adopt the ordinance in its current  
[4] state.  
[5] **MAYOR JENKINS:** Do I get a second?  
[6] **COUNCILMEMBER ALEXANDER:** Second.  
[7] **MAYOR JENKINS:** Call the roll, please.  
[8] **DEPUTY CLERK BRYANT:** Councilmember  
[9] Alexander?  
[10] **COUNCILMEMBER ALEXANDER:** Yes.  
[11] **DEPUTY CLERK BRYANT:** Councilmember  
[12] Bates?  
[13] **COUNCILMEMBER BATES:** Yes.  
[14] **DEPUTY CLERK BRYANT:** Councilmember  
[15] Fleming?  
[16] **COUNCILMEMBER FLEMING:** Yes.  
[17] **DEPUTY CLERK BRYANT:** Councilmember  
[18] Pittman?  
[19] **COUNCILMEMBER PITTMAN:** Yes.  
[20] **DEPUTY CLERK BRYANT:** Councilmember  
[21] Roche?  
[22] **COUNCILMEMBER ROCHE:** Yes.  
[23] **DEPUTY CLERK BRYANT:** Councilmember  
[24] Spangler?  
[25] **COUNCILMEMBER SPANGLER:** No.

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[1] **ATTORNEY WEED:** The next item  
[2] underneath my items would be the Memorandum of  
[3] Understanding on Emergency Fuel Use with Sandy  
[4] Springs.  
[5] Sandy Springs approached Captain  
[6] Brinkley of the Police Department and sent to  
[7] them a draft agreement which would allow in  
[8] catastrophic emergency situations for members of  
[9] the Sandy Springs Police Department to use the  
[10] fuel pumps located in Doraville that are the  
[11] fuel pumps of the City that fuel our police  
[12] cars.  
[13] The only time this agreement would ever  
[14] be activated would be in catastrophic events,  
[15] and of course they would still have to pay for  
[16] the fuel.  
[17] The Council discussed this generally at  
[18] one of your work sessions. And I saw some  
[19] e-mail traffic from the Police Department which  
[20] indicated to me that perhaps the Council had  
[21] made a decision not to pursue it further.  
[22] I talked it over with the Clerk, and  
[23] she advised me that she didn't know that that  
[24] was the case per se and that she didn't feel  
[25] authorized to remove it from the agenda;

[1] therefore, it's still on. So if you have  
[2] already made a final decision on this, that's  
[3] certainly fine, but it appears on the agenda  
[4] because the Clerk wanted it to reappear on the  
[5] agenda, and that's fine with me, too.

[6] What came to us originally was not an  
[7] agreement in an appropriate form, in my opinion.  
[8] I reworked it, and it's before you now to either  
[9] proceed with it or reject it.

[10] **COUNCILMEMBER SPANGLER:** Have we  
[11] already been sharing fuel with Sandy Springs?

[12] **CHIEF KING:** Yes, sir.

[13] **COUNCILMEMBER SPANGLER:** And how much  
[14] and how long?

[15] **CHIEF KING:** I don't know how much,  
[16] sir. The Mayor --

[17] Mayor, you might want to comment on how  
[18] this last emergency came up, I think, because  
[19] you had the personal conversation.

[20] **MAYOR JENKINS:** Yeah. The Mayor called  
[21] me and asked if we'd help until they could find  
[22] -- they were out of fuel in all of Sandy Springs  
[23] and the surrounding areas. So the Mayor,  
[24] Ms. Galambos, called me, and I agreed to let  
[25] them use fuel and pay us back at the price, what

[1] **COUNCILMEMBER PITTMAN:** I'm going to  
[2] make a motion that we go ahead and pass this. I  
[3] agree that we need to be a good neighbor and  
[4] help others because we may need them at some  
[5] point.

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

[7] **COUNCILMEMBER BATES:** Second.

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

[9] **COUNCILMEMBER ROCHE:** Can we have --

[10] **COUNCILMEMBER FLEMING:** Discussion?

[11] **COUNCILMEMBER ROCHE:** -- any more  
[12] discussion?

[13] **MAYOR JENKINS:** Go ahead. Discussion.

[14] **COUNCILMEMBER FLEMING:** I had asked  
[15] Carrie. I don't believe you were present. But  
[16] when you called me, I made the comment to you  
[17] that if we can find out if we're purchasing more  
[18] gasoline, not necessarily at this particular  
[19] time -- but if we are able to purchase more  
[20] gasoline on a monthly basis than we are  
[21] presently using for our own self, would the  
[22] price per gallon go down?

[23] **CHIEF KING:** You're absolutely correct,  
[24] ma'am. The City of Johns Creek just purchased a  
[25] tank that handles 16,000 gallons. Their price

[1] we have to put back in, and they would not use  
[2] it any more than they have to, and I don't  
[3] believe they used it an awful lot.

[4] **CHIEF KING:** Sir, they used it on two  
[5] separate days, and we're in the process of  
[6] coming up with the bill. We issued them a  
[7] separate key --

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

[9] **CHIEF KING:** -- so we can calculate  
[10] exactly the amount of fuel consumption, and that  
[11] will be invoiced through our staff.

[12] **MAYOR JENKINS:** I think this is also  
[13] working with other cities. We may need  
[14] something from Sandy Springs some day, and  
[15] they'll be glad to help us out. It may be  
[16] gasoline. We may not be able to get any. So I  
[17] gave them permission. I knew they wouldn't be  
[18] using an awful lot. But if we got it, I think  
[19] they should have it too, because we had a better  
[20] access to gasoline than they do. We have a good  
[21] relationship with the carrier that we get our  
[22] gasoline from, and if we need more today we can  
[23] get it today. And I still feel it was a good  
[24] gesture for the City of Doraville to work with  
[25] them on that.

[1] of fuel will drop because of the volume.

[2] We only have a 2000-gallon tank, so you  
[3] can only resupply that with a short truck. That  
[4] costs more. So the larger the facility that we  
[5] have to store, the more fuel we purchase, then  
[6] you are correct, ma'am, the price --

[7] **COUNCILMEMBER FLEMING:** Okay. But for  
[8] instance, if you had the gas companies come out  
[9] ten times one month rather than one time, are  
[10] they going to give you a better price is? what  
[11] I'm trying to get at.

[12] **CHIEF KING:** Not necessarily, ma'am,  
[13] because our tank is such a small -- such a small  
[14] tank. If we had a larger tank, a larger truck -  
[15] - and you're right, and the more fuel usage.  
[16] But the problem is it's because it costs more  
[17] money to operate a small truck.

[18] **COUNCILMEMBER FLEMING:** Okay. That's  
[19] fine.

[20] **COUNCILMEMBER SPANGLER:** So in other  
[21] words, what I think Ms. Fleming was asking,  
[22] since you only buy 2000 gallons at a time, you  
[23] don't get the price break that Johns Creek will  
[24] get when they take 16,000 gallons at a time.

[25] **CHIEF KING:** Yes, you are correct. The



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[1] more fuel you order, the lower the price.  
[2] **COUNCILMEMBER SPANGLER:** For one time.  
[3] **COUNCILMEMBER FLEMING:** Right.  
[4] **COUNCILMEMBER SPANGLER:** Doesn't matter  
[5] if you get --  
[6] **COUNCILMEMBER FLEMING:** Right.  
[7] **COUNCILMEMBER SPANGLER:** -- 16,000  
[8] gallons in --  
[9] **COUNCILMEMBER FLEMING:** One month's  
[10] time.  
[11] **COUNCILMEMBER SPANGLER:** -- one month's  
[12] time, you're still getting a 2000-gallon price.  
[13] **CHIEF KING:** It's a combination, sir,  
[14] of usage and the size and the size of truck that  
[15] delivers.  
[16] **COUNCILMEMBER SPANGLER:** I understand,  
[17] but I'm just trying to make sure that she  
[18] understands. Okay?  
[19] **COUNCILMEMBER FLEMING:** I do. I do.  
[20] **COUNCILMEMBER SPANGLER:** Because I said  
[21] that at the work session. It's a quantity --  
[22] **COUNCILMEMBER ROCHE:** We're not getting  
[23] a discount for volume.  
[24] **COUNCILMEMBER SPANGLER:** It's a  
[25] quantity discount.

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[1] **CHIEF KING:** We are receiving -- our  
[2] prices of fuel that we pay is significantly  
[3] lower than the average public gets.  
[4] **COUNCILMEMBER SPANGLER:** But at the  
[5] same time, Johns Creek is getting it cheaper  
[6] than what we are --  
[7] **CHIEF KING:** Well, they're --  
[8] **COUNCILMEMBER SPANGLER:** -- because --  
[9] **CHIEF KING:** -- not getting anything  
[10] right now because they don't have a tank.  
[11] **COUNCILMEMBER SPANGLER:** Well, when  
[12] they do, when they go in with that 16,000-gallon  
[13] tank.  
[14] **CHIEF KING:** They'll be able to  
[15] negotiate. You are correct. They'll be able to  
[16] negotiate with a larger carrier because they'll  
[17] be able to purchase a lot more.  
[18] **COUNCILMEMBER SPANGLER:** So in essence,  
[19] what we were asking and I think what Ms. Fleming  
[20] was asking, okay, we got a 2,000 tank. If we  
[21] share with Norcross, we share with Sandy Springs  
[22] and we share with Chamblee, okay, our usage  
[23] rate's going to increase at least three times  
[24] but our price is not going to come down because  
[25] we're getting more deliveries.

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[1] **CHIEF KING:** You're right.  
[2] **COUNCILMEMBER FLEMING:** Yeah. I was  
[3] going to --  
[4] **CHIEF KING:** You are correct, sir.  
[5] **COUNCILMEMBER FLEMING:** -- you know,  
[6] hopefully open up a market and let Doraville be  
[7] the tank farm.  
[8] **CHIEF KING:** Ma'am, it's a great idea.  
[9] **COUNCILMEMBER FLEMING:** But it's not  
[10] going to work that way because we order 2,000  
[11] gallons.  
[12] **CHIEF KING:** It can work. I mean I  
[13] actually talked to -- where's Tom? Tom actually  
[14] came up with an idea of locating the tank  
[15] somewhere else and getting a larger tank, and I  
[16] thought that was a pretty good idea, but it's  
[17] something for your discussion.  
[18] **COUNCILMEMBER FLEMING:** Thank you.  
[19] **COUNCILMEMBER ROCHE:** I got a call not  
[20] too long ago when the latest --  
[21] Personally, I have a problem with this,  
[22] but I will say that I did get a call from the  
[23] Chief asking me if it would be okay. And just  
[24] this once, I said fine. But I didn't agree to  
[25] do it until I was certain and the Chief assured

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[1] me that he had two separate sources of fuel for  
[2] Doraville, because if I hadn't had that  
[3] assurance, then why would we give our gas away  
[4] to someone else? I understand about, you know,  
[5] the good neighbors and that sort of thing but we  
[6] still have to take care of ourselves first. And  
[7] what I'm concerned about with this is that we  
[8] may not have that agreement. Six --  
[9] **COUNCILMEMBER SPANGLER:** And if we get  
[10] into another --  
[11] I'm sorry, Mr. Roche, but if we get in  
[12] another situation like we just were in and we're  
[13] just now coming out of, if --  
[14] And I know your intentions are good and  
[15] the suppliers that you are talking about are  
[16] going to try to take care of us, but if they  
[17] can't get the fuel to replenish us, then what  
[18] are we going to do?  
[19] **CHIEF KING:** I won't give any fuel to  
[20] anybody, sir.  
[21] **MAYOR JENKINS:** That's right.  
[22] **COUNCILMEMBER SPANGLER:** I know, but we  
[23] did --  
[24] **CHIEF KING:** We're going to take care  
[25] of Doraville first.

[1] **COUNCILMEMBER SPANGLER:** We did give  
[2] fuel to another municipality, not really being a  
[3] hundred percent sure that we were going to be  
[4] able to replenish.

[5] **MAYOR JENKINS:** Yeah, we were. We had  
[6] a backup.

[7] **CHIEF KING:** I disagree with that. I  
[8] was sure that we were going to get the fuel,  
[9] sir.

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

[11] **CHIEF KING:** I had the assurances of  
[12] two suppliers that we were going to get  
[13] uninterrupted fuel, and a lot of it's because of  
[14] our relationship with the tank farm.

[15] They assured me that we could get two  
[16] separate sources. I would not have said  
[17] something to you-all that was not factual, sir.

[18] **COUNCILMEMBER ROCHE:** And I guess my  
[19] concern about this would be that, you know,  
[20] there may be a situation where that may change,  
[21] or, for instance, Chamblee may decide they need  
[22] fuel. You know, why would -- would we need  
[23] another separate agreement for that?

[24] So I mean if the Chief of Police or the  
[25] Mayor calls me up and says, "Here's the

[1] something we seriously need to look at.

[2] **MAYOR JENKINS:** That's right.

[3] **COUNCILMEMBER SPANGLER:** I mean this  
[4] place over here where we're getting fuel now or  
[5] where the City gets their fuel is dangerous.  
[6] You know, you pull in or you back in. How many  
[7] accidents are caused when backing? Either way,  
[8] you're going to have to back, you know.

[9] **CHIEF KING:** No disagreement, sir.

[10] **COUNCILMEMBER SPANGLER:** Pardon?

[11] **CHIEF KING:** That is obviously a  
[12] decision that the Mayor and City Council --

[13] **COUNCILMEMBER SPANGLER:** I'm just  
[14] saying it's not safe, it's not safe where it's  
[15] at, so we need -- we do need a new facility.

[16] **CHIEF KING:** No comment, sir. I mean  
[17] that's a decision clearly that the Council needs  
[18] to approve.

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

[20] **ATTORNEY WEED:** Mr. Mayor, just as a  
[21] point of order, since you're beyond the 10  
[22] o'clock limit, if you'd make a motion to waive  
[23] that for however long you want to waive it so  
[24] you can actually --

[25] This vote will count. So I'd advise

[1] situation. We can help out another city,"  
[2] whether it's fuel or any other thing, and it's  
[3] not going to cost us anything or at least not  
[4] cost us much, I think we'll be happy to do that.

[5] I just feel uncomfortable with the idea  
[6] of having an agreement like this. It just seems  
[7] a little too wide open, so --

[8] So I'm not saying no, we shouldn't do  
[9] it. I'm just saying I'm not sure I'm  
[10] comfortable with the idea.

[11] And I believe that the person that  
[12] requested this, that Chief of Police is no  
[13] longer with Sandy Springs; right?

[14] **CHIEF KING:** No, sir. This was the  
[15] Acting Chief of Police, sir.

[16] **COUNCILMEMBER ROCHE:** Okay. But they  
[17] have a new Chief of Police now?

[18] **CHIEF KING:** Yes, they do.

[19] **COUNCILMEMBER SPANGLER:** I will say  
[20] this, Chief: if we had that 16,000-gallon  
[21] facility, I think we would probably be in a  
[22] better position to share or to agree to share.

[23] **CHIEF KING:** No disagreement whatsoever  
[24] with that.

[25] **COUNCILMEMBER SPANGLER:** So that's

[1] you to suspend the actual motion and second  
[2] here, make another motion and second to go  
[3] beyond 10 o'clock and then go back to this  
[4] motion.

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

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

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

[8] **DEPUTY CLERK BRYANT:** Councilmember  
[9] Alexander?

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

[11] **DEPUTY CLERK BRYANT:** Councilmember

[12] Bates?

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

[14] **DEPUTY CLERK BRYANT:** Councilmember

[15] Fleming?

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

[17] **DEPUTY CLERK BRYANT:** Councilmember

[18] Pittman?

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

[20] **DEPUTY CLERK BRYANT:** Councilmember

[21] Roche?

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

[23] **DEPUTY CLERK BRYANT:** Councilmember

[24] Spangler?

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

[1]           **MAYOR JENKINS:** Okay. Anymore  
 [2] discussion?  
 [3]           - - -  
 [4]           (No response)  
 [5]           - - -  
 [6]           **MAYOR JENKINS:** Call the roll, please.  
 [7]           **COUNCILMEMBER BATES:** This is on the  
 [8] adoption of the --  
 [9]           **DEPUTY CLERK BRYANT:** Councilmember  
 [10] Alexander?  
 [11]           **COUNCILMEMBER ALEXANDER:** Yes.  
 [12]           **DEPUTY CLERK BRYANT:** Councilmember  
 [13] Bates?  
 [14]           **COUNCILMEMBER BATES:** Yes.  
 [15]           **DEPUTY CLERK BRYANT:** Councilmember  
 [16] Fleming?  
 [17]           **COUNCILMEMBER FLEMING:** Yes.  
 [18]           **DEPUTY CLERK BRYANT:** Councilmember  
 [19] Pittman?  
 [20]           **COUNCILMEMBER PITTMAN:** Yes.  
 [21]           **DEPUTY CLERK BRYANT:** Councilmember  
 [22] Roche?  
 [23]           **COUNCILMEMBER ROCHE:** No.  
 [24]           **DEPUTY CLERK BRYANT:** Councilmember  
 [25] Spangler?

[1] the City Attorney to send a letter stating that  
 [2] to them.  
 [3]           **MAYOR JENKINS:** Anymore discussion?  
 [4]           - - -  
 [5]           (No response)  
 [6]           - - -  
 [7]           **MAYOR JENKINS:** Call the roll.  
 [8]           **DEPUTY CLERK BRYANT:** Councilmember  
 [9] Alexander?  
 [10]           **COUNCILMEMBER ALEXANDER:** Yes.  
 [11]           **DEPUTY CLERK BRYANT:** Councilmember  
 [12] Bates?  
 [13]           **COUNCILMEMBER BATES:** Yes.  
 [14]           **DEPUTY CLERK BRYANT:** Councilmember  
 [15] Fleming?  
 [16]           **COUNCILMEMBER FLEMING:** Yes.  
 [17]           **DEPUTY CLERK BRYANT:** Councilmember  
 [18] Pittman?  
 [19]           **COUNCILMEMBER PITTMAN:** Yes.  
 [20]           **DEPUTY CLERK BRYANT:** Councilmember  
 [21] Roche?  
 [22]           **COUNCILMEMBER ROCHE:** Yes.  
 [23]           **DEPUTY CLERK BRYANT:** Councilmember  
 [24] Spangler?  
 [25]           **COUNCILMEMBER SPANGLER:** Yes.

[1]           **COUNCILMEMBER SPANGLER:** I'm going to  
 [2] vote no until we get the new facility.  
 [3]           **ATTORNEY WEED:** All right, Mr. Mayor.  
 [4] I have one other item. I'll going to try to  
 [5] move through quickly.  
 [6]           You've already preliminarily told me  
 [7] that you would not be interested in the  
 [8] presentation that Sprint made to seek a permit  
 [9] easement for the lease on the tower.  
 [10]           We did some financial analysis of what  
 [11] they're offering which was essentially a one-  
 [12] time payment of approximately \$248,000, if  
 [13] memory serves.  
 [14]           You pretty much instructed me at the  
 [15] work session that you weren't interested in  
 [16] that. But since you can't vote, some members of  
 [17] the Council wanted to vote on the issue, so it's  
 [18] before you now to vote and give me instructions,  
 [19] if you care to, to tell Sprint that we are not  
 [20] interested in their offer.  
 [21]           **COUNCILMEMBER SPANGLER:** I make a  
 [22] motion that we do not accept Sprint's offer,  
 [23] one-time offer.  
 [24]           **COUNCILMEMBER PITTMAN:** Second.  
 [25]           **COUNCILMEMBER SPANGLER:** And authorize

[1]           **MAYOR JENKINS:** Committee reports, do  
 [2] we have any?  
 [3]           Citizens?  
 [4]           Yeah, come on.  
 [5]           **MR. CRAWFORD:** I just had an  
 [6] announcement.  
 [7]           Ben Crawford. We're going to have a  
 [8] Planning Commission meeting Thursday, I think  
 [9] it's the 16th, at 7 o'clock, and you'll get an  
 [10] e-mail from Joe O'Connor.  
 [11]           **MAYOR JENKINS:** Thank you, Ben.  
 [12]           Citizens comments?  
 [13]           **MS. ROLLINS:** Linda Rollins, Oakcliff.  
 [14]           Tonight I noticed in talking about the  
 [15] contracts and the IT that you have some  
 [16] vagueness on your procurement procedures.  
 [17]           Does Doraville have an official  
 [18] procurement document or an official procurement  
 [19] guidelines or procurement procedure manual?  
 [20]           In a past Council meeting, I got the  
 [21] feeling, "Well, should we do this with an RFP,"  
 [22] or, "Does this need a contract?"  
 [23]           And I do procurement every day at the  
 [24] State. I have a manual. I have to do it this  
 [25] way if this pertains. I have to do it this way

[1] if that pertains.  
[2] And I'm asking, does the City of  
[3] Doraville have a legitimate procedures manual,  
[4] procurement guidelines?

[5] **COUNCILMEMBER BATES:** The only  
[6] guideline I'm aware of is that if it's over  
[7] \$5,000, that it needs to go out for RFP.

[8] **COUNCILMEMBER SPANGLER:** But, then,  
[9] that doesn't always happen. Okay? There's  
[10] single-source and there's other things that have  
[11] been done over the years. So I'm not sure that  
[12] we can answer your question.

[13] **COUNCILMEMBER ROCHE:** Yeah. That  
[14] applies every time except when it doesn't.

[15] **MS. ROLLINS:** Well, it's about time to  
[16] answer because the future is coming up where  
[17] we're going to have more purchases and you're  
[18] talking about watching the money. And how are  
[19] you going to watch it if you don't have  
[20] guidelines for your procurement? Are you going  
[21] to do it this way this time and that way that  
[22] time? And you're going to get into the  
[23] unfairness like you were talking about with a  
[24] single-source vendor.

[25] There should be a guideline for a sole-

[1] expectations. They have risen to a level of  
[2] professionalism. They work with GBI, FBI, DEA.  
[3] This is a level of professionalism that very few  
[4] departments ever reach.

[5] They are running with the big dogs.  
[6] You people need to stay on the porch.

[7] Now, as far as these goals and  
[8] priorities here, this City Council needs to  
[9] start setting some goals and priorities. We're  
[10] going nowhere. You-all are pulling in so many  
[11] different directions. We look to you for  
[12] guidance. We're not getting it.

[13] That's all I have to say about it.

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

[15] - - -

[16] (Applause)

[17] - - -

[18] **MAYOR JENKINS:** Anybody else?

[19] **COUNCILMEMBER SPANGLER:** Well, I would  
[20] like to make a comment on what Mr. John Noonan  
[21] said about the Police Department.

[22] The only concerns that we have right  
[23] now, we've never said anything about the quality  
[24] of our Police Department. What we were talking  
[25] about mainly and what we've been talking about

[1] source or a single-source vendor or purchases  
[2] over \$5,000. You should have a procurement  
[3] manual for the City of Doraville.

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

[5] **MS. HOFFMEISTER:** Bonita Hoffmeister,  
[6] Oakcliff.

[7] I would like to thank the Mayor and the  
[8] City Council for all their efforts in keeping  
[9] the sidewalks clean this year and keeping the  
[10] interstates mowed. I know in prior years, I've  
[11] been up here almost every meeting and this year  
[12] I've only been up once and the one thing I did  
[13] mention has been landscaped by the City.

[14] So I appreciate your efforts greatly.

[15] Thank you. Job well done.

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

[17] Anybody else?

[18] **MR. NOONAN:** John Noonan.

[19] In regards to all these inquiries into  
[20] our Police Department, some people call that  
[21] micromanagement. I have a phrase for it. It's  
[22] called continuous, ongoing harassment, and it  
[23] needs to stop.

[24] There's no reason for that. Our Police  
[25] Department consistently exceeds all

[1] for the last few meetings is the overage of  
[2] their budget, over a quarter million dollars.  
[3] Okay?

[4] Now, if all of our departments went  
[5] over a quarter of a million dollars on their  
[6] budgets, like I said earlier, this savings  
[7] account that we've got right now, we're not  
[8] going to have it in two or three years.

[9] **MR. NOONAN:** Well, have you figured out  
[10] where those bogus charges have come from?

[11] **COUNCILMEMBER SPANGLER:** What bogus  
[12] charges, Mr. Noonan?

[13] **MR. NOONAN:** Those uniform services,  
[14] wasn't it? Wasn't that what it was?

[15] **COUNCILMEMBER SPANGLER:** Well, you  
[16] know, is now the time to bring this up,  
[17] Ms. Murphy?

[18] **MS. CALVERT:** It was brought up the  
[19] last meeting.

[20] **COUNCILMEMBER SPANGLER:** Well, let's  
[21] bring it up.

[22] **MR. NOONAN:** Well, I thought you were  
[23] trying to reconcile that. Are you making  
[24] progress on that?

[25] **COUNCILMEMBER SPANGLER:** Have you got

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[1] some information, Ms. Murphy?  
[2] **MS. CALVERT:** They said it was a  
[3] \$12,000 charge to the Police Department that  
[4] they don't know anything about.  
[5] **MAYOR JENKINS:** This is citizens  
[6] comments, please.  
[7] Are you finished, Mr. Noonan?  
[8] **MR. NOONAN:** Yeah.  
[9] **MAYOR JENKINS:** Okay. Stuart?  
[10] **MR. ANDERSON:** Two things.  
[11] One, I appreciate you considering my  
[12] proposal tonight, and is there a date certain or  
[13] a date for the public comment meeting, some kind  
[14] of date you might set?  
[15] And the other thing is I sent this to  
[16] you-all but I hadn't gotten any response and  
[17] didn't really expect one, but you discussed it  
[18] tonight. I sent you a recommendation as to a  
[19] couple of things, actually. Well, like the  
[20] three rule. It's involving asking Mr. Weed  
[21] questions and the charges therein. If you had a  
[22] three rule or a two rule or four rule where  
[23] three of you got together and said "This is the  
[24] question we want to ask" instead of each one of  
[25] you asking, asking, asking and running up the

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[1] bill.  
[2] **MAYOR JENKINS:** That was brought up  
[3] during the meeting, Mr. Stuart.  
[4] **MR. ANDERSON:** Oh, okay. I'm sorry.  
[5] **MAYOR JENKINS:** One of the  
[6] Commissioners said that, and that's the way we  
[7] did some of it, not all.  
[8] **MR. ANDERSON:** Good idea.  
[9] **MAYOR JENKINS:** Thank you.  
[10] **MR. ANDERSON:** Thank you. And the date  
[11] for the meeting if you would.  
[12] **MS. CALVERT:** As far as I know, the  
[13] truck that was coming down English Oak Drive, I  
[14] wasn't up there. Did a policeman talk to the  
[15] man with the truck? We have not seen this truck  
[16] come down again.  
[17] I don't want to throw water on the  
[18] bicyclists, but if I'm laying on the floor and I  
[19] need mouth-to-mouth, do you think I want a  
[20] bicyclist to come in and go huh-huh-huh-huh  
[21] (gesturing)?  
[22] - - -  
[23] (Laughter)  
[24] - - -  
[25] **UNIDENTIFIED SPEAKER:** You better call

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[1] 911.  
[2] **MS. CALVERT:** Yes. Anyway --  
[3] **CHIEF KING:** For you, Ginny, of course.  
[4] **MAYOR JENKINS:** Anybody else?  
[5] - - -  
[6] (No response)  
[7] - - -  
[8] **MAYOR JENKINS:** Okay.  
[9] **COUNCILMEMBER PITTMAN:** Motion to  
[10] adjourn.  
[11] **COUNCILMEMBER BATES:** Second.  
[12] **MAYOR JENKINS:** Call the roll, please.  
[13] **DEPUTY CLERK BRYANT:** Councilmember  
[14] Alexander?  
[15] **COUNCILMEMBER ALEXANDER:** Yes.  
[16] **DEPUTY CLERK BRYANT:** Councilmember  
[17] Bates?  
[18] **COUNCILMEMBER BATES:** Yes.  
[19] **DEPUTY CLERK BRYANT:** Councilmember  
[20] Fleming?  
[21] **COUNCILMEMBER FLEMING:** Yes.  
[22] **DEPUTY CLERK BRYANT:** Councilmember  
[23] Pittman?  
[24] **COUNCILMEMBER PITTMAN:** Yes.  
[25] **DEPUTY CLERK BRYANT:** Councilmember

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[1] Roche?  
[2] **COUNCILMEMBER ROCHE:** Yes.  
[3] **DEPUTY CLERK BRYANT:** Councilmember  
[4] Spangler?  
[5] **COUNCILMEMBER SPANGLER:** I'm going to  
[6] say yes, but I feel like we could have had some  
[7] more discussion on some other things.  
[8] - - -  
[9] (Whereupon, the meeting was adjourned at  
[10] approximately 10:20 p.m. the same day.)  
[11] -o0o-  
[12]  
[13]  
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[24]  
[25]

[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 14th day of October, 2008.

[16]

[17]

\_\_\_\_\_  
Theresa Bretch, CCR

Permit No. B-755

[18]

[19]

[20]

[SEAL]

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[25]

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