In The Matter Of:

City Council Meeting

City of Doraville - State of Georgia

Special-Called Meeting with Public Hearing

July 27, 2009

American Court Reporting Company, Inc.

52 Executive Park South

Suite 5201

Atlanta, Georgia 30329-2217

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

Original File 58595-1.TXT

Min-U-Script® with Word Index

This Page Intentionally Left Blank

CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

SPECIAL-CALLED MEETING WITH PUBLIC HEARINGS

* * *

Transcript of the proceedings held in the City Council Room at Doraville City Hall, 3725 Park Avenue, Doraville, Georgia, Mayor Ray Jenkins presiding, before Theresa Bretch, Certified Court Reporter, commencing at approximately 6:30 p.m. on Monday, July 27, 2009.

* * *

APPEARANCES:
Doraville City Council:
Hon. Ray Jenkins, Mayor
Councilmember Maria Alexander
Councilmember Robert Spangler
Councilmember Donna Pittman
Councilmember Bob Roche
Councilmember Pam Fleming
Murray J. Weed, City Attorney
Ms. Sandra Bryant, Deputy City Clerk
Scott Haeberlin, City Planner

P R O C E E D I N G S

MAYOR JENKINS: Call the roll, please.

DEPUTY CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

DEPUTY CLERK BRYANT: Councilmember Bates?

- - -

(No response)

- - -

DEPUTY CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

DEPUTY CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Here.

DEPUTY CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Here.

DEPUTY CLERK BRYANT: Councilmember Spangler?

COUNCILMEMBER SPANGLER: Here.

MAYOR JENKINS: Come on up and bring up your -- This is a public hearing, Stuart. Just raise your hand, sir, when the time comes.

MR. HAEBERLIN: First item, 3A under new business, we have a nonresidential conditional use, which is billiards or pool room. The applicant is Aaron -- I'm going to butcher this -- Huynh, Huynh (pronouncing). You'll correct me; trust me. Property is at 5302 Buford Highway, which is Korean Town Plaza. The current zoning is C-2.

How we'll procedurally go about these is the applicant will come forward and tell us a little about your petition and what you want to do, and then second it'll be the City staff. Third, we'll have the public hearing where we hear those for and against, which the Mayor will open the public hearing and close it. And then of course the Council will then feel free to deliberate and ask questions as well.

So at this time, I would call Aaron forward to tell us about his petition.

MR. HUYNH: My name is Aaron. I currently have what's called the emission, car emission, right over here at Chamblee-Tucker. But right now, my wife used to work over here at the same building with the one I apply for now. But they said the business slow, so they have no

Page 5

job for her, and then I'd like to get something for her to do. So that's why I'm -- you know. Right now, the landlord offer me like two space for one, so that's a really good deal, so I'm thinking about, you know, get that for my wife to run, you know, a traditional Vietnamese pool hall. You know, I wanted like four table but, you know, they allow us three, so, which is good, you know. It's enough for me. So basically that's what it is, you know, I'm going to do over there; just a family thing.

Basically that's all I have for now. Thank you very much.

COUNCILMEMBER ROCHE: What else did you have? Were you going to serve food there?

MR. HUYNH: Well, actually it's just no food at all. Just no drinking there. You know, that's all. No alcohol.

COUNCILMEMBER PITTMAN: No alcohol?

MR. HUYNH: No alcohol at all.

COUNCILMEMBER FLEMING: Do you know what suite number that you would be renting?

MR. HUYNH: I believe it's C number 2 and C number 3, I believe.

COUNCILMEMBER FLEMING: Upstairs --

Page 6

MR. HUYNH: Yes.

COUNCILMEMBER FLEMING: -- or downstairs?

MR. HUYNH: Upstair. Upstair.

COUNCILMEMBER FLEMING: Okay. One and ntwo are vacant and four is vacant.

MR. HUYNH: I believe it's --

COUNCILMEMBER FLEMING: B, I believe, has a bookstore in it.

MR. HUYNH: Yeah, that's the one.

COUNCILMEMBER FLEMING: I mean 3 has a bookstore in it.

MR. HUYNH: The bookstore, that's what I'm getting. I think it's B number 3. That's two space up there.

COUNCILMEMBER FLEMING: 3 and 4?

MR. HUYNH: Yes, I believe it's a bookstore, used to be.

COUNCILMEMBER FLEMING: Sandra, the bookstore is current, current with their --

DEPUTY CLERK BRYANT: Yes.

COUNCILMEMBER FLEMING: -- occupational permit?

DEPUTY CLERK BRYANT: Yes, ma'am. That does not mean that they have not just

Page 7

(inaudible).

COUNCILMEMBER FLEMING: All right.

THE REPORTER: That does no mean what?

SERGEANT KIERNAN: Ma'am, we actually busted the bookstore for illegal gambling a few months back.

COUNCILMEMBER FLEMING: Thank you very much.

Do you know what your hours of operation will be?

MR. HUYNH: 10 o'clock to 10 o'clock every day Monday through Friday, and then Saturday maybe like 10:00 to midnight on Saturday, and then on Sunday will be 10:00 to 10:00.

COUNCILMEMBER FLEMING: So soft drinks would be the only beverage you would be --

MR. HUYNH: Yeah, like --

COUNCILMEMBER FLEMING: -- serving?

MR. HUYNH: Yes, that's what it is.

COUNCILMEMBER PITTMAN: And no food at all?

MR. HUYNH: No food at all.

COUNCILMEMBER FLEMING: So the number of employees would be just family?

Page 8

MR. HUYNH: Yes.

COUNCILMEMBER FLEMING: One or two people?

MR. HUYNH: Yes, yes. Actually right now, I'm working from 9:00 to 6:00, so after 6:00, I will go over there. For the daytime, my wife will be running all day over there. Family thing.

COUNCILMEMBER ROCHE: What's the name of the current business you have?

MR. HUYNH: The emission place. I'm doing emission (presenting).

COUNCILMEMBER ROCHE: Okay. Is there a business license for that now?

DEPUTY CLERK BRYANT: It's in Chamblee.

MR. HUYNH: Yeah. Chamblee-Tucker Road.

MAYOR JENKINS: Any more questions?

- - -

(No response)

- - -

MAYOR JENKINS: Okay. We'll open up the public hearing for the audience.

COUNCILMEMBER ROCHE: (Speaking in foreign language).

Page 9

MR. HUYNH: That's -- Excuse me?
MAYOR JENKINS: Excuse me?
COUNCILMEMBER ROCHE: I said (speaking in foreign language.)
MR. HUYNH: I'm not speaking that Korean. That's Korean; right?
COUNCILMEMBER FLEMING: He's Vietnamese.
COUNCILMEMBER ROCHE: Oh, I'm sorry. I thought you were Korean. Sorry. I get them all mixed up.
COUNCILMEMBER FLEMING: You're Vietnamese?
MR. HUYNH: Yes.
COUNCILMEMBER FLEMING: Okay.
COUNCILMEMBER ROCHE: Okay. Sorry.
MAYOR JENKINS: Okay.
MR. HAEBERLIN: Would you hear brief comments from staff before the public hearing?
MAYOR JENKINS: From the staff? Okay.
MR. HAEBERLIN: There's not an extensive amount of information I need to provide you; however, this is C-2. 2008-33 does specify this as a conditional use, and you've heard from the applicant that it is a

Page 10

multi-tenant facility. He's occupying a couple spaces.
The key items really that I looked at, parking is really not affected, it being a retail shopping center. And this use is not really a use that will change that parameter significantly. The way our code is set forward, even if it had been a restaurant, it would not significantly affect the parking as it's currently designed. Signage, obviously permitting required from the City.
And based on the criteria that's currently in the Code, basically, you know, the evaluation of this item comes back to the Council, and I'd be of course more than willing to answer questions if there is anything specific that you had on a petition. So there's not much from staff.
MAYOR JENKINS: Any questions for Scott?
COUNCILMEMBER FLEMING: Based on our current code for conditional uses, we did not have to install or publicize via a sign at that location?
MR. HAEBERLIN: That is correct. Under

Page 11

the city code that exists today, there are things that are not specified as signs. However, this item was duly advertised in the Champion in accordance with Georgia law.
MAYOR JENKINS: Okay. Ready for the public hearing?
MR. HAEBERLIN: Yes, sir.
MAYOR JENKINS: Anybody for the zoning?
SERGEANT KIERNAN: May I speak now?
MAYOR JENKINS: Yes. Come on up to the microphone, please, sir.
SERGEANT KIERNAN: How are you-all today?
MAYOR JENKINS: Fine, thank you.
SERGEANT KIERNAN: I'm Sergeant Kiernan with the Doraville Police Department, obviously. Been with the department for about eight years. During that eight years, I met Aaron and his wife. They are personal friends of mine. I'm just here speaking on a personal note for them.
Aaron has owned a couple businesses in the city. I know his English is a little broken so it's hard to understand him sometimes. I speak Aaronese now, so I understand what he's saying. Basically, he's owned a couple

Page 12

businesses.
I know, as far as the Police Department's aspect as far as a pool hall goes, it's primary -- traditionally, especially Champion Billiards being the number one that sticks out in my head. Like I said, I've been here for about eight years. And during the time Champion Billiards has been there, we have constantly had fights, stabbings, fights, fights, fights, drunk -- belligerently drunk people coming out of there, and I think that's the mindset everybody gets when they think of a pool hall.
With my experience with Aaron, like I said previously, he's owned a couple different businesses in the city. One of the businesses, his business partner began doing illegal activities with gambling machines, and he immediately told him he wanted to stop. His partner said he was not going to stop. He sold his half of the business to the partner and left the business because he didn't want to be part of that.
I believe, given the opportunity, he'll run a tight ship, especially if it's just he and his wife working there. And like he said, there

Page 13

1 won't be any alcohol served there, so you don't
2 have to worry about the drunk people coming and
3 going out of there. And he tries to -- I mean
4 he legitimately tries to run a legitimate
5 business. And like I said, he's got the ABC
6 Emission over at Chamblee-Tucker and 285 now,
7 and he was partial owner of a business down-
8 stairs in the same shopping center. And again,
9 that business owner kind of went the unlawful
10 route, so he pulled out of that business as
11 well. So I think given the opportunity, he'll
12 keep it legal and make sure everyone stays
13 within the legal parameters, and be a contribu-
14 tor to the city as opposed to somebody causing
15 problems like we've seen in the past.
16 COUNCILMEMBER FLEMING: Thank you.
17 MAYOR JENKINS: Thank you.
18 Anybody else for?
19 - - -
20 (No response)
21 - - -
22 MAYOR JENKINS: Anybody against? For
23 or against?
24 - - -
25 (No response)

Page 14

1 - - -
2 MAYOR JENKINS: Okay. I'll bring it up
3 to the table.
4 MR. WEED: Mr. Mayor, just for your
5 convenience, I'll read out to the Council very
6 briefly what the standards are that are appli-
7 cable to this matter. They're found in Section
8 1501 of the Zoning Ordinance, Conditional Uses
9 under Conditional Use Procedure. There are four
10 relevant criteria. The first is the application
11 and the site plan submitted by the applicant
12 include a site plan drawn to scale depicting how
13 the proposed conditional use will conform to all
14 space limits, buffers, parking and loading
15 provisions; two, that all specific conditions of
16 the ordinance relative to the conditional use
17 have been met; three, that the applicant has
18 made a binding agreement for any specific limi-
19 tations or conditions needed to protect the
20 public interest and assure the continued bene-
21 ficial use of neighboring properties and that no
22 special limitations are necessary to protect the
23 public or that the conditional use with specific
24 limitations and design features as may have been
25 required will further the aims of the land use

Page 15

1 plan and will not be unduly detrimental to
2 nearby properties. And the Council is required
3 to consider all of the following [sic] factors
4 prior to making a decision on the matter.
5 MAYOR JENKINS: Thank you.
6 COUNCILMEMBER ROCHE: So we could make
7 a restriction as far as the hours of operation
8 and that sort of thing?
9 MR. WEED: That is correct, sir.
10 COUNCILMEMBER ROCHE: Because it would
11 seem reasonable to restrict it, you know, try
12 and say close by midnight?
13 MR. WEED: In my opinion, that is a
14 rational limitation that the Council could make
15 and you could make that a part of the approval
16 of the permit if you decide to approve the
17 permit.
18 COUNCILMEMBER ROCHE: Would you have a
19 problem with that?
20 COUNCILMEMBER PITTMAN: Well, you said
21 you were only going to be open on Saturdays
22 10:00 to 12:00; is that correct?
23 MR. HUYNH: From 10:00 to 12:00.
24 COUNCILMEMBER PITTMAN: 10:00 to 12:00.
25 That's the only day that you would be open that

Page 16

1 late?
2 MR. HUYNH: Yes.
3 COUNCILMEMBER ROCHE: Well, we were
4 saying that you would have to close at 12:00.
5 You couldn't later on decide to stay open till
6 2 o'clock, so.
7 MR. HUYNH: That should be no problem
8 at all.
9 COUNCILMEMBER ROCHE: Okay. I was just
10 curious.
11 MAYOR JENKINS: (To Mr. Huynh) Wait
12 just a minute, sir, in case there's other
13 questions.
14 Are there any other questions?
15 COUNCILMEMBER ROCHE: Well, it would
16 just seem rea- -- I mean even with what Sergeant
17 Kiernan said, if we restrict them to -- if they
18 shut down at midnight, would that be helpful on
19 a Saturday night?
20 Obviously you have other things to
21 worry about on a Saturday night than . . .
22 SERGEANT KIERNAN: I'm sorry. I can
23 barely hear you.
24 COUNCILMEMBER ROCHE: Yeah. That's
25 because I'm not speaking up.

Page 17

I know there's always trepidation about, you know, pool halls, that sort of thing, and I understand that Mr. Huynh has said he wants to shut down at midnight every night, on Saturdays. You know, I was thinking about just making that a requirement of a conditional use, that forever and ever, he shuts down at midnight.

SERGEANT KIERNAN: Yeah. I don't think he was planning on staying open later than that, anyway, but --

COUNCILMEMBER ROCHE: Probably not.

SERGEANT KIERNAN: -- traditionally, the problems that we've had has been alcohol related in places like that and the gambling that comes with it, and he's shown in the past that he's not tolerable of the gambling and illegal activity. So the only other contributing factor that I would see would be alcohol, and again, he's not serving that. So I don't really foresee it being a problem we would have to --

COUNCILMEMBER ROCHE: Right.

SERGEANT KIERNAN: -- deal with.

MR. HUYNH: See, the -- Can I talk?

Page 18

See, the reason I didn't stay with the one at Cafe 168 right now, because they're doing -- you know, in the first five months, and I know, you know, everything is illegal. So I told my wife, I have a choice, I will get out, because I know John for a long time. And illegal, sooner or later you get busted, and I've seen that many, many times. So I don't want to, you know, work for nothing.

And then now, see, every time I go back there, you know, because my name is still on the lease of that, I want to request the landlord to get my name out of there because I don't want anything happen with my name on it, you know, because I was in there every day, and every day, I see it was busted, busted everywhere, gambling busted, videogame, whatever, slot machine, and you know, all kind of things were illegal. And even now, he's still running like open 24 hour. Even people sleeping there, you know, and I don't see, you know, why they take -- you know. Now they got one there. If you don't believe me, go there. At night, he sleep on there. And not long ago, they got robbed. They got that guy sleep in there. Somebody go in there and

Page 19

rob him, you know, bust the door and rob him in there. This is recently, you know. It's dangerous.

So I will obey the law. You want me to close at 10:00, I will close at 10:00. You know, that's -- 12:00, maybe, but I don't think so. I don't want to risk my wife to stay that late either, you know. So that's what I have.

COUNCILMEMBER FLEMING: So Motsautam (Cafe 168) is in Suite A-4 on the first floor. You feel that we need to be watching them more carefully.

MR. HUYNH: Exactly, because I've been there. You know, I'm the one in the business.

COUNCILMEMBER FLEMING: Okay.

MR. HUYNH: The reason why, you know, why they investigate, you know, why they got robbed, you know, that's right, you know, after our. Ours is only open to midnight, but right at 3 o'clock, people go in there and rob somebody in there because they sleep in there. You know, that's not going to happen to me.

COUNCILMEMBER ROCHE: Thank you.

COUNCILMEMBER FLEMING: Thank you.

MAYOR JENKINS: Anybody else at the

Page 20

table?

COUNCILMEMBER FLEMING: I do want to make a comment that if the Council chooses to permit this conditional use, then I feel that we should put a restriction of -- I lost my . . . I didn't lose my train of thought. I've lost my statement of fact -- that we should not allow the use to be permitted from this owner to the next --

COUNCILMEMBER ROCHE: In other words --

COUNCILMEMBER FLEMING: -- nor to --

COUNCILMEMBER ROCHE: -- if the owner can't --

COUNCILMEMBER FLEMING: -- any other suite within that address.

MAYOR JENKINS: In other words, when he moves out, the same thing can't go back in there.

COUNCILMEMBER FLEMING: Unless they come to us --

MAYOR JENKINS: Oh, okay.

COUNCILMEMBER FLEMING: -- for a conditional use permit; that it's not that by permitting him, we are permitting the conditional use to this applicant.

Page 21

MAYOR JENKINS: You're eliminating the conditional use if he don't do what you say.
COUNCILMEMBER FLEMING: Yes, sir.
COUNCILMEMBER ROCHE: And that he couldn't sell the business as a pool hall unless the new owner came.
COUNCILMEMBER FLEMING: Mr. Weed, can you give me or enlighten us or at least give me the proper verbiage that --
MR. WEED: I think you've said it. I would want to make sure that the applicant understands the condition and agrees to it or doesn't agree to it so you can have that discussion.
Sir, would you go back to the microphone?
MR. WEED: Thank you.
What the Mayor and Council are proposing is that they would grant your conditional use permit; however, one of the conditions on your permit is that the permit would be in your name only for your business. It would not travel with the land. So if you wanted to at some future point sell your business to some other person, you wouldn't be

Page 22

able to do that, not as a pool hall.
MR. HUYNH: Okay.
MR. WEED: They would have to come in completely on their own and go through the same thing that you've gone through tonight.
Do you understand that?
MR. HUYNH: I do understand, yeah. So right now, I got to prove it. It's not easy to get me approved, to grant it. So if I want somebody -- or sell the business to somebody else, they have to do everything over again. I understand.
MR. WEED: Right; as if it was just an empty space.
MR. HUYNH: Okay.
MR. WEED: Do you agree with that condition?
MR. HUYNH: I do.
MR. WEED: Okay.
COUNCILMEMBER ROCHE: One other condition I would propose not to stay open past midnight.
MR. HUYNH: Yes.
MR. WEED: And then I think the third condition that the Council was talking about is

Page 23

that your business could not be expanded. In other words, it will be in whatever the suites were that were named. I think you're going to be occupying two spaces?
MR. HUYNH: Yes, sir.
MR. WEED: All right. So you can't occupy a third.
MR. HUYNH: Okay.
MR. WEED: Do you understand that?
MR. HUYNH: I do.
MR. WEED: And do you agree to that condition?
MR. HUYNH: Yes, I do.
MAYOR JENKINS: What about the amount of tables. He mentioned three tables first since he did not need four.
MR. WEED: If you want to make it three, tonight's the night.
COUNCILMEMBER ALEXANDER: I thought it was in the ordinance.
MR. HAEBERLIN: In the ordinance.
COUNCILMEMBER ALEXANDER: It's already in our ordinance.
COUNCILMEMBER FLEMING: It's in the ordinance.

Page 24

MAYOR JENKINS: Oh, it is?
COUNCILMEMBER ALEXANDER: Yes, sir.
MAYOR JENKINS: Oh, okay. Thank you.
COUNCILMEMBER FLEMING: Now, that doesn't mean that he wouldn't be able to have possibly a ping pong table in there to accompany the three billiard tables. Correct?
MR. WEED: I don't know that. I don't believe that there's any kind of limitation on that, that I've ever read. In other words, yes, I think that would be fine.
COUNCILMEMBER FLEMING: Okay.
MR. WEED: If he can meet, you know, the fire safety codes, it's not too crowded, he could do that.
COUNCILMEMBER FLEMING: Okay. I am not aware of who the owner is of 5302 Buford Highway and -- pronounce your last name for us again?
MR. HUYNH: Huynh (pronouncing).
COUNCILMEMBER FLEMING: Huynh, and --
MR. HUYNH: Yes.
COUNCILMEMBER FLEMING: -- spelling H-U-Y-N-H.
MR. HUYNH: Yes, ma'am.
COUNCILMEMBER FLEMING: B and 3 -- B-3,

Page 25

upper level, and B-4 will be the two suites that you will be occupying.
MR. HUYNH: Yes, ma'am.
COUNCILMEMBER FLEMING: And since the owner is not here, how do we make them aware that other billiards or billiard rooms or what-ever will not be allowed as a permitted use in his property?
MR. WEED: I would just have the Planner send him a letter to let them know.
COUNCILMEMBER FLEMING: Okay.
MR. HUYNH: But before this, I already told them have the meeting tonight, and he say they try to come, but I don't see anybody show up, but they already know what's going on.
COUNCILMEMBER FLEMING: Thank you.
COUNCILMEMBER ROCHE: Somebody has to make a motion.
MAYOR JENKINS: Do I have a motion?
COUNCILMEMBER SPANGLER: I thought you already made it.
COUNCILMEMBER FLEMING: No. We were just discussing.
I'd like to make a motion to permit the conditional use of a billiard room at 5302

Page 26

Buford Highway, Suites 3 and 4, Doraville, Georgia 30340 with a couple of conditions as part of this motion: that the business will close by midnight, that the conditional use cannot be transferred to a new owner, and the business cannot expand to adjoining suites or move to another suite, and that the City will notify the actual owner of 5302 Buford Highway that we are approving it as a conditional use.
MAYOR JENKINS: Is that it?
MR. WEED: Sir, I'm going to ask you one more time. Did you hear all the conditions that were stated just now?
MR. HUYNH: Yes, sir.
MR. WEED: And do you agree with those conditions?
MR. HUYNH: Yes, sir.
COUNCILMEMBER SPANGLER: Second.
MAYOR JENKINS: Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?

Page 27

COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Bates?
- - -
(No response)
- - -
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
DEPUTY CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
DEPUTY CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
DEPUTY CLERK BRYANT: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: Thank you. Scott?
MR. HAEBERLIN: Just for the record, sir, the owner was part of the application and was part of the application process on the City application retained in the file. Of course we will take heed of the Council's mandate.
As well, sir, you'll need to come in to

Page 28

City Hall to complete the rest of your occupational tax application. Okay? Thank you.
MR. HUYNH: Thank you.
COUNCILMEMBER FLEMING: Congratulations and good luck.
MR. HUYNH: Thank you.
COUNCILMEMBER PITTMAN: Thank you.
MR. HUYNH: I appreciate it.
MR. HAEBERLIN: The next item we have under public hearing 3B, nonresidential condi-tional use, and this is for that of a massage therapist. The applicant Hye Chong Park -- I hope I got that right -- property, 3852 Stewart Avenue, the corner of Stewart and Church. Again the current zoning is C-2. At this time, I'd like the applicant to come forward and tell the Council about their petition.
MS. PARK: Hello. I'm trying to open the massage therapist. I have a massage license, so I'm trying to open the massage therapist place.
COUNCILMEMBER ALEXANDER: Mr. Haeberlin, is this the applicant?
MR. HAEBERLIN: Mayor and Council, this is not the individual that was presented to me

Page 29

nor completed the application. The gentleman that's in the room was the person that completed the application with me, so we'll need some clarification on that.

Will you come forward, sir?

THE REPORTER: We don't have this lady's name yet. Shall we get it?

MR. HAEBERLIN: Yes.

Ma'am, what is your name?

MS. PARK: Hye Chong Park.

MR. HAEBERLIN: Oh. You are?

MS. PARK: Yes.

MR. HAEBERLIN: Okay. The person who completed that, is this a spouse?

MR. KIM: This is my sister. She's out of town and I help her.

Jun Kim, J-U-N. Last name is -- first name is Kim, K-I-M.

THE REPORTER: Mr. Jun?

MR. KIM: Or Mr. Kim.

THE REPORTER: Mr. Kim? Thank you.

COUNCILMEMBER PITTMAN: When you say massage therapy --

MS. PARK: Yes.

COUNCILMEMBER PITTMAN: -- could you be

Page 30

a little more detailed as to what you exactly do?

MS. PARK: I have a license. I went to school for the massage and then I have a license and then I apply for the Georgia license certificate. I apply for the Georgia license so I can open business.

COUNCILMEMBER FLEMING: Have you received your Georgia license yet?

MS. PARK: Yeah, I have, and then I did renew but I didn't got the . . .

COUNCILMEMBER PITTMAN: Have you had a business like this before or do you have a business like this somewhere else?

MS. PARK: Yeah, I did before.

COUNCILMEMBER PITTMAN: Where at?

MS. PARK: It was in Rhode Island.

COUNCILMEMBER PITTMAN: Rhode Island?

MS. PARK: Yes.

COUNCILMEMBER PITTMAN: What was there before, Scott?

MR. HAEBERLIN: Former location, it was called Blue and it was also called, I believe, Blue Star, and I believe it was some sort of massage establishment as well.

Page 31

COUNCILMEMBER PITTMAN: So are you related to those people --

MS. PARK: No, no.

COUNCILMEMBER PITTMAN: -- in any way?

MS. PARK: No, no.

COUNCILMEMBER PITTMAN: No?

MS. PARK: No, yeah.

COUNCILMEMBER ALEXANDER: Have you been given a copy of our section on massage and understand all of the regulations that you have to comply with?

MR. KIM: We don't have it.

MR. HAEBERLIN: What Councilperson Alexander is referring to is the regulatory codes for a massage establishment which generally would involve the occupational tax license issuance. So they may have not been provided that yet; that's correct.

COUNCILMEMBER PITTMAN: And neither one of you worked there previously? Did you work at the one that was --

MS. PARK: No, no, no, no.

COUNCILMEMBER PITTMAN: -- previously there?

MS. PARK: No.

Page 32

MR. KIM: No.

COUNCILMEMBER PITTMAN: Is it full-body massage?

MS. PARK: Yes, uh-huh. I have -- yeah, that's what I have license for.

COUNCILMEMBER ROCHE: Now, is this a lease? I mean are you going to lease the building?

MR. KIM: Yes.

MS. PARK: Yes.

COUNCILMEMBER ROCHE: Who owns the building?

MR. HAEBERLIN: What we have listed is it's Mr. (spelling) H-O-S-E-I-N, new word (spelling) E-S-M-A-I-L-I as the person that owns the building. It's a gentleman. Hosein Esmaili. That's as good as I can do.

COUNCILMEMBER ALEXANDER: Do you know what your hours of operation would be?

MS. PARK: I'm trying to do 10:00 to 10:00.

COUNCILMEMBER ALEXANDER: And are you going to be the only masseuse?

MS. PARK: For right now, for opening, opening time, yeah, I will -- I will be myself.

Page 33

After -- after getting more business, then I will get another person to work, you know.
COUNCILMEMBER FLEMING: Would you happen to have a copy of your masseuse license with you?
MS. PARK: Yes, uh-huh.
COUNCILMEMBER ROCHE: Georgia?
COUNCILMEMBER FLEMING: For Georgia.
COUNCILMEMBER PITTMAN: How long were you in business in the other state?
COUNCILMEMBER FLEMING: I'm sorry?
MS. PARK: Other state?
COUNCILMEMBER PITTMAN: How long were you in business?
MS. PARK: Other state?
COUNCILMEMBER PITTMAN: Uh-huh, the other location.
MS. PARK: I've been closed, but I was (imperceptible).
COUNCILMEMBER FLEMING: I'm sorry. I have it here. My apology.
MS. PARK: I don't have it right now. I did before, yeah, but about a couple years, two/three year.
COUNCILMEMBER PITTMAN: I'm sorry. I

Page 34

can't hear.
MS. PARK: About two/three year.
COUNCILMEMBER PITTMAN: About two or three years?
MS. PARK: Yes.
COUNCILMEMBER PITTMAN: Have you just moved? Is that the reason you --
MS. PARK: Yes, uh-huh.
COUNCILMEMBER PITTMAN: Okay.
COUNCILMEMBER FLEMING: Did you receive the 2009 one already?
MS. PARK: Not yet.
COUNCILMEMBER FLEMING: Okay. That's what I --
MS. PARK: Yes.
COUNCILMEMBER ROCHE: So you currently don't have a license.
MS. PARK: I pay for it but I didn't got it yet.
COUNCILMEMBER PITTMAN: Will there be any other type services offered?
MS. PARK: No.
COUNCILMEMBER PITTMAN: What happened to the other business that was there? Did they shut down or --

Page 35

MR. HAEBERLIN: City Hall received notification that the gentleman was closing the business. He was thinking about expanding his business operations. At that time, the City had conditional use requirements for these additional items there, and he chose to close his business rather than pursue that any further. And that's what was related to myself and to the Mayor's office.
MAYOR JENKINS: Any more questions for the applicant?
COUNCILMEMBER ALEXANDER: Yes, sir. This advises you to check back within a few days after receipt of this payment to verify your renewal has been accepted. This is from October of last year.
MS. PARK: Yeah, I know. Yeah.
COUNCILMEMBER ALEXANDER: And have you followed up on it?
MS. PARK: Not yet.
COUNCILMEMBER ALEXANDER: Okay.
MS. PARK: I have to do it yet.
COUNCILMEMBER ALEXANDER: Okay. At this point, I'm not comfortable granting this conditional use when we don't have a valid

Page 36

current renewal.
I would also suggest that they're given a copy of the Article VI regulations regarding the massage parlors through you.
MAYOR JENKINS: Any more questions?
COUNCILMEMBER SPANGLER: Did you see what all the -- following the services on the very last page that they're going to be conducting other than massage?
- - -
(Brief, inaudible discussion at Council table.)
- - -
MR. WEED: That document isn't in the record unless you refer to it or put it in the record somehow, by the way.
COUNCILMEMBER PITTMAN: None of us have it except Mr. Spangler.
COUNCILMEMBER ALEXANDER: Well, we did get it. I don't --
COUNCILMEMBER PITTMAN: I didn't have it --
COUNCILMEMBER ALEXANDER: -- have it with me.
COUNCILMEMBER PITTMAN: -- with me,

Page 37

yeah.
COUNCILMEMBER ALEXANDER: Yeah.
MR. WEED: What I'm getting at is if you use that as part of your decisionmaking --
COUNCILMEMBER ALEXANDER: I would like it put in the record.
MR. WEED: -- somehow you need to have Mr. Haeberlin put it in the record or attach it to the record, that type of thing.
COUNCILMEMBER SPANGLER: Do you have a copy of it, Mr. Haeberlin?
MR. HAEBERLIN: I don't believe so.
MAYOR JENKINS: She can make copies.
COUNCILMEMBER ALEXANDER: It's what you gave us with the original application. It's a letter in there.
COUNCILMEMBER SPANGLER: It's the very last page.
MR. HAEBERLIN: Yes. The letter dated June 17, 2009, if that is it, the letter of intent, I do have that as part of the application package.
MR. WEED: That would be part of the record, then. That's fine.
MAYOR JENKINS: Do you want to make

Page 38

copies of it?
MR. WEED: No. We don't need to as long as everyone has it. That copy will become part of the record. I just wanted to make sure that if you use that document as part of your decisionmaking, that there was some record and it would end up in the official record of this hearing at some point.
MAYOR JENKINS: All right. Scott?
MR. HAEBERLIN: Yes, sir.
MAYOR JENKINS: Under those circumstances --
COUNCILMEMBER SPANGLER: Read the last paragraph, please.
MR. HAEBERLIN: Would you like for me to read it out loud?
COUNCILMEMBER SPANGLER: You can just read it to -- the court reporter said yes.
MAYOR JENKINS: Yes.
COUNCILMEMBER ROCHE: Are we moving into the staff section of the meeting?
MR. HAEBERLIN: Okay. I'm aware of what you're speaking about now.
I previously looked at that item as well. Not a lot of information on this

Page 39

particular item. And you guys are aware that this is one tax parcel. It does have two businesses or two locations for potential businesses.
There is auto repair on this site and then there is what was an old home. This is the 3852 Stewart Road that the applicants are intending on occupying as well as a former residential home. Due to the age, I can't really say when the last time the City has inspected the facility; however, I think that it would particularly behoove us in this situation since it was a home.
There are some concerns on parking. From what I have been able to view on the site, the parking is substandard. We do have some tandem style parking which basically requires you to move a vehicle to get a vehicle out. And the general condition of the parking relative to the auto repair facility together with this site needs to be looked at in more detail.
Now, I do want to bring attention to a couple items that the applicant's illuminated for us. I want Mr. Weed to be aware of this. The applicant's brother is actually the person

Page 40

who signed the application with her name, so I want you to be aware of that. That has just become known to me, that the applicant did not actually sign their signature on the application; it was signed by the applicant's brother.
MR. WEED: Well, we can resolve that quickly enough.
Ma'am, you're the applicant in this case; is that correct?
MS. PARK: Yes.
MR. WEED: And this is your brother in the room, next to you, sitting right in the chair next to you?
MS. PARK: Yes.
MR. WEED: Did he have your permission to sign your name to the application or does he now have permission to sign your name to the application for you?
MS. PARK: Yes.
MR. WEED: Okay. Were you aware he was going to apply for this hearing for you?
MS. PARK: No, no, no. I -- I do it.
MR. WEED: If you guys will come up to the microphone, please.
I think we can resolve this pretty

Page 41

1 quickly.
2 Sir, did you fill out the application
3 for your sister?
4 MR. KIM: Yes.
5 MR. WEED: Okay.
6 MR. KIM: I just pick up the appli-
7 cation and just -- I just --
8 MR. WEED: And that's fine.
9 MR. KIM: Okay.
10 MR. WEED: There's nothing wrong with
11 that.
12 MR. WEED: All right. And did you sign
13 the application for your sister?
14 MR. KIM: No.
15 MR. WEED: Okay. So, ma'am, you signed
16 your own name on the application; is that
17 correct?
18 MS. PARK: I never signed application
19 (imperceptible).
20 MR. KIM: Yes. I do.
21 MR. WEED: Okay. You signed her name.
22 MR. KIM: Uh-huh.
23 MR. WEED: And ma'am, is it okay with
24 you --
25 MS. PARK: Yes.

Page 42

1 MR. WEED: -- that he signed your name?
2 MS. PARK: Yeah. I -- I --
3 MR. WEED: Good enough. Okay. Thank
4 you. That's fine.
5 MS. PARK: Yeah.
6 MR. WEED: I mean I could write checks
7 for the Mayor on his personal account as long as
8 I have his permission to sign his name. I can
9 even sign my name, you know.
10 So that part's okay. That's fine.
11 Thank you. I'm glad we clarified that.
12 MR. HAEBERLIN: I just wanted to bring
13 that to the Council's attention in case we had
14 any problems on that.
15 MR. WEED: Thank you, Mr. Haeberlin.
16 MR. HAEBERLIN: Yes.
17 Based on the review of the letter as
18 well -- I mean I'm certainly aware that
19 colonics, which one of those areas might fall
20 under, is really not covered under the general
21 item of massage therapy. However, what the
22 person applied for was that of a massage
23 therapist. So if the petition is expanded to
24 include other uses that may be conditional uses,
25 then the City Council would need to evaluate

Page 43

1 that.
2 So I think that is all I have unless
3 there are specific questions of the Council.
4 COUNCILMEMBER SPANGLER: How many
5 parking spaces is there over there? About
6 three? Like you said, they're tandem.
7 MR. HAEBERLIN: Yeah. The way it's
8 laid out, the actual -- the existing residential
9 building has two, which are one -- you know, one
10 behind another, that goes parallel to the
11 building.
12 Now, the auto repair site which is skim
13 little on parking itself has three or four
14 actually striped parking spaces; however, I'm
15 not sure that those meet code, I mean due to the
16 extended age of the facility. Certainly parking
17 is something that needs to be considered in this
18 situation.
19 COUNCILMEMBER SPANGLER: And you did
20 read this last paragraph?
21 MR. HAEBERLIN: Yes, sir. What I'm
22 looking at in this petition, what the person
23 applied for, is that of massage therapist,
24 disregarding the other actions.
25 COUNCILMEMBER SPANGLER: But according

Page 44

1 to this, the way I interpret what's in this
2 letter, is that they're going to have these
3 other services.
4 MR. HAEBERLIN: But that's not the item
5 under review by the Council, however. Again --
6 I mean I know that sometimes there are some
7 language barriers; however, the person applied
8 for that of massage therapist. They did apply
9 for that of colonics.
10 COUNCILMEMBER ROCHE: Could we get you
11 to go ahead and read the last paragraph, because
12 I think the audience is --
13 MR. HAEBERLIN: Absolutely.
14 COUNCILMEMBER ROCHE: -- just going
15 nuts trying --
16 MR. HAEBERLIN: Absolutely.
17 COUNCILMEMBER ROCHE: -- to figure out
18 what we're talking about here.
19 MR. HAEBERLIN: I will be more than
20 happy. Just one second.
21 COUNCILMEMBER ROCHE: It's a public
22 hearing after all.
23 MR. HAEBERLIN: And this is from the
24 letter of intent which was provided by the
25 applicant, which is dated June 17th, 2009, and

Page 45

it's addressed to Ms. Rhonda Blackmon, the City Clerk, and it says, from Hye Chong Park (reading), "Specifically as a massage therapist, I will provide the following services: rub or -- rub or massages customers and administer other body conditioning treatments for hygienic or remedial purposes; applies alcohol, lubricants or other rubbing compounds; massages body using such techniques as kneading, rubbing and stroking flesh to stimulate blood circulation, relax contracted muscles, facilitates elimination of waste matter" -- which would seem to indicate colonics -- "or to relieve other conditions using hands; administer steam or dry heat, ultraviolet or infrared, or water treatments on request of customers or instruction of physician. Thank you for your attention to this matter. Sincerely, Hye Chong Park."

So I would definitely say on the situation, if that is to be applied -- to be interpreted as colonics, that is a different conditional use application rather than massage therapist is what was applied for, to me.

Again, and that is semantics, and I

Page 46

don't know how the Council is interpreting that, but to me -- And we could have the applicant come forward.

Please come forward. The elimination of waste, exactly what is that and can you tell us what that entails?

MS. PARK: Okay. I don't know what to say. Okay.

MR. HAEBERLIN: I think what the Council is interested in hearing from you, ma'am, are you practicing what is generally referred to as colon therapy or colonics?

When you're talking about eliminating waste matter from the body, does that involve fecal matter?

MS. PARK: I don't know what to say actually. (Inaudible)

MR. HAEBERLIN: Could you speak up for the Council?

MS. PARK: I ask someone to write it for me, about the -- this letter. Actually, I don't really understand this word. I asked the lawyer write it for me. I don't really understand this word.

MR. HAEBERLIN: Okay. Basically, we're

Page 47

asking you, do you perform any services where you eliminate waste from the body -- waste that generally would involve a bowel movement?

I'm trying to think of another word that she might understand.

Do your treatments involve what people would normally do if they went to the restroom, like their daily constitution? Trying to think of another word.

COUNCILMEMBER ROCHE: Go to the bathroom.

MR. HAEBERLIN: Go to the bathroom?

MS. PARK: (No response)

MR. HAEBERLIN: You don't know?

MS. PARK: I don't understand.

MR. WEED: The applicant is shaking her head no. I think we can move on.

COUNCILMEMBER ROCHE: Yeah, I think.

MR. HAEBERLIN: I think basically she doesn't -- well, she told me she doesn't understand.

MR. WEED: Mr. Haeberlin, I understand. If the applicant's response to their application -- if they don't understand their application, the Council can apply whatever weight is

Page 48

relevant to that.

MR. HAEBERLIN: Yes, sir.

MR. WEED: You've done the best you could, and the applicant has attempted to answer the question.

MAYOR JENKINS: Okay. Thank you.

Do we have any -- We need a public hearing. Is there anybody for this application?

- - -

(No response)

- - -

MAYOR JENKINS: Anybody against?

MR. O'CONNOR: I was against it before I heard about the colonics or whatever you want to call it.

But that's an old home, a very large home that's on the corner, and you have the Salvation Army just on the opposite corner. You've got some type of a used car lot in between them. The parking is -- it's either two or three parking spaces that are right against the building in this little narrow driveway. There's no places for anybody to park.

I really don't think we need a massage therapy, any more around this area. I think

Page 49

we've got more than enough, and I'm just totally against it. I don't think it's going to help this little core right around -- it's only about a block-and-a-half from here. Now, if we're trying to beautify, quote, downtown, I don't think that this is what we need.

Thank you.

MAYOR JENKINS: Thank you, sir.

Anybody else?

MR. HART: There was a nice little Volkswagen repair place there.

MAYOR JENKINS: Your name, sir?

MR. HART: Oh. Tom Hart.

And the repair shop building is on the same property, and the house where Mr. Keck would park and used to live is what they're going to use for the massage. It just got turned into the Blue Star and it ended up in Creative Loafing and then it turned into, you know, a lot more than just a massage parlor and it's -- you know, I agree totally with the Planning Commission members that, you know, we're trying to beautify the downtown, and, within two blocks there, we have a couple of businesses that don't -- you know. We've got

Page 50

enough problems with vagrants coming off the train and then we've got, you know, people who are being released from the jail, and then we got homeless people and then we got massage parlors and a sex shop downtown.

You know, I think we would look at something else. I mean particularly you don't have to give them a variance, for gosh sakes. Thank you.

MAYOR JENKINS: Anybody else?

- - -

(No response)

- - -

MAYOR JENKINS: Okay. I'm going to bring it up to the table. Do I get a motion?

MR. WEED: Well, Mr. Mayor, let me just tell you for the record, the same conditional use standards apply from Section 1501 of your ordinance, Conditional Use Procedure. You've heard them before a few minutes ago but I'll go over them very briefly. One, the application and site plan submitted by the applicant must be drawn to scale, must depict how the conditional use will conform to all space limits, buffers, parking and loading provisions applicable to the

Page 51

ordinance; two, that all specific conditions of the ordinance relative to the conditional use have been met; three, the applicant has made a binding agreement for any specific limitations or conditions necessary to protect the interest and ensure the continued beneficial use and enjoyment of nearby properties or that no special limitations are necessary to protect the public or the conditional use with specific limitations and design features as may have been required by the Council will further the aims of the land use plan and will not be unduly detrimental to nearby properties, and that Council must consider all four of the following [sic] prior to making a decision.

MAYOR JENKINS: Thank you.

Do I have a motion?

COUNCILMEMBER FLEMING: I need to ask Mr. Haeberlin one question.

Massage therapist is a permitted use in what zone, please?

MR. HAEBERLIN: Licensed massage therapists are conditional uses in C-2.

COUNCILMEMBER FLEMING: And that's the only place that they occur?

Page 52

MR. HAEBERLIN: If I recall from looking at the Code, there may be an item listed under M-2 as well, but in the commercial zones, this is the appropriate location for this item.

COUNCILMEMBER FLEMING: As a conditional use only?

MR. HAEBERLIN: Yes; for an item for you to consider, yes, ma'am, under C-2.

COUNCILMEMBER FLEMING: Okay.

MR. HAEBERLIN: Property of C-2.

COUNCILMEMBER PITTMAN: I make a motion that we deny the license for the -- or the permit for the massage therapy at 3852 Stewart Road.

COUNCILMEMBER ROCHE: I second that.

MR. WEED: Could you state some of your basic reasons for the denial? In other words, has the applicant failed to submit an appropriate parking plan? Has the applicant failed to demonstrate a current, active Georgia license for massage therapy? Is the location of the lot itself not conducive to the conditional permitted use? Are those things that you have considered?

COUNCILMEMBER PITTMAN: Absolutely.

Page 53

COUNCILMEMBER ROCHE: I guess I thought that would be part of the discussion part of --
MR. WEED: I just wanted to make sure -- I wanted why you were going to get there --
COUNCILMEMBER ROCHE: Yeah.
MR. WEED: -- for whatever reason. I wanted the record to reflect whatever your reasoning was.
COUNCILMEMBER ROCHE: As far as before we make our decision.
MR. WEED: Yes, sir.
COUNCILMEMBER PITTMAN: That was some of the concerns, I believe, is the parking as well as not having a valid license as well as not being able to clarify the last section of exactly what services would be offered.
COUNCILMEMBER ROCHE: Are we in discussion phase?
MAYOR JENKINS: Yes.
COUNCILMEMBER ROCHE: As far as I'm concerned, first of all, I mean we're not -- we don't have someone that's associated with a medical practitioner or whatever, anything like that. Again with the license issue. I think

Page 54

that frankly we have, as someone said earlier, too many massage parlors or whatever in the city now, so it's not conducive for future land use in the local area. And frankly, given the kind of place it was before, I have to wonder what happens when ex-customers show up and start asking for services. I don't know how that would work, frankly. So that's all I really have to say on that.
COUNCILMEMBER SPANGLER: Sir?
MAYOR JENKINS: Do you have anything to say?
COUNCILMEMBER SPANGLER: I just agree with everything that's been said. The parking is probably the biggest thing. I went by there just yesterday, and it was two or three parking spaces. I couldn't remember. And it's like Scott said; you would have to back one out in order to pull the other one in. There's not enough room for people to park there, the small driveway. And this last paragraph in the intent letter really concerns me, all the other services to be offered.
MAYOR JENKINS: Thank you.
Anybody else?

Page 55

- - -
(No response)
- - -
MAYOR JENKINS: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
DEPUTY CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
DEPUTY CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
DEPUTY CLERK BRYANT: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: Thank you.
Do you understand? No, it's denied. Thank you.
Scott, can you make sure they understand?
MR. HAEBERLIN: Correct. Your petition

Page 56

has been denied; therefore, you will not be moving forward with that of a business license. You'll need to find another location.
MR. HAEBERLIN: Thank you.
COUNCILMEMBER FLEMING: I suggest that suggestion about a permit.
MR. HAEBERLIN: Correct. We will need that with a conditional use.
Councilperson Fleming's talking regarding the currency of the State licenses and that if she pursues another location in the city, we'll need to see verification that your licenses are current with the State. Okay? Thank you.
The next item under public hearing is Zoning Ordinance Test Amendments Section 601, Accessory Uses and Structures; Section 806, Street Frontage Requirements; Section 903, R-1, Single-Family Residential District; Section 902, Uses Common to All Residential Districts.
Now, these items have not been to the Planning Commission yet for recommendation to the City Council so we will need to postpone or recess those items at this time. We want to hold their slot for August 24th, 2009.

Page 57

You'll recall that these collectively are being looked at because to change R-1 I have to really address all of these items within this context because they're interweaved into each other, and that is basically to alleve [sic] a lot of the existing development conditions in the city as the City Council and myself have been more painfully aware of recently.

So at this time, I need a motion to recess or postpone this to August 24th, 2009.

COUNCILMEMBER PITTMAN: So moved.

COUNCILMEMBER SPANGLER: Second.

COUNCILMEMBER FLEMING: Do we not want to use this time for a work session so we could discuss some of the issues that Scott has brought up?

MAYOR JENKINS: Let's -- We got a motion and a second, I believe.

COUNCILMEMBER FLEMING: Okay. I'm sorry, sir.

MAYOR JENKINS: Any more discussion on the postponing till August 24?

MR. HAEBERLIN: Just for the record, it was Councilwoman Pittman first and then Councilperson Spangler second.

Page 58

MAYOR JENKINS: Any more discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll, please.

DEPUTY CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

DEPUTY CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: No.

DEPUTY CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

DEPUTY CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

DEPUTY CLERK BRYANT: Councilmember Spangler?

COUNCILMEMBER SPANGLER: Yes.

MAYOR JENKINS: Thank you.

COUNCILMEMBER ROCHE: Motion to adjourn.

MAYOR JENKINS: Second?

COUNCILMEMBER PITTMAN: Second.

Page 59

MAYOR JENKINS: Call the roll.

DEPUTY CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

DEPUTY CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

DEPUTY CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

DEPUTY CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

DEPUTY CLERK BRYANT: Councilmember Spangler?

COUNCILMEMBER SPANGLER: Yes.

MAYOR JENKINS: Thank you.

- - -

(Whereupon, the meeting was adjourned at 7:30 p.m. the same day.)

-o0o-

Page 60

C E R T I F I C A T E

STATE OF GEORGIA]
COUNTY OF DEKALB]

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

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

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

This the 24th day of August, 2009.

_____

Theresa Bretch, CCR
Permit No. B-755

[SEAL]

This Page Intentionally Left Blank

[

[sic] (3)
15:3;51:15;57:5

1

10 (2)
7:11,11
10:00 (10)
7:13,14,15;15:22,23,24;19:5,5;32:20,21
12:00 (5)
15:22,23,24;16:4;19:6
1501 (2)
14:8;50:18
168 (2)
18:2;19:10
17 (1)
37:20
17th (1)
44:25

2

2 (2)
5:23;16:6
2008-33 (1)
9:23
2009 (5)
34:11;37:20;44:25;56:25;57:10
24 (2)
18:19;57:22
24th (2)
56:25;57:10
285 (1)
13:6

3

3 (7)
5:24;6:11,14,16;19:20;24:25;26:1
30340 (1)
26:2
3852 (3)
28:13;39:7;52:13
3A (1)
4:1
3B (1)
28:10

4

4 (2)
6:16;26:1

5

5302 (4)
4:7;24:17;25:25;26:8

6

6:00 (2)
8:5,6
601 (1)
56:16

7

7:30 (1)
59:20

8

806 (1)
56:17

9

9:00 (1)
8:5
902 (1)
56:19
903 (1)
56:18

A

A-4 (1)
19:10
Aaron (6)
4:4,18,20;11:18,21;12:14
Aaronese (1)
11:24
ABC (1)
13:5
able (4)
22:1;24:5;39:15;53:16
Absolutely (3)
44:13,16;52:25
accepted (1)
35:15
Accessory (1)
56:17
accompany (1)
24:6
accordance (1)
11:4
according (1)
43:25
account (1)
42:7
actions (1)
43:24
active (1)
52:20
activi- (1)
12:17
activity (1)
17:18
actual (2)
26:8;43:8
actually (8)
5:16;7:4;8:4;39:25;40:4;43:14;46:17,21
additional (1)
35:6
address (2)
20:15;57:3
addressed (1)
45:1
adjoining (1)
26:6
adjourn (1)
58:23
adjourned (1)
59:19
administer (2)
45:5,14
advertised (1)
11:3
advises (1)
35:13
affect (1)
10:9
affected (1)
10:4
again (8)
13:8;17:20;22:11;24:18;28:14;44:5;45:25;53:25
against (7)
4:14;13:22,23;48:12,13,21;49:2
age (2)
39:9;43:16
ago (2)
18:24;50:20
agree (6)
21:13;22:16;23:11;26:15;49:21;54:13
agreement (2)
14:18;51:4
agrees (1)
21:12
ahead (1)
44:11
aims (2)
14:25;51:11
alcohol (7)
5:18,19,20;13:1;17:14,20;45:7
Alexander (27)
3:4,5;23:19,22;24:2;26:25;27:1;28:22;31:8,14;32:18,22;35:12,18,21,23;36:19,23;37:2,5,14;55:6,7;58:7,8;59:3,4
alleve (1)
57:5
allow (2)
5:8;20:7
allowed (1)
25:7
always (1)
17:1
Amendments (1)
56:16
amount (2)
9:22;23:14
apology (1)
33:21
appli- (3)
14:6;37:21;41:6
applica- (1)
40:4
applicable (1)
50:25
applicant (21)
4:4,10;9:25;14:11,17;20:25;21:11;28:12,16,23;35:11;40:3,8;44:25;46:2;47:16;48:4;50:22;51:3;52:18,19
applicants (1)
39:7
applicant's (4)
39:23,25;40:5;47:23
application (20)
14:10;27:21,22,23;28:2;29:1,3;37:15;40:1,16,18;41:2,13,16,18;45:23;47:23,24;48:8;50:21
applied (5)
42:22;43:23;44:7;45:21,24
applies (1)
45:7
apply (7)
4:24;30:5,6;40:21;44:8;47:25;50:18
appreciate (1)
28:8
appro- (1)
52:18
appropriate (1)
52:4
approval (1)
15:15
approve (1)
15:16
approved (1)
22:9
approving (1)
26:9
area (2)
48:25;54:4
areas (1)
42:19
Army (1)
48:18
around (2)
48:25;49:3
Article (1)
36:3
aspect (1)
12:3
associated (1)
53:23
assure (1)
14:20
attach (1)
37:8
attempted (1)
48:4
attention (3)
39:22;42:13;45:18
audience (2)
8:23;44:12
August (3)
56:25;57:10,22
auto (3)
39:5,20;43:12
Avenue (1)
28:14
aware (9)
24:17;25:5;38:22;39:1,24;40:2,20;42:18;57:8

B

B-3 (1)
24:25
B-4 (1)
25:1
back (7)
7:6;10:14;18:10;20:17;21:15;35:13;54:18
barely (1)
16:23
barriers (1)
44:7
based (3)
10:12,21;42:17
basic (1)
52:17
basically (8)
5:10,12;10:13;11:25;39:17;46:25;47:19;57:5
Bates (2)
3:7;27:3
bathroom (2)
47:11,12
beautify (2)
49:5,23
become (2)
38:3;40:3

began (1)
12:17
behind (1)
43:10
behoove (1)
39:12
belligerently (1)
12:10
bene- (1)
14:20
beneficial (1)
51:6
best (1)
48:3
beverage (1)
7:17
biggest (1)
54:15
billiard (3)
24:7;25:6,25
billiards (4)
4:3;12:5,8;25:6
binding (2)
14:18;51:4
Blackmon (1)
45:1
block-and-a-half (1)
49:4
blocks (1)
49:24
blood (1)
45:10
Blue (3)
30:23,24;49:18
body (4)
45:6,9;46:14;47:2
bookstore (6)
6:9,12,13,18,20;
7:5
bowel (1)
47:3
brief (2)
9:18;36:11
briefly (2)
14:6;50:21
bring (5)
3:23;14:2;39:22;
42:12;50:15
broken (1)
11:22
brother (3)
39:25;40:5,11
brought (1)
57:16
BRYANT (30)
3:3,6,11,14,17,20;
6:21,24;8:15;26:24;
27:2,7,10,13,16;55:5,
8,11,14,17;58:6,9,12,
15,18;59:2,5,8,11,14
buffers (2)
14:14;50:24
Buford (4)
4:7;24:17;26:1,8
building (8)
4:24;32:8,12,16;
43:9,11;48:22;49:14
business (30)
4:2,25;8:10,14;
12:17,21,21;13:5,7,9,
10;19:14;21:5,22,25;
22:10;23:1;26:3,6;
30:7,13,14;33:1,10,
14;34:24;35:3,4,7;
56:2
businesses (7)
11:21;12:1,16,16;
39:3,4;49:25
bust (1)
19:1
busted (5)
7:5;18:7,16,16,17
butcher (1)
4:5

C

C-2 (6)
4:8;9:23;28:15;
51:23;52:8,10
cable (1)
14:7
Cafe (2)
18:2;19:10
Call (7)
3:2;4:18;26:23;
48:15;55:4;58:5;
59:1
called (3)
4:21;30:23,23
came (1)
21:6
can (16)
16:22;17:25;21:7,
13;24:13;30:7;
32:17;37:13;38:17;
40:6,25;42:8;46:5;
47:17,25;55:23
car (2)
4:21;48:19
carefully (1)
19:12
case (3)
16:12;40:9;42:13
cation (2)
37:22;41:7
causing (1)
13:14
center (2)
10:5;13:8
certainly (2)
42:18;43:16
certi- (1)
30:5
chair (1)
40:13
Chamblee (1)
8:15
Chamblee-Tucker (3)
4:22;8:16;13:6
Champion (3)
11:4;12:5,8
change (2)
10:6;57:2
check (1)
35:13
checks (1)
42:6
choice (1)
18:5
Chong (4)
28:12;29:10;45:2,
18
chooses (1)
20:3
chose (1)
35:6
Church (1)
28:14
circulation (1)
45:11
circumstances (1)
38:12
City (19)
4:12;10:11;11:1,
22;12:16;13:14;
26:7;27:22;28:1;
35:1,4;39:10;42:25;
45:1;54:2;56:12,23;
57:7,7
clarification (1)
29:4
clarified (1)
42:11
clarify (1)
53:16
CLERK (31)
3:3,6,11,14,17,20;
6:21,24;8:15;26:24;
27:2,7,10,13,16;
45:2;55:5,8,11,14,
17;58:6,9,12,15,18;
59:2,5,8,11,14
close (7)
4:15;15:12;16:4;
19:5,5;26:4;35:6
closed (1)
33:18
closing (1)
35:2
code (6)
10:7,13,22;11:1;
43:15;52:2
codes (2)
24:14;31:15
collectively (1)
57:1
colon (1)
46:12
colonics (6)
42:19;44:9;45:13,
22;46:12;48:14
comfortable (1)
35:24
coming (3)
12:11;13:2;50:1
comment (1)
20:3
comments (1)
9:19
commercial (1)
52:3
Commission (2)
49:22;56:22
Common (1)
56:20
complete (1)
28:1
completed (3)
29:1,2,14
completely (1)
22:4
comply (1)
31:11
compounds (1)
45:8
con- (1)
12:8
concerned (1)
53:22
concerns (3)
39:14;53:14;54:22
condi- (2)
28:10;52:5
condition (6)
21:12;22:17,21,25;
23:12;39:19
conditional (29)
4:3;9:24;10:22;
14:8,9,13,16,23;
17:6;20:4,23,25;
21:2,20;25:25;26:4,
9;35:5,25;42:24;
45:23;50:17,19,23;
51:2,9,23;52:22;56:8
conditioning (1)
45:6
conditions (10)
14:15,19;21:21;
26:2,12,16;45:14;
51:1,5;57:6
conducive (2)
52:22;54:3
conducting (1)
36:9
conform (2)
14:13;50:24
Congratulations (1)
28:4
consider (3)
15:3;51:14;52:8
considered (2)
43:17;52:24
constitution (1)
47:8
context (1)
57:4
continued (2)
14:20;51:6
contracted (1)
45:11
contribu- (1)
13:13
contributing (1)
17:19
convenience (1)
14:5
copies (2)
37:13;38:1
copy (5)
31:9;33:4;36:3;
37:11;38:3
core (1)
49:3
corner (3)
28:14;48:17,18
Council (22)
4:16;10:15;14:5;
15:2,14;20:3;21:18;
22:25;28:17,24;
36:11;42:25;43:3;
44:5;46:1,10,19;
47:25;51:11,14;
56:23;57:7
Councilmember (211)
3:3,5,6,11,13,14,
16,17,19,20,22;5:14,
19,21,25;6:2,5,8,11,
16,19,22;7:2,7,16,19,
21,24;8:2,9,13,24;
9:3,7,9,12,15,16;
10:21;13:16;15:6,10,
18,20,24;16:3,9,15,
24;17:12,23;19:9,15,
23,24;20:2,10,11,12,
14,19,22;21:3,4,7;
22:20;23:19,22,24;
24:2,4,12,16,20,22,
25;25:4,11,16,17,20,
22;26:18,24;27:1,2,
7,9,10,12,13,15,16,
18;28:4,7,22;29:22,
25;30:8,12,16,18,20;
31:1,4,6,8,19,23;
32:2,6,11,18,22;33:3,
7,8,9,11,13,16,20,25;
34:3,6,9,10,13,16,20,
23;35:12,18,21,23;
36:6,17,19,21,23,25;
37:2,5,10,14,17;
38:13,17,20;43:4,19,
25;44:10,14,17,21;
47:10,18;51:18,24;
52:5,9,11,15,25;53:1,
6,10,13,18,21;54:10,

13;55:5,7,8,10,11,13,14,16,17,19;56:5;57:11,12,13,19;58:6,8,9,11,12,14,15,17,18,20,22,25;59:2,4,5,7,8,10,11,13,14,16
Councilperson (3) 31:13;56:9;57:25
Council's (2) 27:24;42:13
Councilwoman (1) 57:24
couple (8) 10:1;11:21,25;12:15;26:2;33:23;39:23;49:24
course (3) 4:16;10:15;27:23
court (1) 38:18
covered (1) 42:20
Creative (1) 49:19
criteria (2) 10:12;14:10
crowded (1) 24:14
curious (1) 16:10
currency (1) 56:10
current (9) 4:8;6:20,20;8:10;10:22;28:15;36:1;52:20;56:13
currently (4) 4:21;10:10,13;34:16
customers (2) 45:5,16

D

daily (1) 47:8
dangerous (1) 19:3
dated (2) 37:19;44:25
day (6) 7:12;8:7;15:25;18:15,15;59:20
days (1) 35:14
daytime (1) 8:6
deal (2) 5:4;17:24
decide (2) 15:16;16:5
decision (3) 15:4;51:15;53:11
decisionmaking (2) 37:4;38:6
definitely (1) 45:20
deliberate (1) 4:17
demonstrate (1) 52:20
denial (1) 52:17
denied (2) 55:21;56:1
deny (1) 52:12
Department (2) 11:16,17
Department's (1) 12:3
depict (1) 50:23
depicting (1) 14:12
DEPUTY (30) 3:3,6,11,14,17,20;6:21,24;8:15;26:24;27:2,7,10,13,16;55:5,8,11,14,17;58:6,9,12,15,18;59:2,5,8,11,14
design (2) 14:24;51:10
designed (1) 10:10
detail (1) 39:21
detailed (1) 30:1
detrimental (2) 15:1;51:13
development (1) 57:6
different (2) 12:15;45:22
discuss (1) 57:15
discussing (1) 25:23
discussion (7) 21:14;26:19;36:11;53:2,19;57:21;58:1
disregarding (1) 43:24
District (1) 56:19
Districts (1) 56:20
document (2) 36:14;38:5
done (1) 48:3
door (1) 19:1
Doraville (2) 11:16;26:1
down (4) 16:18;17:4,7;34:25
down- (2) 6:2;13:7
downtown (3) 49:5,23;50:5
drawn (2) 14:12;50:23
drinking (1) 5:17
drinks (1) 7:16
driveway (2) 48:22;54:21
drunk (3) 12:10,10;13:2
dry (1) 45:15
Due (2) 39:9;43:15
duly (1) 11:3
During (2) 11:18;12:7

E

earlier (1) 54:1
easy (1) 22:8
eight (3) 11:17,18;12:7
either (2) 19:8;48:20
eliminate (1) 47:2
eliminating (2) 21:1;46:13
elimination (2) 45:12;46:4
else (9) 5:14;13:18;19:25;22:11;30:14;49:9;50:7,10;54:25
emission (5) 4:21,22;8:11,12;13:6
employees (1) 7:25
empty (1) 22:14
end (1) 38:7
ended (1) 49:18
English (1) 11:22
enjoyment (1) 51:7
enlighten (1) 21:8
enough (6) 5:9;40:7;42:3;49:1;50:1;54:20
ensure (1) 51:6
entails (1) 46:6
Esmaili (1) 32:17
E-S-M-A-I-L-I (1) 32:15
especially (2) 12:4,24
establishment (2) 30:25;31:15
evaluate (1) 42:25
evaluation (1) 10:14
even (5) 10:8;16:16;18:19,20;42:9
everybody (1) 12:12
everyone (2) 13:12;38:3
everywhere (1) 18:16
Exactly (4) 19:13;30:1;46:5;53:17
except (1) 36:18
Excuse (2) 9:1,2
ex-customers (1) 54:6
existing (2) 43:8;57:6
exists (1) 11:1
expand (1) 26:6
expanded (2) 23:1;42:23
expanding (1) 35:3
experience (1) 12:14
extended (1) 43:16
extensive (1) 9:22

F

facilitates (1) 45:12
facility (4) 10:1;39:11,20;43:16
fact (1) 20:7
factor (1) 17:19
factors (1) 15:3
failed (2) 52:18,19
fall (1) 42:19
family (3) 5:11;7:25;8:7
far (5) 12:2,3;15:7;53:10,21
features (2) 14:24;51:10
fecal (1) 46:15
feel (3) 4:16;19:11;20:4
few (3) 7:5;35:14;50:20
ficate (1) 30:6
ficial (1) 14:21
fights (4) 12:9,9,9,10
figure (1) 44:17
file (1) 27:23
fill (1) 41:2
find (1) 56:3
Fine (6) 11:14;24:11;37:24;41:8;42:4,10
fire (1) 24:14
First (8) 4:1;14:10;18:3;19:10;23:15;29:17;53:22;57:24
five (1) 18:3
Fleming (66) 3:12,13;5:21,25;6:2,5,8,11,16,19,22;7:2,7,16,19,24;8:2;9:7,12,15;10:21;13:16;19:9,15,24;20:2,11,14,19,22;21:3,7;23:24;24:4,12,16,20,22,25;25:4,11,16,22;27:8,9;28:4;30:8;33:3,8,11,20;34:10,13;51:18,24;52:5,9;55:9,10;56:5;57:13,19;58:10,11;59:6,7
Fleming's (1)

56:9
flesh (1)
45:10
floor (1)
19:10
followed (1)
35:19
following (4)
15:3;36:7;45:4;
51:14
food (4)
5:15,17;7:21,23
foreign (2)
8:25;9:4
foresee (1)
17:21
forever (1)
17:7
Former (2)
30:22;39:8
forward (8)
4:10,19;10:7;
28:16;29:5;46:3,4;
56:2
found (1)
14:7
four (6)
5:7;6:6;14:9;
23:16;43:13;51:14
frankly (3)
54:1,4,8
free (1)
4:16
Friday (1)
7:12
friends (1)
11:19
Frontage (1)
56:18
full-body (1)
32:2
further (3)
14:25;35:8;51:11
future (2)
21:24;54:3

G

gambling (5)
7:5;12:18;17:15,
17;18:16
gave (1)
37:15
general (2)
39:19;42:20
generally (3)
31:16;46:11;47:3
gentleman (3)
29:1;32:16;35:2
Georgia (8)
11:4;26:2;30:5,6,
9;33:7,8;52:20
gets (1)
12:12
given (5)
12:23;13:11;31:9;
36:2;54:4
glad (1)
42:11
goes (2)
12:3;43:10
good (5)
5:4,9;28:5;32:17;
42:3
gosh (1)
50:8
grant (2)
21:19;22:9
granting (1)
35:24
guess (1)
53:1
guy (1)
18:25
guys (2)
39:1;40:23

H

HAEBERLIN (51)
4:1;9:18,21;10:25;
11:7;23:21;27:20;
28:9,23,24;29:8,11,
13;30:22;31:13;
32:13;35:1;37:8,11,
12,19;38:10,15,22;
42:12,15,16;43:7,21;
44:4,13,16,19,23;
46:9,18,25;47:12,14,
19,22;48:2;51:19,22;
52:1,7,10;55:25;
56:4,7;57:23
half (1)
12:20
hall (7)
5:7;12:3,13;21:5;
22:1;28:1;35:1
halls (1)
17:2
hand (1)
3:25
hands (1)
45:14
happen (3)
18:14;19:22;33:4
happened (1)
34:23
happens (1)
54:6
happy (1)
44:20
hard (1)
11:23
HART (3)
49:10,13,13
head (2)
12:6;47:17
hear (5)
4:14;9:18;16:23;
26:12;34:1
heard (3)
9:25;48:14;50:20
hearing (13)
3:24;4:13,15;8:23;
9:19;11:6;28:10;
38:8;40:21;44:22;
46:10;48:8;56:15
heat (1)
45:15
heed (1)
27:24
Hello (1)
28:18
help (2)
29:16;49:2
helpful (1)
16:18
Highway (4)
4:7;24:17;26:1,8
hold (1)
56:25
home (5)
39:6,9,13;48:16,17
homeless (1)
50:4
hope (1)
28:13
Hosein (1)
32:16
H-O-S-E-I-N (1)
32:14
hour (1)
18:19
hours (3)
7:9;15:7;32:19
house (1)
49:15
Huynh (52)
4:5,5,20;5:16,20,
23;6:1,4,7,10,13,17;
7:11,18,20,23;8:1,4,
11,16;9:1,5,14;
15:23;16:2,7,11;
17:3,25;19:13,16;
22:2,7,15,18,23;23:5,
8,10,13;24:19,19,20,
21,24;25:3,12;26:14,
17;28:3,6,8
H-U-Y-N-H (1)
24:23
Hye (4)
28:12;29:10;45:2,
18
hygienic (1)
45:6

I

illegal (6)
7:5;12:17;17:18;
18:4,6,18
illuminated (1)
39:23
immediately (1)
12:18
imperceptible (2)
33:19;41:19
inaudible (3)
7:1;36:11;46:17
include (2)
14:12;42:24
indicate (1)
45:13
individual (1)
28:25
information (2)
9:22;38:25
infrared (1)
45:15
inspected (1)
39:11
install (1)
10:23
instruction (1)
45:17
intending (1)
39:8
intent (3)
37:21;44:24;54:21
interest (2)
14:20;51:5
interested (1)
46:10
interpret (1)
44:1
interpreted (1)
45:22
interpreting (1)
46:1
interweaved (1)
57:4
into (4)
38:21;49:18,19;
57:4
investigate (1)
19:17
involve (4)
31:16;46:14;47:3,
6
Island (2)
30:17,18
issuance (1)
31:17
issue (1)
53:25
issues (1)
57:15
item (12)
4:1;10:14;11:3;
28:9;38:24;39:1;
42:21;44:4;52:2,4,7;
56:15
items (6)
10:3;35:6;39:23;
56:21,24;57:3

J

jail (1)
50:3
JENKINS (56)
3:2,23;8:18,22;9:2,
17,20;10:19;11:5,8,
10,14;13:17,22;14:2;
15:5;16:11;19:25;
20:16,21;21:1;23:14;
24:1,3;25:19;26:10,
19,23;27:19;35:10;
36:5;37:13,25;38:9,
11,19;48:6,12;49:8,
12;50:10,14;51:16;
53:20;54:11,24;55:4,
20;57:17,21;58:1,5,
21,24;59:1,17
job (1)
5:1
John (1)
18:6
Jun (2)
29:17,19
J-U-N (1)
29:17
June (2)
37:20;44:25

K

Keck (1)
49:15
keep (1)
13:12
key (1)
10:3
KIERNAN (10)
7:4;11:9,12,15,15;
16:17,22;17:9,13,24
KIM (15)
29:15,17,18,20,20,
21;31:12;32:1,9;
41:4,6,9,14,20,22
K-I-M (1)
29:18
kind (4)
13:9;18:18;24:9;
54:4
kneading (1)
45:9
known (1)
40:3
Korean (4)
4:7;9:6,6,10

L

lady's (1)

29:7
laid (1)
43:8
land (4)
14:25;21:23;
51:12;54:3
landlord (2)
5:3;18:12
language (3)
8:25;9:4;44:7
large (1)
48:16
last (11)
24:18;29:17;
35:16;36:8;37:18;
38:13;39:10;43:20;
44:11;53:16;54:21
late (2)
16:1;19:8
later (3)
16:5;17:10;18:7
law (2)
11:4;19:4
lawyer (1)
46:23
lease (3)
18:12;32:7,7
least (1)
21:8
left (1)
12:21
legal (2)
13:12,13
legitimate (1)
13:4
legitimately (1)
13:4
letter (9)
25:10;37:16,19,20;
42:17;44:2,24;46:21;
54:22
level (1)
25:1
license (16)
8:14;28:20;30:3,4,
5,6,9;31:17;32:5;
33:4;34:17;52:12,20;
53:15,25;56:2
Licensed (1)
51:22
licenses (2)
56:10,13
limi- (1)
14:18
limitation (2)
15:14;24:9
limitations (5)
14:22,24;51:4,8,10
limits (2)
14:14;50:24
listed (2)
32:13;52:2
little (7)
4:11;11:22;30:1;
43:13;48:22;49:3,10
live (1)
49:16
loading (2)
14:14;50:25
Loafing (1)
49:19
local (1)
54:4
location (7)
10:24;30:22;
33:17;52:4,21;56:3,
11
locations (1)
39:3
long (6)
18:6,24;33:9,13;
38:3;42:7
look (1)
50:6
looked (4)
10:3;38:24;39:21;
57:2
looking (2)
43:22;52:2
lose (1)
20:6
lost (2)
20:5,6
lot (5)
38:25;48:19;
49:20;52:21;57:6
loud (1)
38:16
lubricants (1)
45:8
luck (1)
28:5

M

M-2 (1)
52:3
ma'am (10)
6:24;7:4;24:24;
25:3;29:9;40:8;
41:15,23;46:11;52:8
machine (1)
18:17
machines (1)
12:18
making (3)
15:4;17:6;51:15
mandate (1)
27:24
many (4)
18:7,8;43:4;54:2
massage (27)
28:11,19,19,20;
29:23;30:4,25;31:9,
15;32:3;36:4,9;
42:21,22;43:23;44:8;
45:3,23;48:24;49:17,
20;50:4;51:20,22;
52:13,21;54:2
massages (2)
45:5,8
masseuse (2)
32:23;33:4
matter (6)
14:7;15:4;45:12,
18;46:14,15
May (6)
11:9;14:24;31:17;
42:24;51:10;52:2
maybe (2)
7:13;19:6
MAYOR (62)
3:2,23;4:14;8:18,
22;9:2,17,20;10:19;
11:5,8,10,14;13:17,
22;14:2,4;15:5;
16:11;19:25;20:16,
21;21:1,18;23:14;
24:1,3;25:19;26:10,
19,23;27:19;28:24;
35:10;36:5;37:13,25;
38:9,11,19;42:7;
48:6,12;49:8,12;
50:10,14,16;51:16;
53:20;54:11,24;55:4,
20;57:17,21;58:1,5,
21,24;59:1,17
Mayor's (1)
35:9
mean (13)
6:11,25;7:3;13:3;
16:16;24:5;32:7;
42:6,18;43:15;44:6;
50:7;53:22
medical (1)
53:24
meet (2)
24:13;43:15
meeting (3)
25:13;38:21;59:19
members (1)
49:22
mentioned (1)
23:15
met (3)
11:18;14:17;51:3
microphone (3)
11:11;21:16;40:24
midnight (8)
7:13;15:12;16:18;
17:4,8;19:19;22:22;
26:4
might (2)
42:19;47:5
mindset (1)
12:12
mine (1)
11:19
minute (1)
16:12
minutes (1)
50:20
mixed (1)
9:11
Monday (1)
7:12
months (2)
7:6;18:3
more (17)
8:18;10:15;19:11;
26:12,19;30:1;33:1;
35:10;36:5;39:21;
44:19;48:25;49:1,20;
57:8,21;58:1
motion (10)
25:18,19,24;26:3;
50:15;51:17;52:11;
57:9,18;58:22
Motsautam (1)
19:9
move (3)
26:7;39:18;47:17
moved (2)
34:7;57:11
movement (1)
47:3
moves (1)
20:17
moving (2)
38:20;56:2
much (3)
5:13;7:8;10:18
multi-tenant (1)
10:1
muscles (1)
45:11
must (3)
50:22,23;51:14
myself (3)
32:25;35:8;57:7

N

name (20)
4:20;8:9;18:11,13,
14;21:22;24:18;29:7,
9,17,18;40:1,16,17;
41:16,21;42:1,8,9;
49:12
named (1)
23:3
narrow (1)
48:22
nearby (3)
15:2;51:7,13
necessary (3)
14:22;51:5,8
need (17)
9:22;19:11;23:16;
27:25;29:3;37:7;
38:2;42:25;48:7,24;
49:6;51:18;56:3,7,
12,23;57:9
needed (1)
14:19
needs (2)
39:21;43:17
neighboring (1)
14:21
neither (1)
31:19
new (4)
4:2;21:6;26:5;
32:14
next (5)
20:9;28:9;40:12,
13;56:15
nice (1)
49:10
night (5)
16:19,21;17:4;
18:23;23:18
None (1)
36:17
nonresidential (2)
4:2;28:10
nor (2)
20:11;29:1
normally (1)
47:7
note (1)
11:20
notification (1)
35:2
notify (1)
26:8
ntwo (1)
6:6
number (6)
5:22,23,24;6:14;
7:24;12:5
nuts (1)
44:15

O

o0o- (1)
59:21
obey (1)
19:4
obviously (3)
10:10;11:16;16:20
occupational (3)
6:22;28:2;31:16
occupy (1)
23:7
occupying (4)
10:1;23:4;25:2;
39:8
occur (1)
51:25
o'clock (4)
7:11,11;16:6;
19:20
O'CONNOR (1)

48:13
October (1)
35:16
off (1)
50:1
offer (1)
5:3
offered (3)
34:21;53:17;54:23
office (1)
35:9
official (1)
38:7
old (2)
39:6;48:16
one (25)
4:24;5:4;6:5,10;8:2;12:5,16;18:1,22;19:14;21:20;22:20;26:12;31:19,21;34:11;39:2;42:19;43:9,9;44:20;50:21;51:19;54:18,19
only (10)
7:17;15:21,25;17:18;19:19;21:22;32:23;49:3;51:25;52:6
open (12)
4:15;8:22;15:21,25;16:5;17:10;18:19;19:19;22:21;28:18,20;30:7
opening (2)
32:24,25
operation (3)
7:10;15:7;32:19
operations (1)
35:4
opinion (1)
15:13
opportunity (2)
12:23;13:11
opposed (1)
13:14
opposite (1)
48:18
order (1)
54:19
Ordinance (10)
14:8,16;23:20,21,23,25;50:19;51:1,2;56:16
original (1)
37:15
Ours (1)
19:19
out (15)
12:6,11;13:3,10;14:5;18:5,13;20:17;29:15;38:16;39:18;41:2;43:8;44:17;54:18
over (9)
4:22,23;5:11;8:6,7;13:6;22:11;43:5;50:21
own (2)
22:4;41:16
owned (3)
11:21,25;12:15
owner (10)
13:7,9;20:8,12;21:6;24:17;25:5;26:5,8;27:21
owns (2)
32:11,15

P

package (1)
37:22
page (2)
36:8;37:18
painfully (1)
57:8
paragraph (4)
38:14;43:20;44:11;54:21
parallel (1)
43:10
parameter (1)
10:6
parameters (1)
13:13
parcel (1)
39:2
Park (53)
28:12,18;29:10,10,12,24;30:3,10,15,17,19;31:3,5,7,22,25;32:4,10,20,24;33:6,12,15,18,22;34:2,5,8,12,15,18,22;35:17,20,22;40:10,14,19,22;41:18,25;42:2,5;45:2,19;46:7,16,20;47:13,15;48:23;49:16;54:20
parking (18)
10:4,9;14:14;39:14,16,17,19;43:5,13,14,16;48:20,21;50:25;52:19;53:14;54:14,16
parlor (1)
49:20
parlors (3)
36:4;50:5;54:2
part (12)
12:22;15:15;26:3;27:21,22;37:4,21,23;38:4,5;53:2,2
partial (1)
13:7
particular (1)
39:1
particularly (2)
39:12;50:7
partner (3)
12:17,19,21
part's (1)
42:10
past (3)
13:15;17:16;22:21
pay (1)
34:18
payment (1)
35:14
people (10)
8:3;12:10;13:2;18:20;19:20;31:2;47:6;50:2,4;54:20
perform (1)
47:1
permission (3)
40:15,17;42:8
permit (11)
6:23;15:16,17;20:4,23;21:20,21,21;25:24;52:13;56:6
permitted (4)
20:8;25:7;51:20;52:23
permitting (3)
10:11;20:24,24
person (9)
21:25;29:2,13;32:15;33:2;39:25;42:22;43:22;44:7
personal (3)
11:19,20;42:7
petition (7)
4:11,19;10:17;28:17;42:23;43:22;55:25
phase (1)
53:19
physician (1)
45:17
pick (1)
41:6
ping (1)
24:6
Pittman (45)
3:15,16;5:19;7:21;15:20,24;27:11,12;28:7;29:22,25;30:12,16,18,20;31:1,4,6,19,23;32:2;33:9,13,16,25;34:3,6,9,20,23;36:17,21,25;52:11,25;53:13;55:12,13;57:11,24;58:13,14,25;59:9,10
place (5)
8:11;28:21;49:11;51:25;54:5
places (2)
17:15;48:23
plan (6)
14:11,12;15:1;50:22;51:12;52:19
Planner (1)
25:10
planning (3)
17:10;49:22;56:22
Plaza (1)
4:7
please (9)
3:2;11:11;26:23;38:14;40:24;46:4;51:21;55:4;58:5
pm (1)
59:20
point (3)
21:24;35:24;38:8
Police (2)
11:16;12:2
pong (1)
24:6
pool (7)
4:3;5:6;12:3,12;17:2;21:5;22:1
possibly (1)
24:6
postpone (2)
56:23;57:10
postponing (1)
57:22
potential (1)
39:3
practicing (1)
46:11
practitioner (1)
53:24
presented (1)
28:25
presenting (1)
8:12
pretty (1)
40:25
previously (4)
12:15;31:20,23;38:24
priate (1)
52:19
primary (1)
12:4
prior (2)
15:4;51:15
Probably (2)
17:12;54:15
problem (3)
15:19;16:7;17:21
problems (4)
13:15;17:14;42:14;50:1
procedurally (1)
4:9
Procedure (2)
14:9;50:19
process (1)
27:22
pronounce (1)
24:18
pronouncing (2)
4:5;24:19
proper (1)
21:9
properties (4)
14:21;15:2;51:7,13
Property (5)
4:6;25:8;28:13;49:15;52:10
propose (1)
22:21
proposed (1)
14:13
proposing (1)
21:19
protect (4)
14:19,22;51:5,8
prove (1)
22:8
provide (2)
9:23;45:4
provided (2)
31:18;44:24
provisions (2)
14:15;50:25
public (13)
3:24;4:13,15;8:23;9:19;11:6;14:20,23;28:10;44:21;48:7;51:9;56:15
publicize (1)
10:23
pull (1)
54:19
pulled (1)
13:10
purposes (1)
45:7
pursue (1)
35:7
pursues (1)
56:11
put (4)
20:5;36:15;37:6,8

Q

quickly (2)
40:7;41:1
quote (1)
49:5

R

R-1 (2)
56:18;57:2
raise (1)
3:25

rather (2)
35:7;45:23
rational (1)
15:14
rea- (1)
16:16
read (7)
14:5;24:10;38:13,16,18;43:20;44:11
reading (1)
45:3
Ready (1)
11:5
really (13)
5:4;10:3,4,6;17:21;39:10;42:20;46:22,23;48:24;54:8,22;57:3
reason (4)
18:1;19:16;34:7;53:7
reasonable (1)
15:11
reasoning (1)
53:9
reasons (1)
52:17
recall (2)
52:1;57:1
receipt (1)
35:14
receive (1)
34:10
received (2)
30:9;35:1
recently (2)
19:2;57:8
recess (2)
56:24;57:10
recommendation (1)
56:22
record (13)
27:20;36:15,16;37:6,8,9,24;38:4,6,7;50:17;53:8;57:23
refer (1)
36:15
referred (1)
46:12
referring (1)
31:14
reflect (1)
53:8
regarding (2)
36:3;56:10
regulations (2)
31:10;36:3
regulatory (1)
31:14
related (3)
17:15;31:2;35:8
relative (3)
14:16;39:19;51:2
relax (1)
45:11
released (1)
50:3
relevant (2)
14:10;48:1
relieve (1)
45:14
remedial (1)
45:7
remember (1)
54:17
renew (1)
30:11
renewal (2)
35:15;36:1
renting (1)
5:22
repair (5)
39:5,20;43:12;49:11,14
REPORTER (5)
7:3;29:6,19,21;38:18
request (2)
18:12;45:16
required (4)
10:11;14:25;15:2;51:11
requirement (1)
17:6
requirements (2)
35:5;56:18
requires (1)
39:17
residential (4)
39:9;43:8;56:19,20
resolve (2)
40:6,25
response (12)
3:9;8:20;13:20,25;26:21;27:5;47:13,23;48:10;50:12;55:2;58:3
rest (1)
28:1
restaurant (1)
10:8
restrict (2)
15:11;16:17
restriction (2)
15:7;20:5
restroom (1)
47:7
retail (1)
10:5
retained (1)
27:23
review (2)
42:17;44:5
Rhode (2)
30:17,18
Rhonda (1)
45:1
right (21)
4:22,23;5:3;7:2;8:4;9:6;17:23;18:2;19:18,19;22:8,13;23:6;28:13;32:24;33:22;38:9;40:12;41:12;48:21;49:3
risk (1)
19:7
Road (3)
8:17;39:7;52:14
rob (3)
19:1,1,20
robbed (2)
18:24;19:18
Roche (50)
3:18,19;5:14;8:9,13,24;9:3,9,16;15:6,10,18;16:3,9,15,24;17:12,23;19:23;20:10,12;21:4;22:20;25:17;27:14,15;32:6,11;33:7;34:16;38:20;44:10,14,17,21;47:10,18;52:15;53:1,6,10,18,21;55:15,16;58:16,17,22;59:12,13
roll (5)
3:2;26:23;55:4;58:5;59:1
room (5)
4:4;25:25;29:2;40:12;54:20
rooms (1)
25:6
route (1)
13:10
rub (2)
45:4,5
rubbing (2)
45:8,9
run (3)
5:6;12:24;13:4
running (2)
8:7;18:19

S

safety (1)
24:14
sakes (1)
50:8
Salvation (1)
48:18
same (7)
4:24;13:8;20:17;22:4;49:15;50:17;59:20
Sandra (1)
6:19
Saturday (4)
7:13,14;16:19,21
Saturdays (2)
15:21;17:5
saying (2)
11:25;16:4
scale (2)
14:12;50:23
school (1)
30:4
Scott (7)
10:20;27:19;30:21;38:9;54:18;55:23;57:15
second (9)
4:12;26:18;44:20;52:15;57:12,18,25;58:24,25
Section (9)
14:7;31:9;38:21;50:18;53:16;56:16,17,18,19
seem (3)
15:11;16:16;45:13
sell (3)
21:5,24;22:10
semantics (1)
45:25
send (1)
25:10
SERGEANT (10)
7:4;11:9,12,15,15;16:16,22;17:9,13,24
serve (1)
5:15
served (1)
13:1
services (8)
34:21;36:7;44:3;45:4;47:1;53:17;54:7,23
serving (2)
7:19;17:20
session (1)
57:14
set (1)
10:7
sex (1)
50:5
shaking (1)
47:16
Shall (1)
29:7
ship (1)
12:24
shop (2)
49:14;50:5
shopping (2)
10:5;13:8
show (2)
25:14;54:6
shown (1)
17:16
shut (3)
16:18;17:4;34:25
shuts (1)
17:7
sign (7)
10:23;40:4,16,17;41:12;42:8,9
Signage (1)
10:10
signature (1)
40:4
signed (6)
40:1,5;41:15,18,21;42:1
significantly (2)
10:7,9
signs (1)
11:2
Sincerely (1)
45:18
Single-Family (1)
56:19
sister (3)
29:15;41:3,13
site (7)
14:11,12;39:5,15,20;43:12;50:22
sitting (1)
40:12
situation (3)
39:12;43:18;45:21
skim (1)
43:12
sleep (3)
18:23,25;19:21
sleeping (1)
18:20
slot (2)
18:17;56:25
slow (1)
4:25
small (1)
54:20
soft (1)
7:16
sold (1)
12:20
somebody (6)
13:14;18:25;19:21;22:10,10;25:17
somehow (2)
36:16;37:7
someone (3)
46:20;53:23;54:1
sometimes (2)
11:23;44:6
somewhere (1)
30:14
sooner (1)
18:6
sorry (8)
9:9,10,16;16:22;

33:11,20,25;57:20
sort (3)
15:8;17:2;30:24
space (5)
5:3;6:15;14:14;
22:14;50:24
spaces (6)
10:2;23:4;43:5,14;
48:21;54:17
Spangler (25)
3:21,22;25:20;
26:18;27:17,18;36:6,
18;37:10,17;38:13,
17;43:4,19,25;54:10,
13;55:18,19;57:12,
25;58:19,20;59:15,
16
speak (3)
11:9,24;46:18
Speaking (6)
8:24;9:3,5;11:20;
16:25;38:23
special (2)
14:22;51:8
specific (8)
10:17;14:15,18,23;
43:3;51:1,4,9
Specifically (1)
45:3
specified (1)
11:2
specify (1)
9:24
spelling (3)
24:22;32:14,15
spouse (1)
29:14
stabbings (1)
12:9
staff (5)
4:12;9:19,20;
10:18;38:21
stairs (2)
6:3;13:8
stand (1)
47:21
standards (2)
14:6;50:18
stantly (1)
12:9
Star (2)
30:24;49:18
start (1)
54:6
state (6)
33:10,12,15;52:16;
56:10,13
stated (1)
26:13
statement (1)
20:7
stay (4)
16:5;18:1;19:7;
22:21
staying (1)
17:10
stays (1)
13:12
steam (1)
45:15
Stewart (4)
28:13,14;39:7;
52:13
sticks (1)
12:6
still (2)
18:11,19
stimulate (1)
45:10
stop (2)
12:19,20
Street (1)
56:18
striped (1)
43:14
stroking (1)
45:10
Structures (1)
56:17
Stuart (1)
3:24
style (1)
39:17
submit (1)
52:18
submitted (2)
14:11;50:22
substandard (1)
39:16
suggest (2)
36:2;56:5
suggestion (1)
56:6
suite (4)
5:22;19:10;20:15;
26:7
suites (4)
23:2;25:1;26:1,6
Sunday (1)
7:14
sure (6)
13:12;21:11;38:4;
43:15;53:3;55:23

T

table (6)
5:7;14:3;20:1;
24:6;36:12;50:15
tables (3)
23:15,15;24:7
talk (1)
17:25
talking (4)
22:25;44:18;
46:13;56:9
tandem (2)
39:17;43:6
tations (1)
14:19
tax (3)
28:2;31:16;39:2
techniques (1)
45:9
Test (1)
56:16
therapist (9)
28:12,19,21;42:23;
43:23;44:8;45:3,24;
51:20
therapists (1)
51:23
therapy (6)
29:23;42:21;
46:12;48:25;52:13,
21
therefore (1)
56:1
thinking (3)
5:5;17:5;35:3
Third (3)
4:13;22:24;23:7
thought (5)
9:10;20:6;23:19;
25:20;53:1
three (11)
5:8;14:17;23:15,
18;24:7;34:4;43:6,
13;48:21;51:3;54:16
ties (1)
12:18
tight (1)
12:24
till (2)
16:5;57:22
times (1)
18:8
tion (1)
40:5
tional (2)
28:11;52:6
today (2)
11:1,13
together (1)
39:20
told (4)
12:19;18:4;25:13;
47:20
tolerable (1)
17:17
Tom (1)
49:13
tonight (2)
22:5;25:13
tonight's (1)
23:18
tor (1)
13:14
totally (2)
49:1,21
Town (2)
4:7;29:16
traditional (1)
5:6
traditionally (2)
12:4;17:13
train (2)
20:6;50:2
transferred (1)
26:5
travel (1)
21:23
treatments (3)
45:6,16;47:6
trepidation (1)
17:1
tries (2)
13:3,4
trust (1)
4:6
try (2)
15:11;25:14
trying (8)
28:18,20;32:20;
44:15;47:4,8;49:5,23
turned (2)
49:18,19
two (14)
5:3;6:15;8:2;
14:15;23:4;25:1;
34:3;39:2,3;43:9;
48:20;49:24;51:1;
54:16
two/three (2)
33:24;34:2
type (3)
34:21;37:9;48:19

U

ultraviolet (1)
45:15
under (11)
4:1;10:25;14:9;
28:10;38:11;42:20,
20;44:5;52:3,8;56:15
under- (1)
47:20
understands (1)
21:12
unduly (2)
15:1;51:12
unlawful (1)
13:9
Unless (4)
20:19;21:5;36:15;
43:2
up (18)
3:23,23;6:15;8:22;
9:11;11:10;14:2;
16:25;25:15;35:19;
38:7;40:23;41:6;
46:18;49:18;50:15;
54:6;57:16
upper (1)
25:1
Upstair (2)
6:4,4
Upstairs (1)
5:25
use (41)
4:3;9:24;10:5,6;
14:9,13,16,21,23,25;
17:6;20:4,8,23,25;
21:2,20;25:7,25;
26:4,9;28:11;35:5,
25;37:4;38:5;45:23;
49:17;50:18,19,24;
51:2,6,9,12,20;52:6,
23;54:3;56:8;57:14
used (4)
4:23;6:18;48:19;
49:16
uses (7)
10:22;14:8;42:24,
24;51:23;56:17,20
using (2)
45:9,14

V

vacant (2)
6:6,6
vagrants (1)
50:1
valid (2)
35:25;53:15
variance (1)
50:8
vehicle (2)
39:18,18
verbiage (1)
21:9
verification (1)
56:12
verify (1)
35:14
VI (1)
36:3
via (1)
10:23
videogame (1)
18:17
Vietnamese (3)
5:6;9:8,13
view (1)
39:15
Volkswagen (1)
49:11

W

Wait (1)
16:11
wants (1)

17:4
waste (5)
45:12;46:5,14;
47:2,2
watching (1)
19:11
water (1)
45:16
way (5)
10:7;31:4;36:16;
43:7;44:1
WEED (50)
14:4;15:9,13;21:7,
10,17;22:3,13,16,19,
24;23:6,9,11,17;
24:8,13;25:9;26:11,
15;36:14;37:3,7,23;
38:2;39:24;40:6,11,
15,20,23;41:5,8,10,
12,15,21,23;42:1,3,6,
15;47:16,22;48:3;
50:16;52:16;53:3,7,
12
weight (1)
47:25
what- (1)
25:6
what's (4)
4:21;8:9;25:15;
44:1
Whereupon (1)
59:19
wife (7)
4:23;5:5;8:7;
11:19;12:25;18:4;
19:7
willing (1)
10:15
within (5)
13:13;20:15;
35:13;49:24;57:3
wonder (1)
54:5
word (5)
32:14;46:22,24;
47:4,9
words (5)
20:10,16;23:2;
24:10;52:17
work (6)
4:23;18:8;31:20;
33:2;54:8;57:14
worked (1)
31:20
working (2)
8:5;12:25
worry (2)
13:2;16:21
write (3)
42:6;46:20,23
wrong (1)
41:10

Y

year (3)
33:24;34:2;35:16
years (5)
11:17,18;12:7;
33:23;34:4
yesterday (1)
54:16
you-all (1)
11:12

Z

zone (1)
51:21
zones (1)
52:3
zoning (5)
4:8;11:8;14:8;
28:15;56:16