In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

February 1, 2010

American Court Reporting Company, Inc.

52 Executive Park South

Suite 5201

Atlanta, Georgia 30329-2217

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CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

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Transcript 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 7:00 p.m., February 1, 2010.

* * *

APPEARANCES:
Doraville City Council:
Hon. Ray Jenkins, Mayor
Councilmember Maria Alexander
Councilmember Brian Bates
Councilmember Karen Pachuta
Councilmember Donna Pittman
Councilmember Bob Roche
Councilmember Pam Fleming
Rhonda Blackmon, City Clerk
Murray J. Weed, City Attorney

P R O C E E D I N G S

MAYOR JENKINS: Meeting come to order. Call the roll, please.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

CLERK BLACKMON: Councilmember Bates?

COUNCILMEMBER BATES: Here.

CLERK BLACKMON: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

CLERK BLACKMON: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Here.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Here.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Here.

MAYOR JENKINS: I need to approve the minutes for January the 19th, 2010.

COUNCILMEMBER PITTMAN: So moved.

MAYOR JENKINS: Thank you. Second?

COUNCILMEMBER PACHUTA: Second.

MAYOR JENKINS: Call the roll, please.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK BLACKMON: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

COUNCILMEMBER BATES: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK BLACKMON: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: Mayor's Day committee report. That will be Maria Alexander.

COUNCILMEMBER ALEXANDER: Thank you, Mayor. And I'll be touching on the next agenda item also, Dekalb County Resolution on Annexation.

When we get to go to GMA training, there's an opportunity to volunteer on a number of committees, and I'm a volunteer member of the public safety committee and also the municipal government committee.

On the public safety committee, everyone is watching out for Senate Bill 295, and what that bill proposes is to no longer allow municipal governments to run radar or laser on federal roadways. That would be Buford Highway and Interstate 285.

I wanted to say a special thank you to Captain Brown, Lieutenant Hudgens, Captain Brinkley and also Dispatcher Scott Childress who gave me 2009

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1 285 statistics. And when you look at those
2 statistics, we had over 800 -- I'll put this out here.
3 People can look at it. We had over 800 accidents,
4 over 500 road-debris calls and things of that nature.
5 Out of the traffic stops, over 3300 of them were non-
6 speed-related. So our activity on 285 is lot more
7 than just speed enforcement.
8 One very amazing statistic is the year
9 before we took over our stretch of 285, there were
10 three traffic fatalities. In the six years that we
11 have been patrolling it, we've only had a total of
12 three. So I think that right there shows how
13 important our municipal guys are out there helping
14 enforce the speed on -- We have 1.5 miles of 285.
15 It's roughly 14 lanes of traffic.
16 Part of our thing is, you know, we're doing
17 more than just generating, you know, traffic tickets
18 out there. We're also handling accidents, and that
19 was the -- that's the sticking point of part of this
20 is they don't want to do anything but speed
21 enforcement. They don't want to take over any of the
22 other traffic enforcement responsibilities.
23 So I've given that information to Ted
24 Baggett of GMA, also Mr. Rotondo, who's the executive
25 director of Georgia Chiefs Association, and they are

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1 presenting that information down to the capitol and
2 hopefully we're going to stop this bill from passing.
3 And I want to thank the police department for their
4 assistance in getting those statistics.
5 The next committee I belong to is the
6 Municipal Government Committee, and the guest speaker
7 was the chairman of the local government affairs for
8 the House of Representatives, and his committee deals
9 with bills regarding annexation and de-annexation.
10 Currently there's a House Bill 558 regarding
11 annexations and de-annexations, and he is the author
12 of that bill. That bill specifically addresses
13 properties that were annexed. For example, if someone
14 came in and they said, "If you annex into our city,
15 you will get a new water plant." If they do not come
16 through with that promise, you have the ability to
17 de-annex. That's what's proposed in his bill. But
18 his bill only addresses properties that are annexed.
19 We were made aware of a resolution passed by
20 the Dekalb County Commission the beginning of January,
21 that they want to change state law regarding
22 de-annexation of property. State law now requires if
23 someone wants to de-annex from a municipality, they
24 have to get the municipality's approval to leave the
25 city. Dekalb County's resolution wants to change

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1 state law so that municipal approval is no longer
2 needed, that the county would just be able to get the
3 property owners' approval, no city approval, and the
4 property would be de-annexed from the city.
5 Of course we strongly oppose that,
6 especially now with this news that we received last
7 week regarding the very large piece of property at
8 285. We have contacted our state legislators. We
9 have -- GMA is working on it diligently.
10 Right now, it's just a resolution. They
11 really haven't heard any additional scuttlebutt. We
12 have heard various conversations by members of the
13 Dekalb delegation and by the Dekalb Commissioners that
14 have us greatly concerned.
15 I believe Mr. Baggett, who is legal counsel
16 for GMA, will be updating us. He spoke to Mr. Weed
17 and I today. He will be updating us further on this
18 later in the week and so will Mr. Norton.
19 But this is something we are extremely
20 sensitive of right now, and so are all the other
21 cities because this would affect every city in the
22 state because it's a state law change. We're hoping
23 it's not going to get any support down at the capitol,
24 it was just, you know, somebody raising their hand and
25 signing a piece of paper on the resolution. But we're

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1 very, very sensitive to that and protecting that
2 property.
3 I also wanted to get Council's approval.
4 Mr. Weed had sent us an e-mail regarding the
5 unincorporated islands and how the state law is
6 written now regarding that. And I wanted to get
7 Council approval to share contents of that e-mail with
8 GMA so they could probably assist us in getting that
9 unincorporated-island legislation fixed to help us
10 even up the borders. And I wanted -- I think I need
11 Council's approval to waive the attorney/client
12 privilege on that memo.
13 Is that correct, Mr. Weed?
14 ATTORNEY WEED: Yes.
15 I have no objection.
16 In the alternative, I could simply redraft a
17 memo in another format directly to --
18 COUNCILMEMBER ALEXANDER: Ted Baggett?
19 ATTORNEY WEED: -- to Ted Baggett. That
20 would be fine, too, by the way.
21 COUNCILMEMBER ALEXANDER: I think I'd prefer
22 that.
23 ATTORNEY WEED: There appears to be a
24 general consensus.
25 What I'll do then, rather than giving him

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the actual e-mail that I sent to Council, I'll simply draft something similar that points out the relevant provisions of the law, and we'll leave it at that.

COUNCILMEMBER ALEXANDER: That's all I have, Mayor.

MAYOR JENKINS: Okay. Good.

Bonita, you wanted to speak on the annexation?

MS. HOFFMEISTER: No. She pretty well covered it. No, no comment.

MAYOR JENKINS: Maggie Hamilton, would you come up to the microphone, please.

Maggie is from the Center for Financial Independence for Disabled People, and I'm going to let her tell, but I think she wants to set up a road race to make money for the disabled people. Is that correct?

MS. HAMILTON: That is correct. And also financial education is a big part of that.

My nonprofit that I work for is the Center for Financial Independence and Innovation. It's a very small nonprofit that was started out of the Department of Labor, and it's main goal is to provide financial independence to people with disabilities and their families, and we do that through helping --

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backing loans and making sure people get set up with matched savings accounts, tax returns, a lot of good stuff like that. And another big piece of our goal is financial education, which is across the board for everybody, not just people with disabilities.

I would like to thank the Council and Mayor Jenkins for having me here tonight, and a special thank you also to Ms. Charlene Feng from TouchMark Bank -- they are our partners for this event -- and Councilwoman Fleming. She's been very helpful and has already met with us several times in coordinating this event.

I have folders for each of you (presenting), and in here is the race proposal and then just some information about exactly where the money's going to go that we raise and what we do.

If anyone's interested in finding out more about our nonprofit, the web site is www.thecfii.org, and my name is Maggie.

All right. So basically I just wanted to go over the race proposal tonight. The race would take place on Saturday, April 4th, 2010. It'd be a morning event. And along with the race, we're proposing to have a sponsorship and vendor fair afterwards, which we would be contacting people we work with like

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adaptive vehicle vendors. We would even have possibly like a mobile pet grooming service there for people with helper dogs or just normal dogs. And we really want to open it up to the Doraville community because we're so lucky to have found Charlene and Doraville and we really want to make this a community event as well as an event for us that we can have again year after year.

The fair and race check-in will be at the Doraville Civic Center, and we would have tables set up that our sponsors would be able to purchase. There's information in the folder about that too. And then we would also have space in the parking lot of the civic center, probably.

Councilwoman Fleming suggested I work with Carol Stephens on the race route because she set it up for Doraville Day and she knows what's going on. So I'm definitely going to check in with her about that to see exactly where we need to start and end. If we do end -- well, if we follow the same exact route as Doraville Day, which is probably what we're going to do, we're going to have the food up at the civic center because the runners will, you know, follow the food after the race. So hopefully that won't be an issue, getting them back up to the civic center.

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On your race proposal, it says Central Avenue Closed/Controlled from race finish until 12:30. The issue with that was where the bathrooms are going to be located. We are purchasing a handicap-accessible porta-potty since there's no accessible rest rooms in the civic center. But just in terms of general rest room usage, if we're going to have a large number of runners, that's something we need to be concerned with. So we were hoping to approach the church and the Salvation Army about that. Obviously we don't need the whole roads closed. But maybe if we had an officer there directing traffic throughout the finish of the race and during our fair in case anyone needs to use the rest room across the street; we wouldn't want anyone getting hurt.

And our goal is 500 runners. We have a broad community base here in Atlanta. We have a very active board of directors, and they're all going to commit to, you know, find 10 sponsors, pretty much people that are going to gather other runners for the race.

And I think that this would be a great opportunity because I was talking to Carol before the meeting, and this course is fabulous. I am very jealous that I can't run it myself because it's so

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1 flat. And so runners are going to P.R., and I think
2 that they will look for other races in Doraville if
3 they're drawn out to this one.
4 Another thing that we're hoping to do for
5 you is get the course officially certified. We're a
6 little unclear whether or not it is. It's on the Run
7 and See Georgia Web site, which makes me think it
8 might be. But if it's not, that's something we're
9 going to do, and that's something you can use in the
10 future as well.
11 Does anyone have any questions? I don't
12 want to take up too much time.
13 COUNCILMEMBER BATES: Have you-all been in
14 contact with the police department for race security
15 and route?
16 MS. HAMILTON: Ms. Feng has, and that's
17 definitely who we'd be working with.
18 MAYOR JENKINS: Will it be the same route
19 that we use on our yearly race?
20 MS. HAMILTON: Most likely.
21 COUNCILMEMBER PACHUTA: I guess I have a
22 question for Chuck.
23 Do you anticipate overtime for the officers
24 and things like that to run the race?
25 ACTING CHIEF ATKINSON: Yes. We're going to

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1 be -- we would have to bring in some officers to work
2 the route, and I would -- without -- I haven't had any
3 involvement in a whole lot of meetings, but just my
4 initial thoughts is I would almost be willing to bet
5 we would need to shut down all of New Peachtree Road
6 with 500 runners and that -- which won't be a problem,
7 I mean, because it's already going to be shut down
8 anyway on the northbound side, so that's not an issue
9 at all. But yes, we would need to bring in officers.
10 MS. HAMILTON: And that's -- maybe that's a
11 decision we could make when we get registration
12 numbers in and everything.
13 ACTING CHIEF ATKINSON: Oh, absolutely,
14 certainly, yes.
15 MS. HAMILTON: Just to be sure.
16 ATTORNEY WEED: And obviously we'll need to
17 get a couple of agreements in place, but we've done
18 similar things with the Pan Asian community with
19 regard to their walk, so it won't be anything we
20 haven't done before.
21 MS. HAMILTON: We would definitely work very
22 closely with the police department and we anticipated
23 off-duty police officers and the cost for that.
24 COUNCILMEMBER BATES: So you've budgeted for
25 that?

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1 MS. HAMILTON: Yes. There are several costs
2 we can't avoid, you know -- that, and the accessible
3 porta-potty and stuff like that.
4 COUNCILMEMBER BATES: Got you.
5 MS. HAMILTON: Any other questions?
6 - - -
7 (No response)
8 - - -
9 MAYOR JENKINS: Thank you.
10 MS. HAMILTON: Thank you very much.
11 COUNCILMEMBER FLEMING: Mayor, may I make a
12 motion? I mean do we need a motion to --
13 COUNCILMEMBER PITTMAN: Do we need any kind
14 of contract or anything?
15 ATTORNEY WEED: We will. And at this point,
16 if you're enamored of the idea, you might want to go
17 ahead and make a general motion to move forward with
18 any relevant documents and procedures that might be
19 required in order to effectuate the event, and that
20 would give me the authority to proceed on to negotiate
21 on your behalf.
22 MS. HAMILTON: That would be great because
23 we are waiting to post it like on Active.com and
24 stuff, until we get an okay.
25 MAYOR JENKINS: Who made the motion? You?

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1 COUNCILMEMBER FLEMING: Yes, sir. I'd like
2 to make a motion to allow CFII to host the first
3 annual Financial Education and Disability Road Race on
4 April 24th, 2010.
5 COUNCILMEMBER PITTMAN: Second.
6 COUNCILMEMBER ROCHE: Second.
7 MAYOR JENKINS: Anymore discussion?
8 COUNCILMEMBER ALEXANDER: Pursuant to the
9 proper paperwork being submitted and contractual
10 agreements?
11 ATTORNEY WEED: I think that's fine if the
12 Councilman doesn't mind making the proper -- her
13 motion. I think if you approve the first motion, I'll
14 be authorized to proceed forward, and either way, but
15 that doesn't hurt.
16 Councilman, are you okay with the addition?
17 COUNCILMEMBER FLEMING: Sure.
18 ATTORNEY WEED: Is there a second to that?
19 Someone willing to second that?
20 COUNCILMEMBER PITTMAN: Yes, I second.
21 ATTORNEY WEED: Thank you.
22 MAYOR JENKINS: All right. Anymore
23 discussion?
24 - - -
25 (No response)

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- - -
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
COUNCILMEMBER FLEMING: Okay, Maggie.
MS. HAMILTON: Thank you.
MAYOR JENKINS: Thank you.
COUNCILMEMBER FLEMING: Get with Mr. Weed -- get with Mr. Weed with all the contracts and then we'll get it out there advertising.
MAYOR JENKINS: Thank you.
COUNCILMEMBER BATES: Thank you.
MAYOR JENKINS: Murray, on this Professional Liability Insurance.
ATTORNEY WEED: Mr. Mayor, what this is

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seeking is approval of the Council to go out to seek general information and possible RFPs on professional liability insurance to see if GIRMA and/or other coverers, other insurers, are offering the best deal and to seek some independent third party to do an evaluation on your behalf.
MAYOR JENKINS: You're saying put out an RFP for a third party to do an evaluation?
ATTORNEY WEED: Correct; because your current insurance may be perfect, I mean, but every few years -- our offices do insurance defense work predominantly, and we recommend to all of our clients both public and private that every two or three years it's appropriate to seek an independent agency, a broker, to see if you're getting the best deal with regard to all of your different insurance carries. The one we happen to know most about would be professional liability insurance because that's what we do. But obviously, you know, we would have nothing to do with whoever you sought out to examine the matter.
COUNCILMEMBER ROCHE: Do you have a model RFP, the language it would be in, something like that --
ATTORNEY WEED: Yes. I mean --

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COUNCILMEMBER ROCHE: -- so we'd know --
ATTORNEY WEED: -- we could provide --
COUNCILMEMBER ROCHE: -- what we're looking at?
ATTORNEY WEED: -- you that.
COUNCILMEMBER ROCHE: I'm sorry?
ATTORNEY WEED: We can provide you that, yes, sir.
COUNCILMEMBER ROCHE: Yeah. I'd like to probably see that.
COUNCILMEMBER FLEMING: Would this include -- You said professional liability insurance. Are you talking about just professional, I mean as far as liability on people or on our assets or --
ATTORNEY WEED: Well, both. What I'm recommending is just -- is both.
COUNCILMEMBER FLEMING: Okay. So would that RFP also include an audit of our current assets and vehicles in service?
ATTORNEY WEED: My opinion of it is if you approve the RFP, that has exactly what it should include. It should cover your general -- your insurance with regard to what the Council does and also insurance with regard to what the different departments do as far as the professional liability,

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but also it's probably time to have a general review of your assets with regard to your vehicles and the insurance on those, the buildings, your campus, things of that nature as well.
COUNCILMEMBER FLEMING: Yes, because I believe that GIRMA was still carrying an ambulance that we had, so we definitely do need an audit of our vehicles.
MAYOR JENKINS: We do have an ambulance.
CLERK BLACKMON: Yeah. I mean we do that every year. Anything that was still carried would have been previous.
COUNCILMEMBER FLEMING: I was told that we did not have an ambulance in our vehicle --
MAYOR JENKINS: Do we still have it, Chuck?
ACTING CHIEF ATKINSON: No, sir.
MAYOR JENKINS: We don't? Okay.
COUNCILMEMBER BATES: Would it also cover workers' comp insurance review?
ATTORNEY WEED: What I am proposing to you would. It would be a comprehensive RFP.
But the way the insurers look at these things, they break them into different categories. As you know, for example, AFLAC does individual policies for cancer benefits that employees might be interested

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in. There's a category of general professional liability insurance which deals with your activities, things of that nature, and then there's other branches of the insurance industry that deal with your other assets -- buildings, vehicles, things of that nature.

So we're just advising that we think it's a good idea every couple of years to take a look and see what's out there.

And by the way, you may have the greatest insurance ever, but we -- you know, we don't know, but that's what we hope to find out.

MAYOR JENKINS: Would that be all in one package or would it be -- could you have different like our people who take care of our liability? Of course, we know they're not taking care of our liability on this last one, so --

ATTORNEY WEED: Ordinarily, what I think you would do, in my opinion based upon my previous experience, is that I think you ought to look into all the different branches. What I think you're going to find after you start looking into it is that the brokers are going to want to talk to you about their areas of coverages, meaning, you know, you'll have groups of brokers who want to do professional liability. You'll have groups of brokers who want to

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do, you know, buildings, cars, assets, et cetera.

So you know, at this point, what we're recommending is doing an RFP to find out, you know, what the structure should be, essentially, and it might later involve further RFPs based upon the different branches.

COUNCILMEMBER ROCHE: And this does not include any kind of risk management for us? It's not going to come and look at what the City of Doraville does and what we're doing that may increase insurance rates?

ATTORNEY WEED: I don't think what --

At this point, no. Ultimately, you're going to -- I think you would get to that. By that, I mean to say what we're proposing right now will simply be kind of a blanket RFP to find out what we need to know so that we can more closely hone in on other RFPs that might be needed based upon the different branches of insurance.

At that point, when we get to the secondary RFP, I think that risk management analysis is exactly what would come -- that's what would result out of that, because whatever carrier is looking at this thing is going to want to do that before they buy into Doraville.

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COUNCILMEMBER ROCHE: Do you have any kind of SWAG on the cost of this particular --

ATTORNEY WEED: I do not.

COUNCILMEMBER ROCHE: Is it $20,000? $100,000? $5,000?

ATTORNEY WEED: I don't -- I just don't know.

COUNCILMEMBER ROCHE: Thank you.

ATTORNEY WEED: I don't want to guess.

COUNCILMEMBER BATES: So this, just so I'm clear, would be to bring in an outside consultant to evaluate all of our insurance.

ATTORNEY WEED: Yes, for a determination about whether it might be appropriate to look into it further. And it may not be. I mean, once again, you may be -- you may have perfectly adequate coverages. It's just that it's been a while since this has occurred, and it's our professional opinion that it's time to do it.

COUNCILMEMBER BATES: Well, we don't know what it's going to cost until we ask, so I think that's a good step to take, and if it's viable, let's do it.

ATTORNEY WEED: Well, the other -- of course the other benefit of doing it by RFP is that if it's

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too exorbitant, you don't do it.

COUNCILMEMBER ROCHE: I would just like to see a copy of what our proposed RFP is. That's all.

ATTORNEY WEED: And I couldn't agree with you more. You know, obviously I haven't -- didn't prepare that tonight because I would have felt that would have been premature to provide that to you --

COUNCILMEMBER ROCHE: Well --

ATTORNEY WEED: -- without some idea that you might want to do it.

COUNCILMEMBER ROCHE: So could we make a motion to table this until the next meeting when we can get a proposed RFP and then vote on it then?

ATTORNEY WEED: Sure.

COUNCILMEMBER PACHUTA: I don't really know that that's necessary. I mean you're just making a proposal for services, and it will come back to us and we'll review it, and if there's anything major that needs to be changed -- but I don't know how anyone else feels.

COUNCILMEMBER BATES: I'm perfectly fine with moving forward this evening.

Mr. Weed, you've done this before. I've not dabbled in insurance. I don't know what I could offer. Perhaps Mr. Roche could share more what he

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would be looking for.
COUNCILMEMBER ROCHE: I just don't want to vote to do something that's a piece of paper until we see the piece of paper, you know. I don't want to vote for an RFP until we see the RFP.
ATTORNEY WEED: Well, maybe I've done a poor job of explaining it, but I think what we're really looking for, what we're recommending as a law firm, is that you put out some feelers to get a more formal RFP from different brokerage houses and that they would do the analysis of your current insurance.
If I -- and I'm happy to draft a draft RFP, and what it would -- what we would be targeting would be just that. We would send it out to known brokerage houses and advertise it in the regular places we advertise it, and seek RFPs. Essentially, it's an RFP to get an RFP. And I'm happy to draft that and glad to do it, but that's what it will say.
COUNCILMEMBER FLEMING: I would like -- I would like to see the RFP. I have no problem in us soliciting RFPs for quote on our liability insurance and doing a audit of the city, but I would like to see the RFP before it does go out on the Web site.
COUNCILMEMBER ROCHE: Yeah. And again, I'm fine with the idea. I just, you know, don't want to

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vote on something until I know what it is.
COUNCILMEMBER PACHUTA: I'd like to go ahead and make a --
COUNCILMEMBER ROCHE: If we could get that in two weeks, I mean --
COUNCILMEMBER PACHUTA: I'll just go ahead and make a motion that we go ahead and prepare an RFP to evaluate the professional liability insurance.
COUNCILMEMBER ROCHE: I'll second that.
MAYOR JENKINS: More discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: This is to prepare an RFP to be sent out is what your motion was.
COUNCILMEMBER ROCHE: Just to prepare the RFP.
COUNCILMEMBER FLEMING: To prepare the RFP. I'm going to say yes, and I want to see the RFP before

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it's sent out.
COUNCILMEMBER ROCHE: Right.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: All right. Rhonda, we have some bids, RFPs on the IT services?
CLERK BLACKMON: Yes, sir. There's five.
MAYOR JENKINS: Okay.
CLERK BLACKMON: Want to just start passing them down?
MAYOR JENKINS: Yeah. Just pass them down, let them open them. She'll still want to keep them together.
CLERK BLACKMON: I'd like to keep them together.
MAYOR JENKINS: Keep them all together.
CLERK BLACKMON: I just want the company name and prices so I can write them down.
COUNCILMEMBER ALEXANDER: How do you want the prices? Do you want it per month? annual? hourly?
CLERK BLACKMON: I think hourly.

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COUNCILMEMBER ALEXANDER: The company name is Intellispring -- that's I-n-t-e-l-l-i-s-p-r-i-n-g -- of Norcross. Manage services, $7,359.70 per month. Annually, they have that as $88,316.40. Out of scope, which I don't know what the definition for that would be, technician is $65.00 an hour, engineer is $135 an hour, senior engineer is $165 an hour, and project manager is $125 an hour.
MAYOR JENKINS: The total was what? Eighty-eight three sixteen?
COUNCILMEMBER ALEXANDER: Eighty-eight three sixteen point four zero.
CLERK BLACKMON: For Intelliscope.
COUNCILMEMBER ALEXANDER: Intellispring.
CLERK BLACKMON: Yeah. That's for --
COUNCILMEMBER ALEXANDER: For managing services.
CLERK BLACKMON: Just for managing services.
COUNCILMEMBER BATES: Are we just going down the line?
MAYOR JENKINS: Yes, Brian.
COUNCILMEMBER BATES: I have Sophicity -- S-o-p-h-i-c-i-t-y. First year, $7,260 per month plus off site storage costs; year two and ongoing, $4,985 per month. Off site storage is $1.19 per gigabyte per

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1 month. Additional support beyond the four weekly
2 hours included in the city care managed network will
3 be billed at $125 per hour for an engineer and $135
4 per hour for project management.
5 COUNCILMEMBER PACHUTA: All right. I have
6 Innovative Vision Technologies, and they just give a
7 fixed price -- fixed firm price for the entire
8 duration of the contract period, and that includes all
9 the support. This will have to be looked at in more
10 detail by someone who knows IT. But the total
11 contract cost is $197,475.
12 COUNCILMEMBER FLEMING: I have The
13 Management Group. They've broken it down by monthly
14 as well as annually. Total investment monthly would
15 be $12,950 -- that's for the monitoring, the
16 maintenance support and the technician -- which
17 equates to $155,400 per year.
18 COUNCILMEMBER ROCHE: I have The Radical
19 Group. I'm sorry. Radical Support. R-a-d-i-c-a-l
20 Support. They're in Roswell. And they have two
21 options. Option one, comprehensive care, was $7,990
22 per month -- that's comprehensive care for up to 125
23 machines, and any machines over 125 would be $65 per
24 month per machine -- which comes out to annual,
25 $95,880. Option two is staff care, which is full-time

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1 qualified on-site IT engineer. That's $9,700 a month,
2 which would work out to $116.400. The hourly rates
3 for level one engineer is $85 an hour, level two is
4 $115 per hour, level three engineer is $130, and level
5 four is $145 per hour. And that -- I didn't address
6 the scope, obviously.
7 Since we have six copies -- the trouble we
8 ran into before with these -- and I haven't had --
9 obviously I haven't had a chance to look at these --
10 is that each company may have a different approach, a
11 slightly different approach to what services they're
12 going to provide and whether or not they're going to
13 come out and start off cleanly and et cetera,
14 et cetera. So just simply picking the lowest number
15 doesn't necessarily meet our needs. And I would
16 propose that since we have six or seven copies of
17 these, that we go ahead and collate these copies so
18 that everyone on the Council has a chance to look
19 these over and then make a final decision at the next
20 meeting.
21 COUNCILMEMBER PACHUTA: I don't know that
22 any of us particularly has the expertise to really
23 review these in any kind of detail for IT. Do we have
24 someone that can -- IT professional that can look at
25 them?

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1 COUNCILMEMBER ROCHE: I'm an IT professional
2 -- consultant, as a matter of fact -- but I would
3 certainly like the input from everyone else on the
4 Council too.
5 COUNCILMEMBER BATES: I have no problem
6 taking a look at them, but Captain -- or Mayor, who do
7 we currently use?
8 CLERK BLACKMON: The Management Group.
9 ATTORNEY WEED: The Management Group, as I
10 understand.
11 COUNCILMEMBER PITTMAN: I would like to ask
12 Rhonda and Captain what their thoughts ar as far as
13 their service on this?
14 COUNCILMEMBER BATES: Well, I'd like to
15 review them first.
16 COUNCILMEMBER PITTMAN: Okay.
17 COUNCILMEMBER ALEXANDER: If you can
18 tomorrow have Dorothy --
19 CLERK BLACKMON: Run copies.
20 COUNCILMEMBER ALEXANDER: -- give us all a
21 copy in our boxes.
22 CLERK BLACKMON: Okay.
23 COUNCILMEMBER ROCHE: I'll be heading out of
24 the country in a couple days, but if I get these
25 tomorrow, I could at least --

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1 CLERK BLACKMON: You'll have it tomorrow.
2 COUNCILMEMBER ROCHE: Then I can read
3 through them real quick and see if there's anything
4 that stands out one way or another, good or bad, from
5 an IT consulting standpoint.
6 MAYOR JENKINS: Okay. What about a
7 committee rather than the whole Council?
8 COUNCILMEMBER ROCHE: Well, we've tried
9 committees before, Mayor.
10 MAYOR JENKINS: Okay.
11 COUNCILMEMBER ROCHE: That way, we could
12 just make a selection at the next meeting.
13 MAYOR JENKINS: Very good.
14 What you're saying, everybody put their
15 input in and vote on it at the next meeting? Is that
16 what you're saying?
17 COUNCILMEMBER ROCHE: Right. Because again,
18 when one RFP says or one proposal says $116,000 a
19 year, that could mean something very different than
20 another proposal that says $110,000 a year as far as
21 the services they plan to provide and the approach
22 that they're going to take to provide these services.
23 You know, one of the big issues we have is
24 our software and our hardware here is very old,
25 different software releases. By bringing them all up

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1 to the same release level and standardizing equipment,
2 you can save a lot of money and have a lot less
3 downtime.
4 You know, if the proposal includes that,
5 then obviously that would be a plus in that vendor's
6 proposal versus just fixing things when they break,
7 because then you have to go through all the trouble of
8 having them break and then having them fixed.
9 MAYOR JENKINS: What was the total on
10 Sophicity? I've got a monthly on Sophicity but I
11 didn't get any yearly.
12 COUNCILMEMBER BATES: Sophicity, about
13 $87,000 if I remember correctly.
14 MAYOR JENKINS: How much?
15 COUNCILMEMBER BATES: About eighty-seven
16 annually.
17 CLERK BLACKMON: Yeah. They have a monthly
18 of $7,260. Oh, yeah. It doesn't show an entire
19 annual.
20 COUNCILMEMBER BATES: It was there. I
21 didn't read it. I apologize.
22 MAYOR JENKINS: Say what it was again.
23 COUNCILMEMBER BATES: I don't remember, sir.
24 It was about $87,000.
25 MAYOR JENKINS: Okay.

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1 COUNCILMEMBER ROCHE: And one other
2 potential option is that for this kind of money, we
3 could hire a full-time employee probably cheaper,
4 frankly, that would be here all the time.
5 CLERK BLACKMON: We have more than what one
6 person can handle, and we saw that with our previous
7 IT. I think we have way more than one person can
8 handle.
9 COUNCILMEMBER ROCHE: Well, there are ways
10 to fix that.
11 MAYOR JENKINS: All right, Bob.
12 COUNCILMEMBER ROCHE: So do we need a motion
13 to decide next time or just table it till next meeting
14 or --
15 ATTORNEY WEED: It'll roll over
16 automatically, Councilman.
17 CLERK BLACKMON: Yeah.
18 COUNCILMEMBER ROCHE: Okay. Thank you.
19 MAYOR JENKINS: Thank you. Karen?
20 COUNCILMEMBER PACHUTA: Okay. I think I had
21 e-mailed Council earlier some samples about other
22 cities' strategic planning, and I have given everyone
23 information from the Carl Vinson Institute and their
24 list of facilitators.
25 Strategic planning, I don't know that the

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1 City has done it in the past. I found it very helpful
2 when I worked for a nonprofit, because we dealt with
3 the board of directors, people different states, to
4 get together once a year and would spend one day, the
5 board of directors, discussing policy; the second day,
6 they would meet with staff. And it was very
7 beneficial as a staff member to figure out this is
8 what they consider their priorities, because sometimes
9 it was very different than what we considered our
10 priorities. This is what they want done in three
11 months, six months, a year, two years.
12 I think it's really good in developing
13 policy on some of the broader, over-reaching things, a
14 vision for the city. It's really good in helping set
15 time frames and how -- tools how to get there, and
16 setting priorities and being able to then communicate
17 back to staff rather than staff kind of operating in a
18 vacuum of what they think we're looking for and what
19 they think we want and then coming to present it to us
20 to have us, you know, no, yes, whatever, so this kind
21 of gives them something.
22 So I have given everyone some proposed -- or
23 some dates, and actually Mr. Howe also provided -- he
24 called some of the other cities and got some of their
25 prices that they've spent on strategic planning.

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1 Ideally, I would love to have a two-day
2 retreat. I don't know if Council is going to agree to
3 that, you know, didn't set any money aside for it this
4 year, although there is money in the training budget
5 that the City has not spent yet.
6 The price for the Carl Vinson facilitator is
7 $1,050 per day -- that's a full day -- plus their
8 expenses, travel expenses. And they do recommend that
9 you have the meeting somewhere away from the city just
10 from a psychological standpoint. You kind of get away
11 from that day to day and, you know, get away from your
12 phone, get away from your concerns of the day. And it
13 doesn't even have to particularly be that far.
14 Mr. Howe put some samples in here, recently.
15 Dunwoody was supposed to go to Franklin, Tennessee,
16 last weekend for theirs, but they got snowed out so
17 they had it at the Embassy Suites. The City of
18 Marietta goes down into Atlanta to do it. Alpharetta
19 went up to Dahlonega. Covington went up to Brasstown
20 Valley Resort. So just kind of a little get-away from
21 the actual City Hall I think would be beneficial. It
22 doesn't have to be anything really extravagant.
23 So I guess the main things would be would we
24 want to do a one- or two-day. As far as which
25 facilitators are available, that depends on which

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1 dates we give them. I think earlier I'd given you the
2 information about March 6, but Mr. Bates has a
3 conflict with that. The next available date --
4 I believe, Mr. Roche, you said you were gone
5 February 27th? Is that right?
6 COUNCILMEMBER ROCHE: Yes.
7 COUNCILMEMBER PACHUTA: Okay. That was a
8 date. The next available date would be March 20th. I
9 do not have the facilitator name for that. She had
10 already left the office, so I'll have to find that out
11 tomorrow.
12 MAYOR JENKINS: Did you say 20?
13 COUNCILMEMBER PACHUTA: 20th. March 20th.
14 COUNCILMEMBER ROCHE: So the 20th and the
15 21st?
16 COUNCILMEMBER PACHUTA: Well, do we want to
17 do a two- -- That's a decision we need to make. Do we
18 want to do a one-day or a two-day?
19 COUNCILMEMBER FLEMING: I don't mind having
20 a two-day retreat; however, I don't feel that it
21 necessitates us to be in an area that's away from the
22 city to the point where we're having to spend the
23 night there. And if we are going to utilize two days,
24 bear in mind that the 20th is a full day Saturday but
25 the 21st is on Sunday. And if you're going to

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1 request, like some of the other cities did, about
2 having the department directors come in, Sunday is a
3 worship day for a lot, so I would suggest a 1:00 p.m.
4 start time on Sunday. I don't know. And that's from
5 my point of view as well.
6 COUNCILMEMBER BATES: I wholeheartedly
7 concur with not going where we would need to use
8 hotels. I would suggest we pick a city where we are
9 intrigued, like Suwanee or someplace that is doing
10 something that we can see what's happening in their
11 city -- Sugar Hill, Snellville, Norcross, Suwanee --
12 and pick a hotel or maybe even use their city hall if
13 it's a viable option. And that way, we can get a
14 sense of what's happening with one of our sister
15 cities out there and perhaps glean some knowledge to
16 bring back and help make our city just a little bit
17 better. I'm in favor of a two-dayer. I think that
18 would be money well spent.
19 COUNCILMEMBER PACHUTA: All right. I mean
20 if I just -- well, we'll take a vote of general
21 agreement. What I can do is get dates from Ms. Crosby
22 for two days and just make sure that the dates are
23 fine with everybody, and I'll work with maybe Mr. Howe
24 to find a location, even we could talk to Lake City or
25 Suwanee or something. They have that very nice city

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1 hall now. Just look into facilities.
2 COUNCILMEMBER ALEXANDER: I think in some of
3 the documents you gave it, it was like the first day
4 was the presentation from the department heads and the
5 other -- and then the second day was council and
6 whoever.
7 COUNCILMEMBER PACHUTA: Yeah. And she said
8 that once -- once we pick a date, you know, it'll
9 depend on which facilitators are available, and each
10 facilitator would want to get with us ahead of time
11 from everybody, what their goals were for it. And so
12 that's something we can actually also find out from
13 the facilitator, what her preference is: meet with
14 staff first or Council first, then staff. I know
15 Decatur had theirs last weekend, and I think their
16 first day and a half was with Council and the
17 remaining day and a half was with staff.
18 COUNCILMEMBER ROCHE: Yeah. I just wanted
19 to toss in here -- and obviously we discussed this a
20 couple of times. I think Councilman Bates actually
21 brought it up a couple years ago.
22 Many cities consider this part of their
23 budgeting process, because what you do is as you
24 define your goals for and priorities for each
25 department head, it simplifies the process because you

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1 basically go to each department head and you say:
2 Parks & Recreation, your priority number one is this,
3 your priority number two is this, your priority number
4 three is this. And by the way, here's your money.
5 Here's how much money we think you can have this year.
6 And then it's up to the department head to actually
7 start breaking out the budget into line items, and
8 then as they spend money or budget money, they say:
9 Will this take out of my first priority? Because
10 maybe there's a priority that's way, way down at the
11 bottom. Well, if the money runs out before you get
12 down to the priority list, obviously it doesn't
13 happen.
14 But it's a budgeting tool also, so I'm very
15 much in favor of doing it too.
16 COUNCILMEMBER PACHUTA: All right.
17 COUNCILMEMBER ROCHE: So the 29th is fine
18 with me.
19 COUNCILMEMBER PACHUTA: All right. So
20 should I just go ahead and make a motion that we
21 proceed to schedule a two-day retreat with the Carl
22 Vinson Institute and I'll have Mr. Howe look into
23 affordable or even free options in neighboring cities.
24 COUNCILMEMBER PITTMAN: Are we going to do
25 all day on both days or are we going to do the day and

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a half?
COUNCILMEMBER PACHUTA: Two days?
COUNCILMEMBER ROCHE: No. That would work out to Sunday afternoon.
COUNCILMEMBER PACHUTA: Right. And that could be something I discuss with the facilitator.
COUNCILMEMBER BATES: Yeah. Let's see if they're even available for a two-dayer.
COUNCILMEMBER ROCHE: Right.
COUNCILMEMBER BATES: That may dictate that as well.
COUNCILMEMBER PACHUTA: I'll keep the motion at two days, and if we need to adjust that based on the facilitator recommendations or availability, we can change that.
COUNCILMEMBER BATES: Second.
MAYOR JENKINS: You're going to have it so we can commute rather than --
COUNCILMEMBER PACHUTA: Yeah.
MAYOR JENKINS: -- rather than --
COUNCILMEMBER PACHUTA: I'm --
MAYOR JENKINS: -- stay in a hotel.
COUNCILMEMBER PACHUTA: Something like Suwanee or somewhere like that I think is a good idea.
MAYOR JENKINS: Someplace that's easy to get

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to. Suwanee's a nice city. They got a beautiful --
COUNCILMEMBER PACHUTA: They have a nice new amphitheater.
MAYOR JENKINS: We can learn a lot from them.
Okay. Motion and a second. Anymore discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: We did make a motion but we had Stuart Anderson to speak on that.

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Want to say something, Stuart?
MR. ANDERSON: No.
MAYOR JENKINS: Brian?
COUNCILMEMBER BATES: Yes, sir.
MAYOR JENKINS: Number six.
COUNCILMEMBER BATES: I'm going to be very brief on this. I'm actually going to -- One of the things that I think the City is needing to do is rebrand itself with some signage that is consistent on our entrances into the city, our park signage, our directional signage within the city, so that, you know, when you're coming down Buford Highway, you know which direction is City Hall and which direction is the Library and, you know, over by Honeysuckle Park, know which direction is Honeysuckle Park. But it's consistent.
But the city signage, in my opinion -- and please don't be offended, anybody -- has been around for a while. And I think with the new G.M. property and kind of a fresh start that's happening within the city of Doraville, I think it's time for us to take a look at rebranding our city and making our entrances -- I know we talked about the gateway and the Buford Highway, 285 and Peachtree Industrial, improving those. Signage goes a long way in addressing how

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people perceive a city and how well it's doing.
My intent is to put out an RFP to have or ask the Council to put out an RFP to ask for companies to make recommendations on different signage, but I'm going to hold off on that until we've had a retreat so that we can come out of that with a vision on what we want those RFPs to look like.
I will pass around to Council and to the audience, I just took some pictures of City of Doraville signage as well as some of our neighboring municipalities so we can kind of look and see what is out there.
And if you will give that to the audience and if you will pass that down.
So I will officially withdraw Item 6 and I will place it back on the agenda at a later date, so it can be stricken.
MAYOR JENKINS: All right. Council Agenda, Brian Bates.
COUNCILMEMBER BATES: Yes, sir. We tend to have our meetings go on for a little bit and we don't get through as many agenda items as we should. I don't know if any of you have noticed that or not.
What I would -- what I'm hoping to accomplish with this -- and I hope Council has

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1 received a copy of the memo that I put out -- was to
2 clean up some of the language that's in the charter
3 and put some restrictions on us here when we're
4 presenting a topic. I will summarize these for you.
5 The other thing would be to change the
6 deadline for when agenda items are due. At present,
7 agenda items are due 12 o'clock on Thursday before a
8 Council meeting, and the ordinance actually says that
9 they're due to the Mayor and not to the Clerk. That
10 doesn't prepare or give the Clerk sufficient time, in
11 my opinion, to get the agenda packets prepared for us
12 to review to get them to Mr. Howe to post on the Web
13 site and things along that nature. So one of my
14 proposals is to change the deadline from noon on
15 Thursday to noon on Wednesday and have them submitted
16 to the Clerk and not to the Mayor.
17 The other thing that is frustrating for me
18 is oftentimes there will be items on the agenda but
19 there will be no supporting documentation, so we don't
20 really know what's being discussed until we get here
21 that evening, which means that we then need to go back
22 and do research and look into item, so that puts it on
23 for another meeting; whereas, if we had information in
24 advance, we could come prepared with questions and be
25 a little bit more efficient and thorough in using our

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1 -- and judicious in using our time. So we'd like to
2 request that any agenda item have submitting
3 documentation, and if the documentation is presented
4 at the Council meeting, that it will be automatically
5 tabled until the next week unless the majority of
6 Council says otherwise.
7 Additional piece would limit the number of
8 items that a person can place on the agenda, to limit
9 the number to three, and that would be for Council and
10 for members of the public.
11 Fourth would be to limit the time limit for
12 presentation by Council or members of the public to
13 five minutes. At present, there is no time constraint
14 on how long a Council member, like I'm doing now,
15 could drone on and on on their particular subject. So
16 it would be a limiting to five minutes. That would
17 not limit the debate on the item but merely the
18 initial presentation on that.
19 And then the final piece would be to modify
20 the agenda. The charter stipulates the agenda to be a
21 certain way including paying of the bills. That has
22 gone by the wayside many years ago, and so I think we
23 need to update our agenda to reflect what's actually
24 happening today.
25 So those would be the five changes that I

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1 would recommend for this Council to make, and I've got
2 specific section numbers for review.
3 Maria, these are charter --
4 COUNCILMEMBER PACHUTA: Charter or
5 ordinance?
6 COUNCILMEMBER BATES: These are ordinance
7 changes.
8 ATTORNEY WEED: Right. The charter -- I
9 sent the Council a memo today with regard to this, but
10 very briefly, the charter's only got two sections that
11 really deal with the meetings, and they are Section
12 2.09 and 2.10, and really what those deal with is how
13 you go about adopting ordinances, the first reading
14 and second reading rule are provided there and how you
15 deal with that, and there's a section that deals with,
16 you know, what -- the effect of legislation and when
17 the effective date is. Other than that, the charter
18 itself is silent about how you conduct a meeting.
19 All the rules about how you conduct a
20 meeting are in Chapter 2, which is the Administration
21 section of your code, and you have cited the correct
22 code sections in your information to Council.
23 COUNCILMEMBER ROCHE: Well, and the charter
24 does talk about that the City will be run by Robert's
25 Rules.

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1 ATTORNEY WEED: That's in the -- that's in
2 the ordinances, not the charter.
3 COUNCILMEMBER ROCHE: I'm sorry. The
4 ordinances.
5 ATTORNEY WEED: But you're right; it does
6 say that. That is correct.
7 COUNCILMEMBER ROCHE: And I think maybe --
8 in fact, I plan to take a class on that soon, but I
9 think that would help us speed things up.
10 I'll just throw these out here, I mean since
11 we're talking about this. A couple of other potential
12 things would be, first of all, to use Robert's Rules.
13 Secondly, the meetings start at 7 o'clock,
14 and I'm not sure if that's cast in stone someplace.
15 It would seem like if we started at 6:30, we could
16 probably get things done -- you know, give us an extra
17 half an hour.
18 ATTORNEY WEED: It's not. That's something
19 you could change. That's in Chapter 2 too.
20 COUNCILMEMBER ROCHE: Right.
21 ATTORNEY WEED: Chapter 2 also.
22 COUNCILMEMBER ROCHE: As far as the
23 materials itself, I know we've asked for this several
24 times, but it would be a lot easier to just have all
25 the materials posted on the Web site like the proposed

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first draft of ordinances, et cetera, et cetera, so that frankly we wouldn't even have to come in and pick up our packets. We could just go online and access them -- in fact, even access them here; there's wireless. And not only would we have access to that; obviously, then the citizens, you know, people that want to come and look at the meeting -- citizens, business people -- would have the same access.

Because I know that it was frustrating the year before I got elected; I would sit out there and have no idea what anyone was talking about. And I know a lot of people have voiced that to me: that, you know, you sit in the audience and you have no idea what we're talking about because no one else has a copy of it.

And last, as far as the actual conduct of the meeting itself, people -- and I've noticed this, and I guess the word that floated out of this is what they call "pop-ups." We reach a point, or we need to reach a point as we're working through an issue or an agenda item, where the Council -- we've got all our information and the Council needs to begin deliberating on, okay, what we do we want to do on this? Do we pass a motion? do we not pass a motion? or whatever.

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And several times during that deliberative process, the Council is interrupted by staff, by -- mostly staff, frankly -- and then we end up in this thing where we basically have one or two staff members occasionally, basically doing the -- doing the deliberations. I kind of think of it like if you go on trial and the jury's back in the jury box, you know, and the prosecutor shows up, and he's back in there and he's in there fighting for his side or whatever.

I think the part that would be missing is that once we bring up an issue, that staff should be fully aware of it. Staff should be given some limited -- you know, a period of time -- five minutes, 10 minutes, whatever it takes -- to basically state what the current situation is, any recommendation they have, any professional recommendation, provide information, that sort of thing, and then that's it. Unless the Council specifically asks a question for clarification on something, that's basically the end of it. And that way, it follows a process; and that way, it comes to us, and then we deliberate and then we pass an ordinance or pass a motion or do whatever we're going to do, because that's the problem, is there's too little control over the meeting, frankly.

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COUNCILMEMBER BATES: Well, I'll take all three of those.

I have no issue with changing the start time to 6:30. I'll leave that up to the rest of the Council to debates.

With regard to posting items on the Web, Friday all five ordinances for this meeting were posted on the Web, so that is a first step to addressing that. I think changing the time to Wednesday will further enable that to happen and make sure that information that's presented to the Clerk for inclusion in the agenda is included in total.

And with regards to the pop-ups, oftentimes Council will start to say something that is incorrect or wrong or misplaced, and I think staff has a responsibility to correct us in our deliberations if we are saying something that is not accurate.

Is there a better method for them to do so versus speaking randomly? Probably. So I will concur with you on that. But I do think we need to continue to allow staff to have the opportunity to interact with us in the deliberation, especially to correct information that may not necessarily be correct.

COUNCILMEMBER ROCHE: Well, what I've seen over and over again, frankly, is that -- you know, we

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had a meeting earlier this month where we were looking to -- and we had a staff member that every time the deliberations started going in a particular direction, that staff member basically interrupted us and then tried to steer the deliberations back in the other direction, and that was -- I think that, you know, we're the ones that are here that are elected to do this and make this decision.

Either we -- you know, we need to find a way to get that under control, because, frankly, that's what happens. We'll be following some line of reasoning, and then boom there's an interruption and then we get sidetracked, and a lot of times it doesn't have anything to do with the issue at hand. And that's what drags things out, frankly, so --

COUNCILMEMBER FLEMING: I have a couple of items, Mr. Bates, if you don't mind.

COUNCILMEMBER BATES: Sure.

COUNCILMEMBER FLEMING: I like beginning at 6:30 also.

I think we limited ourselves to 9:30 maximum, and I'm willing to go beyond that. So that's something that we ought to entertain as well.

I have no problem with the Wednesday to the Clerk by noon.

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I did want to ask about items that are on the agenda that would not necessarily have supporting documents that would be applicable to that agenda item, so I wanted to know how you propose to support it or support the agenda item, so I'd like you to address that for me.

COUNCILMEMBER BATES: Sure.

COUNCILMEMBER FLEMING: And then I had a couple more, but you can go ahead and address that one if you --

COUNCILMEMBER BATES: Well, there are -- as an example, later on the agenda, I believe Ms. Pittman has Arbor Day on there, and so there's -- it's a discussion about whether -- and correct me if I'm wrong -- whether or not we're going to want to do something for Arbor Day. There wouldn't necessarily be any supporting documentation for that.

However, as an example, using my meeting-agenda agenda, I wanted to talk about that and tonight I passed it out for the very first time, that doesn't give us time to digest that in order to have an educated conversation about the guts of it. So in that scenario, if this were to pass, it would be immediately tabled until the next meeting so that between now and whenever the next meeting is, two

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weeks, we would have time to digest that and research and ask questions and be able to have an educated conversation about that.

So what I'm wanting to prevent is big-ticket items coming up that Council doesn't know what's going to be discussed.

COUNCILMEMBER FLEMING: Oh, I thoroughly agree, but I was just wondering how you were going to address those items that are going to be on the agenda that have no supporting document or wouldn't have any supporting document.

COUNCILMEMBER BATES: Well, I think one of the ways that -- and I think you've started to see me do this, is even on items where there may not be a supporting document, I'm creating a memo to outline my concerns --

COUNCILMEMBER FLEMING: Correct.

COUNCILMEMBER BATES: -- so that there's at least a -- you know where I'm coming from when the topic is going to be presented. It's not going to catch you or Ms. Alexander or anybody else off guard. You know that when it comes to agenda item whatever, and it's under my name and it's talking about, you know, street lamps, you've got information to know what I'm planning on talking about so everybody's not

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sitting there saying, "What's Brian going to talk about regarding street lamps?" It's out there publicly.

So I would encourage all of us to get into a habit of if there's a topic that we're wanting to address and there's not anything tangible, just to do a memo outline and say, "These are my concerns. This is what I'm talking about and this is why." I think that would be very beneficial for all of us to do.

COUNCILMEMBER PACHUTA: Yeah. Even if it's just a short few sentences, you know, someone wants to send out an e-mail that says, "I'm going to talk about Arbor Day. This is what it is," so we know ahead of time.

COUNCILMEMBER FLEMING: The next item you indicated on your memo that a maximum of two, and I believe I heard you say three?

COUNCILMEMBER BATES: I apologize if I -- my copy says three, so this is a great example of why this is good to have. My copy --

COUNCILMEMBER FLEMING: Well, it says, each Councilmember, member of the public or representative place a maximum of two new items on the agenda for consideration.

COUNCILMEMBER BATES: And Ms. Alexander just

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showed me her copy and it does in fact say two with a question mark of three. So I apparently changed my own memo --

COUNCILMEMBER FLEMING: Okay. So --

COUNCILMEMBER BATES: -- in between when --

COUNCILMEMBER FLEMING: So --

COUNCILMEMBER BATES: -- sent that out and when I printed --

COUNCILMEMBER FLEMING: -- you know, if we -

COUNCILMEMBER BATES: -- my copy.

COUNCILMEMBER ALEXANDER: You didn't do Ms. Fleming's revision and date at the bottom.

COUNCILMEMBER BATES: I did not. I did not.

COUNCILMEMBER FLEMING: If each one of us did three, I think we are getting into another lengthy scenario plus the old business, so I'm fine with two, personally.

COUNCILMEMBER BATES: That's 12 new items every meeting.

COUNCILMEMBER FLEMING: Exactly.

The other thing, though, you did not address -- and this isn't going to be a popular item -- but I think part of our time delay also is allowing the public to speak for every single item that we have on the agenda. However, I think they should be afforded

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1 the opportunity just like in public hearings: if
2 there's an item on the agenda that would or could be
3 voted on as far as ordinances are concerned, then that
4 item could then have afforded five-minute time.
5 So like I said, it's not a popular item, I'm
6 sure, but that would -- you know, I'm not so sure that
7 we need to have people coming up to talk about Arbor
8 Day or that we have people coming up and talking about
9 -- you know. So I'm just making -- I'm throwing that
10 out.
11 COUNCILMEMBER BATES: I looked at a number
12 of different municipalities in researching this, and
13 one thing that I saw on a number of them which I
14 thought was interesting is they actually had public
15 comments before and after. So there was, you know,
16 approve the minutes -- call the roll, approve the
17 minutes, public comments, go into the business, and at
18 the conclusion of the meeting, public comments. So it
19 was for those who wanted to talk about something
20 before it happened, there was that opportunity, and
21 for those -- and if they wanted to say their piece and
22 leave, and then for those who wanted to stay and speak
23 afterwards, there was that opportunity.
24 I thought that was a very interesting way of
25 doing that. I would certainly be inclined to consider

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1 that.
2 COUNCILMEMBER FLEMING: Well, I know that
3 our conversations do trigger sometime questions or
4 conversations from the public, particularly if it's
5 going to be in regards to passing an ordinance or
6 anything of policy-making, they may want to, you know,
7 speak. So that's the reason why I threw out if we're
8 going to, you know, take a vote and set it in stone, I
9 think they should have that opportunity, that specific
10 thing.
11 COUNCILMEMBER PACHUTA: Well, I think the
12 reason we started having them after every item -- and
13 I could be wrong -- was because people were having to
14 wait until the end of the agenda after everything had
15 been voted on. So I think moving it to the front of
16 the agenda, people could speak their mind on, you
17 know, Items 7, 12 and 15, and then they could leave if
18 they wanted to. They don't have to sit through the
19 whole thing until whatever time at night but could
20 still be heard before items are voted on.
21 But then I think not having necessarily
22 speaking after every single item would help speed the
23 agenda along.
24 COUNCILMEMBER ROCHE: Yeah. The concern
25 about speaking at the beginning was that, again,

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1 because -- and this time, it all worked out; this
2 time, we did get everything published on the Web in
3 advance, but that's the first time I remember it
4 happening -- was that if people were allowed to speak
5 at the beginning, they didn't know what they were
6 talking about because they hadn't seen anything yet.
7 So it's not just one thing that's going to fix this.
8 Obviously, you know, people would have to have access
9 to that information.
10 One possible solution to this dilemma would
11 be that if it's a big deal, if it's something serious,
12 for instance like an ordinance or whatever, that maybe
13 we have a first reading but just try to make it a
14 practice to table it until the next meeting, and that
15 way, people have a chance to contact us directly, you
16 know, speak at the citizen comments or whatever, and
17 then the next meeting basically is just a matter of
18 making a vote. But sometimes there are times, and how
19 you draw that line, I don't know, where I think public
20 input is very important.
21 COUNCILMEMBER FLEMING: So those were my
22 comments. But I like starting earlier --
23 MAYOR JENKINS: Yeah.
24 COUNCILMEMBER FLEMING: -- and I like
25 staying later so we can get finished with a final

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1 agenda, I mean a night --
2 COUNCILMEMBER BATES: A complete one?
3 COUNCILMEMBER FLEMING: -- you know, I'd
4 like to --
5 COUNCILMEMBER BATES: You want to complete?
6 COUNCILMEMBER FLEMING: -- complete some of
7 the stuff from December that we still have on here.
8 COUNCILMEMBER BATES: Ms. Fleming, you want
9 to complete an agenda in a night?
10 Mayor, do we have anybody signed up?
11 COUNCILMEMBER FLEMING: I'm optimistic. I'm
12 very optimistic about it.
13 COUNCILMEMBER ROCHE: Let me toss in one
14 thing very quickly.
15 MAYOR JENKINS: Not on that particular one.
16 COUNCILMEMBER ROCHE: Let me toss in
17 something very quickly about adding things to the
18 agenda.
19 Some time ago, I was approached by the aide
20 to the Mayor about adding something to the agenda, and
21 I put it on the agenda and it worked out. I think
22 that obviously, citizens, they have the right to put
23 things on the agenda, but I think if staff members
24 want to add something to the agenda, they should bring
25 it to a Council person and have it sponsored and have

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that Council person put it on the agenda. Because basically what we're saying now is that I'm limited to two items but there's no limit on what a staffer could do.

And since we started putting people's names next to agenda items some time ago, that way, you know, at least we know there's some sponsorship and, you know, someone couldn't just start adding a whole bunch of stuff to the agenda. Tonight's -- you know, other than the city attorney, no staff member did it, but it has happened in the past.

COUNCILMEMBER BATES: I'm not inclined to move in that direction right now but I appreciate.

COUNCILMEMBER ROCHE: So staff members can put unlimited numbers of items on the agenda?

COUNCILMEMBER BATES: Well, I believe that those would fall under the Mayor's comments. I don't recall staff having items on the agenda --

MAYOR JENKINS: I don't either.

COUNCILMEMBER BATES: -- previously.

COUNCILMEMBER BATES: Are you referring to Murray?

COUNCILMEMBER ROCHE: Not necessarily, no, because actually what we did before was the --

MAYOR JENKINS: Well, it wasn't a good

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question?

COUNCILMEMBER ROCHE: No, it was a good question. What we did with Mr. Weed was -- before, we always have a thing at the end called attorney comments, and if the attorney felt like he needed to introduce some legislation or whatever, that's when it happened. A lot of times it was routine stuff and we just passed it through, but if it was something more interesting -- because the attorney has a spot to introduce agenda items, the police department has a spot to introduce agenda items.

So basically what you're saying is that a City Councilman is limited to what they can put on the agenda but a staff member is not.

COUNCILMEMBER PACHUTA: I can't even recall staff members putting things on the agenda.

COUNCILMEMBER FLEMING: I think I --

COUNCILMEMBER ROCHE: The LCI --

COUNCILMEMBER FLEMING: Mr. Roche, I --

COUNCILMEMBER ROCHE: -- study was on there too.

COUNCILMEMBER FLEMING: I believe Mr. Roche's question really falls under the purview of reports from departments, and we've limited that to, for instance, police, but in Mr. Bates' outline, he's

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included all departments, and I think that's a very good thing and that that's when their particular item should come up is under their own heading.

COUNCILMEMBER ROCHE: Right.

COUNCILMEMBER FLEMING: So that -- because I think those should still be listed, because it may be that Lynn needs to come to us from the Library, or Carol, for instance, and that's where that would fall under, not necessarily under the Mayor's comments.

Now, we could feasibly put our departments after citizen comments if you wish so that they could then leave.

COUNCILMEMBER ROCHE: At the beginning of the meeting.

COUNCILMEMBER BATES: In the beginning, the first citizen comment section.

COUNCILMEMBER FLEMING: That is correct.

COUNCILMEMBER ROCHE: The beginning of the meeting.

COUNCILMEMBER FLEMING: It may be that you would want to have your departments speak first so that they could then leave --

COUNCILMEMBER ROCHE: Right.

COUNCILMEMBER FLEMING: -- if they so chose.

COUNCILMEMBER ROCHE: And if there's some

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action that's needed, then we could deal with it on the spot.

COUNCILMEMBER BATES: What I'm planning on doing is making motions on these independently and not adopt this as a whole. So when we get to agenda, if we want to modify if, I'm good with that.

ATTORNEY WEED: Councilman Bates, since you have the floor, I'd like to make just a few comments with regard to --

COUNCILMEMBER ROCHE: There's a pop-up.

COUNCILMEMBER ALEXANDER: He's popping up.

ATTORNEY WEED: You pay me to practice law --

COUNCILMEMBER BATES: Please.

ATTORNEY WEED: -- so that's what I'm going to do.

Just with regard to I want to point out procedurally -- and we can make it work, and we'll make whatever you vote on work -- but bear in mind that when I do a draft ordinance, it's merely a draft, and that will always mean that there will be a gap in time between the time that the purely-draft agenda goes out into the public on the Web, and it may never make it onto an agenda. In other words, the Mayor, who's got full authority to do so, may elect to not

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1 put that ordinance on any agenda at all, so -- but it
2 would still be out into the ether, it would be out
3 into the public, it would be out into the world. So I
4 wanted to point that out procedurally, and that's fine
5 with me, but I wanted you to be aware of that fact.
6 How these things are done in management
7 school -- and I'm going to address this from my
8 experience in public administration and my master's
9 degree in that area -- ordinarily, there's literally
10 no item that couldn't have some piece of paper that
11 could be attached to it. Usually it's called an
12 agenda sheet, and there are thousands of different
13 samples. But the agenda sheet will identify the item,
14 identify the sponsor, identify if there's a budgetary
15 impact, if it's already budgeted or not, and, if so,
16 what the amount budgeted for the item would be, what
17 the suggested action to be taken would be.
18 Essentially, that's it.
19 You could put it in any format you want to,
20 but literally in the Arbor Day item, if it was simply
21 adopt resolution for Arbor Day, then budgetary impact
22 would be nothing, you know, staff recommendations
23 might be yea or nay or whatever, the Councilman
24 sponsoring it would be, in this case, I guess, Donna
25 Pittman, et cetera. So literally there's almost no

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1 item that you couldn't use some basic formula or basic
2 agenda sheet to address all those issues, and then
3 when you got here, you would know if it would have a
4 budgetary impact and what the approximate budget
5 impact would be. It would be right there for you in
6 black and white by the time you got to the meeting.
7 I have never liked, by the way, on the
8 ordinances, my name being there as sponsor. I don't
9 sponsor any of these ordinances. The only ordinance
10 that you can I guess particularly point a finger
11 towards me on would be the occupation tax display
12 receipt, and that is truly an item that came from
13 staff who, you know, are generating that because they
14 learned that there was no requirement for that. So
15 I'm perfectly fine with that.
16 Lastly, with regard to attorney's comments,
17 it was communicated to me very clearly early on that I
18 will virtually -- I'm happy to waive attorney's
19 comments now and forever and it never appear on
20 another agenda, and the only time I try to comment
21 will be if you ask me a question or if I have drafted
22 an ordinance on your behalf. And usually the Mayor
23 recognizes me because oftentimes he is used to me
24 giving a summation of an ordinance before you discuss
25 it, whoever the sponsor is. And usually when there's

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1 a sponsor, the sponsor will turn to me and say,
2 "Mr. Weed, will you give a summation of the
3 ordinance?" So therefore --
4 And early on, we were criticized about using
5 attorney's comments particularly with regard to
6 ordinances, so I'm happy to waive that for all
7 eternity. The only comments I'm ever going to make at
8 a meeting would be to try to give you my best advice
9 when I think we are treading into some legally unsound
10 area, to answer a question you propose, or to give a
11 summary or answer questions about an ordinance.
12 So those are my comments, and I hope that's
13 helpful.
14 COUNCILMEMBER BATES: Thank you.
15 I want to make a motion to modify
16 Section 2-36, Subsection (E) to change all requests
17 for an item to be placed on the agenda or to appear
18 before Council shall be submitted to the Clerk by
19 12:00 noon on Wednesday before the meeting.
20 COUNCILMEMBER PACHUTA: Second.
21 ATTORNEY WEED: And with regard to part of
22 the discussion, here's my legal problem: Please bear
23 in mind that you are effecting a change in an
24 ordinance, which means even if you approve it tonight,
25 it'll have to appear on another agenda in the form of

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1 an ordinance.
2 COUNCILMEMBER BATES: Yes.
3 ATTORNEY WEED: Thank you.
4 MAYOR JENKINS: Do I get a second?
5 COUNCILMEMBER PACHUTA: Second.
6 MAYOR JENKINS: Brian --
7 COUNCILMEMBER BATES: Yes, sir.
8 MAYOR JENKINS: -- okay, if it closes
9 Wednesday, when does it have to be put on the Web?
10 What's the deadline on that, or are you going to put
11 that in the form of another motion?
12 COUNCILMEMBER BATES: Well, as soon as the
13 agenda packets are prepared by the Clerk, I don't know
14 that you can stipulate a deadline, because some
15 agendas will be longer and more complex than others.
16 The close of business Thursday?
17 CLERK BLACKMON: It really just depends on
18 when I get -- as soon as I get everyone's following
19 documentation, I can put them together. So do you
20 want to say that I have to have corresponding
21 documentation by a certain time so that I can --
22 COUNCILMEMBER BATES: That would be the --
23 MAYOR JENKINS: That's my point.
24 CLERK BLACKMON: Because at 12:00 when you
25 give me -- when you e-mail me the item, then I should

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have documentation at that time.
COUNCILMEMBER BATES: Yeah.
CLERK BLACKMON: I can do them Thursdays.
COUNCILMEMBER BATES: Thursday --
MAYOR JENKINS: And then by a certain time that particular day so that --
COUNCILMEMBER BATES: Close of business?
MAYOR JENKINS: -- they'll have their information.
CLERK BLACKMON: Close of business Thursday.
COUNCILMEMBER BATES: Yeah. I'll amend that. Mr. Weed, we're going to have to ad lib here.
At the end of that sentence, the Council may waive this requirement by a majority of those members who are present at a meeting, period. Agenda packets shall be made available to Council and public by close of business Thursday.
MAYOR JENKINS: You want to second?
COUNCILMEMBER PACHUTA: Uh-huh.
COUNCILMEMBER FLEMING: I just have one quick question.
The supporting documents for the packets that we receive today were five ordinances, I believe. Those had not been changed from prior to what you had already given us; is that not correct, Mr. Weed?

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ATTORNEY WEED: In this particular instance, no, they had not been changed. In other words, some of them date back as far as early January.
COUNCILMEMBER FLEMING: Correct.
So was it truly nec- -- I'm just trying to get a feel for this. Was it truly necessary for us, then, to have to have Ms. Blackmon truly waste her time in copying all five ordinances again because we already have them?
COUNCILMEMBER ROCHE: Well, that's the nice thing about putting it on the Web. If you have a carry-over, you can just actually put a new page for the new meeting and just have the same links for the ordinances that were left over from the previous meeting.
COUNCILMEMBER FLEMING: Because surely if we don't get to one of these ordinances, she's not going to recopy the ordinances for a meeting two weeks from now.
CLERK BLACKMON: And the only reason I started doing that is because there were Council members who did not bring their previous items from other agendas and I had to copy them that night, so I just started redoing them. But I'm fine either way.
COUNCILMEMBER FLEMING: I'm just making that

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as a comment.
ATTORNEY WEED: And that's very generous. My only comment is what is done in most cities is they have an agenda packet and there's a lot of repetition and a lot of wasted paper. In fact, Peachtree City -- Councilman Roche and I talked about this before -- abandoned all the paper versions and simply went to -- they bought laptops for all the council members and went to a completely electronic format, so that the clerk could simply push a button and an ordinance that appeared before would reappear again into a new quote/ unquote packet, but there would not -- there would not be a hard copy of it.
But most places --
COUNCILMEMBER BATES: That's -- that's --
ATTORNEY WEED: -- still do hard copies and that's --
COUNCILMEMBER BATES: That's coming. That's agenda item -- that's a couple weeks.
ATTORNEY WEED: That's how most places do it is that there's a lot of needless repetition but that's how it's done.
COUNCILMEMBER ALEXANDER: Well, I want us to be sensitive to we do have citizens that are not computer savvy, and they should have the same

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privileges as those that are and be able to review the items, the agenda packets. So I don't know if we want to keep, you know, an agenda packet up here for them to review, but I just want us to -- especially a lot of our older citizens.
ATTORNEY WEED: Upon request, clearly, legally, it would have to be printed out and handed to whoever asked for it.
COUNCILMEMBER ROCHE: And we'd have to make sure that the wireless was up. Apparently it's not up tonight. So we'd all be kind of up the creek tonight if that was what we were doing.
COUNCILMEMBER FLEMING: That's just as a comment, Mr. Weed.
COUNCILMEMBER BATES: I'm good. I'm going to stand by the motion on Section 2-36.
MAYOR JENKINS: Anymore --
COUNCILMEMBER BATES: E.
MAYOR JENKINS: -- discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.

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1 CLERK BLACKMON: Councilmember Bates?
2 COUNCILMEMBER BATES: Yes.
3 CLERK BLACKMON: Councilmember Fleming?
4 COUNCILMEMBER FLEMING: Yes.
5 CLERK BLACKMON: Councilmember Pachuta?
6 COUNCILMEMBER PITTMAN: Yes.
7 CLERK BLACKMON: Councilmember Pittman?
8 COUNCILMEMBER PITTMAN: Yes.
9 CLERK BLACKMON: Councilmember Roche?
10 COUNCILMEMBER ROCHE: Yes.
11 COUNCILMEMBER BATES: I make a motion to
12 modify 2-36 to insert new letter F and relabel
13 existing letter F as H.
14 New letter F shall read: Agenda items
15 should have supporting documentation to be included
16 for review. Supporting documentation presented at the
17 meeting will cause the item to be tabled and placed
18 under old business at the next scheduled meeting
19 unless approved by a majority vote to be considered at
20 that meeting.
21 MAYOR JENKINS: Second?
22 COUNCILMEMBER PACHUTA: Second.
23 MAYOR JENKINS: Anymore discussion?
24 - - -
25 (No response)

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1 - - -
2 CLERK BLACKMON: Councilmember Alexander?
3 COUNCILMEMBER ALEXANDER: Yes.
4 CLERK BLACKMON: Councilmember Bates?
5 COUNCILMEMBER BATES: Yes.
6 CLERK BLACKMON: Councilmember Fleming?
7 COUNCILMEMBER FLEMING: Yes.
8 CLERK BLACKMON: Councilmember Pachuta?
9 COUNCILMEMBER PACHUTA: Yes.
10 CLERK BLACKMON: Councilmember Pittman?
11 COUNCILMEMBER PITTMAN: Yes.
12 CLERK BLACKMON: Councilmember Roche?
13 COUNCILMEMBER ROCHE: Yes.
14 COUNCILMEMBER BATES: Modify 2-36 to add
15 Subsection G and H.
16 Section G: Each Council member and member
17 of the public or representative of a business may
18 place a maximum of two new items on the agenda for
19 consideration.
20 And Subsection H: Any speaker including
21 Council members presenting an agenda item shall be
22 limited to five minutes. This will not limit debate
23 or discussion on the item, only the initial presen-
24 tation.
25 COUNCILMEMBER FLEMING: Second.

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1 COUNCILMEMBER ROCHE: Could we break that
2 into two separate motions?
3 COUNCILMEMBER BATES: I'll be more than
4 happy to. Withdrawn.
5 2-36, add Subsection G: Each Council
6 member, member of the public or representative of a
7 business may place a maximum of two new items on the
8 agenda for consideration.
9 ATTORNEY WEED: Would someone withdraw the
10 second for the previous motion?
11 COUNCILMEMBER FLEMING: Withdrawn.
12 ATTORNEY WEED: Thank you.
13 COUNCILMEMBER ROCHE: I'll second it.
14 ATTORNEY WEED: Okay.
15 MAYOR JENKINS: Anymore discussion?
16 ATTORNEY WEED: I want to just point out
17 with regard to the draft of G, because I want to
18 answer a legal question or have Council answer a legal
19 question to me.
20 Bear in mind that right now, you've done
21 nothing to modify C, dealing with nonresidents. So if
22 it's a nonresident -- it does say, you know -- you're
23 relating to -- as long as you intend to relate any
24 business underneath like 2-36 (B) where a business can
25 put something on the agenda --

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1 If that was your intention; is that correct?
2 COUNCILMEMBER BATES: Yes.
3 ATTORNEY WEED: Okay. Thank you.
4 COUNCILMEMBER ROCHE: So --
5 MAYOR JENKINS: Call the roll.
6 COUNCILMEMBER ROCHE: -- business people --
7 I'm sorry.
8 So business people would not be able to add
9 anything to the agenda.
10 ATTORNEY WEED: No. They can. And that's
11 already allowed.
12 What I was concerned about is nonresidents.
13 It's up to the Mayor to decide under C whether they're
14 -- a nonresident or not it goes on the agenda or not.
15 You know, that could be a business that's a
16 nonresident, and I wanted to clarify that.
17 COUNCILMEMBER ROCHE: Just making sure.
18 MAYOR JENKINS: You're saying that a
19 business that's a nonresident can speak on the agenda.
20 ATTORNEY WEED: I would say --
21 MAYOR JENKINS: But he is a businessman
22 within the city.
23 ATTORNEY WEED: Correct.
24 MAYOR JENKINS: Yes.
25 ATTORNEY WEED: Yes, they could be on the

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1 agenda.
2 MAYOR JENKINS: Call the roll.
3 CLERK BLACKMON: Councilmember Alexander?
4 COUNCILMEMBER ALEXANDER: Yes.
5 CLERK BLACKMON: Councilmember Bates?
6 COUNCILMEMBER BATES: Yes.
7 CLERK BLACKMON: Councilmember Fleming?
8 COUNCILMEMBER FLEMING: Yes.
9 CLERK BLACKMON: Councilmember Pachuta?
10 COUNCILMEMBER PACHUTA: Yes.
11 CLERK BLACKMON: Councilmember Pittman?
12 COUNCILMEMBER PITTMAN: Yes.
13 CLERK BLACKMON: Councilmember Roche?
14 COUNCILMEMBER ROCHE: Yes.
15 COUNCILMEMBER BATES: Motion, 2-36, add
16 Subsection -- or actually it's modifying current
17 letter F to be relabeled as H: Any speaker including
18 Council members presenting an agenda item shall be
19 limited to five minutes. This will not limit debate
20 or discussion on the item, only the initial
21 presentation.
22 COUNCILMEMBER ROCHE: Yeah, and this is what
23 I'm concerned about. I remember when we did the LEED
24 ordinance, we spent probably 20 minutes on
25 presentations and everything. Some of these are more

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1 complicated than others. I'm with Mr. Weed on this
2 one. I'm not sure that limiting the time allowed to
3 make a point would be necessarily a good thing.
4 This is kind of what I was talking about a
5 minute ago. I like the fact that it has a process
6 that says the chair will recognize -- You know, the
7 chair recognizes a Council member; but even before
8 then, the Mayor would recognize -- the Councilperson
9 would introduce it, then the Mayor would recognize
10 appropriate staff who would be given five minutes or
11 ten minutes to make their presentation and then it
12 comes up to us.
13 Because some things may take longer than
14 five minutes to present. I'm just concerned that, you
15 know, we're going to be trying to present something
16 and the little dinger goes ding, and then what do we
17 do? We're violating an ordinance of the city of
18 Doraville, and I'm just concerned about that.
19 COUNCILMEMBER PACHUTA: Well, we could have
20 it so that a majority of Council could vote to extend
21 the time on a particular item that we know would be --
22 COUNCILMEMBER BATES: Or request in advance
23 to waive the five minutes for a particular item.
24 COUNCILMEMBER ROCHE: Yeah, but then you're
25 infringing on the right of a Councilperson to add

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1 something to the agenda, because if it's something
2 fairly large, then the Council could simply shut that
3 person down because they don't want to hear about it
4 or whatever. So I'm just, again, concerned about
5 putting time limits on how long a Councilperson can
6 speak. I just don't think it's good.
7 COUNCILMEMBER FLEMING: Public hearings are
8 10 minutes maximum for, for instance, an applicant to
9 present their presentation, and then the opposition or
10 whatever. But I'm just making a comment that their
11 presentation, they're only allowed 10 minutes, so.
12 And they do indeed do maps and surveys. And I realize
13 that's a zoning issue, but that would preclude us from
14 doing, so you may want to just consider that.
15 I mean I don't mind five, but I think that,
16 you know, public hearings are already ten minutes.
17 COUNCILMEMBER BATES: Sure. I just want --
18 I guess my intent on this was for Council to come
19 under some constraint and for us to not blather on up
20 here endlessly on a topic, and move it forward in the
21 process.
22 Mr. Weed, is there, from a legal standpoint,
23 challenges with a limit on Council?
24 ATTORNEY WEED: No. No, Councilman. The
25 people of the state of Georgia nor the legislature

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1 have -- they don't -- they've never opined legally as
2 to how long other politicians may speak.
3 COUNCILMEMBER BATES: Probably because they
4 keep talking about it.
5 ATTORNEY WEED: The world is your oyster,
6 sir, and you may do with that as you will legally.
7 COUNCILMEMBER ROCHE: I think we've already
8 made some progress, and if we're going to also change
9 the meeting time, I think we're making a lot of
10 progress on how we handle meetings, and maybe this
11 particular item, if it's going to continue to be
12 contentious, I think maybe we could --
13 COUNCILMEMBER BATES: I will --
14 COUNCILMEMBER ROCHE: -- make the change we
15 have so far and then bring that up at a later -- you
16 know, maybe we can come up with a better solution. I
17 mean I'm just concerned about this.
18 COUNCILMEMBER BATES: I hear you and I'm
19 going to -- You know what? I'm going to withdraw it
20 because I do think we have made progress. And if it
21 turns out that we haven't, then we'll put 'er back on.
22 COUNCILMEMBER ROCHE: That's fine.
23 COUNCILMEMBER FLEMING: You're going to
24 withdraw the item, item H?
25 COUNCILMEMBER BATES: H.

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COUNCILMEMBER FLEMING: Okay.
COUNCILMEMBER BATES: The time limit.
MAYOR JENKINS: Do you withdraw the second also?
CLERK BLACKMON: It was never --
MAYOR JENKINS: Who seconded?
COUNCILMEMBER PACHUTA: I don't think anyone seconded it.
CLERK BLACKMON: It was never seconded.
COUNCILMEMBER BATES: Never made it, sir.
MAYOR JENKINS: All right.
COUNCILMEMBER BATES: I will go ahead, and I don't have the Code section before me, Mr. Weed, so you'll have to help me out on this meeting start time.
ATTORNEY WEED: Well, let me -- before you get to that, do you want to pursue I? I know it related to H in part, but did you want to transfer that duty from the Mayor to the Clerk?
COUNCILMEMBER BATES: Yes.
ATTORNEY WEED: And make I, H now?
COUNCILMEMBER BATES: Yes. I figured you would take care of that.
COUNCILMEMBER FLEMING: Mayor, is that --
ATTORNEY WEED: Oh, well --
COUNCILMEMBER FLEMING: -- acceptable to

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you?
ATTORNEY WEED: I didn't hear you make a motion on that one.
MAYOR JENKINS: She does it anyway.
COUNCILMEMBER FLEMING: I'm sorry?
MAYOR JENKINS: She does it.
COUNCILMEMBER FLEMING: Well, you got your little dinger right there. I hear your dinger. I don't hear hers.
COUNCILMEMBER BATES: You're talking about the timing?
MAYOR JENKINS: I'm not --
ATTORNEY WEED: Correct.
MAYOR JENKINS: -- talking about that.
ATTORNEY WEED: Right, but you --
COUNCILMEMBER FLEMING: That's what it says.
ATTORNEY WEED: I didn't hear in your motion when you talked about H, that you had mentioned I, and I wanted to find out if you wanted to go forward with I independently of the removal of H.
COUNCILMEMBER ROCHE: What I says is instead of the Mayor having the timer, the Clerk would have the timer.
COUNCILMEMBER BATES: Yes. I will make a motion 2-36 at Section I, the Clerk shall keep the

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time.
COUNCILMEMBER PACHUTA: (Inaudible)
COUNCILMEMBER BATES: No. H is still there.
ATTORNEY WEED: No. H --
COUNCILMEMBER FLEMING: H is what you have asked to table --
COUNCILMEMBER ROCHE: Right.
COUNCILMEMBER FLEMING: -- or postpone.
ATTORNEY WEED: Right. He is -- what's currently I in your draft will become H.
COUNCILMEMBER BATES: No, that's not correct because --
ATTORNEY WEED: That's not correct?
COUNCILMEMBER BATES: -- H is what's currently letter F.
COUNCILMEMBER PACHUTA: Murray's got to draft it anyway --
ATTORNEY WEED: Okay.
COUNCILMEMBER PACHUTA: -- so he can put the appropriate letter.
COUNCILMEMBER ROCHE: Letter whatever it is.
ATTORNEY WEED: Okay. Well, then, we'll just go with I. When it's codified at Municipal Code Corporation, they're going to change all the numbers, anyway, so it --

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COUNCILMEMBER BATES: 2-36 (I): The Clerk shall keep the time with an electronic digital timer that has an audible sound when the time is expired.
COUNCILMEMBER ROCHE: I'll second.
MAYOR JENKINS: All right.
COUNCILMEMBER FLEMING: But my question --
MAYOR JENKINS: Rhonda?
COUNCILMEMBER FLEMING: -- now is to the Mayor.
MAYOR JENKINS: Rhonda, does yours have a dinger on it?
CLERK BLACKMON: I have it. It's not on because no one's doing the five minutes but --
MAYOR JENKINS: I mean it --
COUNCILMEMBER BATES: Set it for --
MAYOR JENKINS: -- does have --
COUNCILMEMBER BATES: -- one second.
MAYOR JENKINS: It does have one on it, yes, same as this.
COUNCILMEMBER BATES: The difference is we got an egg timer versus an electronic timer.
MAYOR JENKINS: Mine's just louder.
Go ahead.
ATTORNEY WEED: Councilmen, to move it forward, you had mentioned what you'd need to do would

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be amend Section 2-31 to change 7 o'clock to 6:30.
COUNCILMEMBER BATES: Okay. We got to get through this one first.
COUNCILMEMBER ROCHE: But we have to vote on this one first.
ATTORNEY WEED: I'm sorry. I thought we were there already.
You have a motion and a second?
CLERK BLACKMON: Yes.
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
COUNCILMEMBER BATES: And that was 2-31, sir?
ATTORNEY WEED: 2-31.

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COUNCILMEMBER BATES: Any subsection?
ATTORNEY WEED: No. There are no subsections in that provision.
COUNCILMEMBER FLEMING: But in that -- before you make the motion, please.
COUNCILMEMBER BATES: Yes.
COUNCILMEMBER FLEMING: In that particular ordinance, does it also indicate the end time?
ATTORNEY WEED: No. No, ma'am, it does not.
COUNCILMEMBER FLEMING: Was it a policy that we changed the time?
ATTORNEY WEED: You did it, just by a blanket motion and second created a policy to end it at 9 o'clock with an additional 30 minutes for comments.
COUNCILMEMBER BATES: Let's see how we do with the extra 30 on the front end before we start changing the back end.
So I'll make a motion to modify 2-31 to start the meetings at 6:30.
COUNCILMEMBER ROCHE: And I'll second that.
COUNCILMEMBER ALEXANDER: When will that take effect?
COUNCILMEMBER BATES: It will take effect on the first meeting in March because we've got to

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approve this via ordinance. So first meeting in March, 6:30.
MAYOR JENKINS: All right.
COUNCILMEMBER ROCHE: And that way, all our meetings start at 6:30, even our public hearings.
COUNCILMEMBER FLEMING: Now, Mr. Bates, you did an outstanding job, you know, putting your presentation to five minutes and we have spent 42 in discussion, just so that you know.
COUNCILMEMBER BATES: It was important to have.
COUNCILMEMBER FLEMING: Yes, it was.
COUNCILMEMBER PACHUTA: We've got to vote on the 6:30.
MAYOR JENKINS: Did we get a vote?
CLERK BLACKMON: No, sir.
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.

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CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
COUNCILMEMBER BATES: I will promise my next two will go very, very quickly.
COUNCILMEMBER ROCHE: Now, wait a minute.
MAYOR JENKINS: Brian --
COUNCILMEMBER ROCHE: You can only have two.
MAYOR JENKINS: Brian, wait a minute.
COUNCILMEMBER BATES: Yes, sir. Sorry.
MAYOR JENKINS: Let's take a little break.
COUNCILMEMBER BATES: Okay.
- - -
(Brief recess)
- - -
MAYOR JENKINS: Meeting come to order.
ATTORNEY WEED: Mr. Mayor, with your permission, Councilman Bates, did you want to bring up this 2-33 section that deals with the order of the meeting or were you going to bring it up some other time?
COUNCILMEMBER BATES: Thank you, Mr. Weed. Yeah, I think -- let's go ahead and do that.
Modify 2-33, which is the order of the

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1 agenda, to read: Call to order, roll call; move
2 approval of the minutes under roll call; Mayor's
3 comments, public comments; old business, new business;
4 committee, commission, boards and appointments;
5 department reports, city attorney, public comments,
6 and adjournment.
7 COUNCILMEMBER PACHUTA: Do you want to move
8 department reports higher so department heads could
9 leave?
10 COUNCILMEMBER BATES: I am perfectly fine
11 with doing that prior to old business.
12 COUNCILMEMBER PACHUTA: Moving department
13 heads up earlier on the agenda so that they don't have
14 to sit through the whole meeting.
15 ATTORNEY WEED: To where?
16 COUNCILMEMBER BATES: Council? Suggestions?
17 After Mayor's comments?
18 COUNCILMEMBER PACHUTA: Yeah, that sounds
19 good.
20 COUNCILMEMBER BATES: So --
21 COUNCILMEMBER FLEMING: So Mayor, comments,
22 and then departments and then public comments?
23 COUNCILMEMBER BATES: Yes, ma'am.
24 COUNCILMEMBER FLEMING: I'm definitely in
25 agreement with that.

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1 COUNCILMEMBER BATES: Okay. So just to
2 clarify, modify 2-33 to read: Call to order, roll
3 call, approval of the minutes, Mayor's comments,
4 department reports, public comments, old business, new
5 business; committee, commissions, boards and appoint-
6 ments; city attorney, public comments, adjournment.
7 COUNCILMEMBER FLEMING: Agreed. Second.
8 MAYOR JENKINS: More discussion?
9 - - -
10 (No comment)
11 - - -
12 MAYOR JENKINS: Call the roll.
13 CLERK BLACKMON: Councilmember Alexander?
14 COUNCILMEMBER ALEXANDER: Yes.
15 CLERK BLACKMON: Councilmember Bates?
16 COUNCILMEMBER BATES: Yes.
17 CLERK BLACKMON: Councilmember Fleming?
18 COUNCILMEMBER FLEMING: Yes.
19 CLERK BLACKMON: Councilmember Pachuta?
20 COUNCILMEMBER PACHUTA: Yes.
21 CLERK BLACKMON: Councilmember Pittman?
22 COUNCILMEMBER PITTMAN: Yes.
23 CLERK BLACKMON: Councilmember Roche?
24 COUNCILMEMBER ROCHE: Yes.
25 MAYOR JENKINS: Do you have anything else,

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1 Brian?
2 COUNCILMEMBER BATES: Yes, sir, I've got
3 Items 8 and 9. They will go fast.
4 Much like what Mr. Weed was talking about
5 regarding --
6 MAYOR JENKINS: The reason I asked you that
7 was we've got a sign-up on --
8 COUNCILMEMBER BATES: Oh, I'm sorry.
9 MAYOR JENKINS: -- what you just were
10 talking about.
11 COUNCILMEMBER BATES: On the street lamps?
12 MAYOR JENKINS: No. On the agenda items.
13 COUNCILMEMBER BATES: Okay.
14 MAYOR JENKINS: Stuart?
15 MR. ANDERSON: Stuart Anderson.
16 I'm in agreement with a lot of what you're
17 doing. I'm in agreement with Ms. Fleming about like
18 Arbor Day type of discussions don't need public
19 comment particularly, save time on that.
20 I do, however, want to say that on voting
21 items where ordinances are going to be passed,
22 et cetera, that there should be public comment during
23 the time of that discussion and that the public person
24 like myself coming up should be toward the end of that
25 discussion so that it's --

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1 It's like a public comment at the beginning
2 of the meeting, a lot of times, you don't have
3 anything to say. There's nothing -- there's no
4 comment. There's been no debate amongst the City
5 Council. You have no content to base your comment on,
6 shall we say.
7 So during a conversation like this or a
8 discussion like this, in this one, a person could come
9 up at the end before the vote. Before you guys vote,
10 the citizen is allowed to come up and make their three
11 minutes or five minutes or whatever on the pertinent
12 item at the time, and for pertinent items, not for --
13 not to on you, Arbor Day, but, you know, things like
14 that.
15 The reason we were -- that was an example --
16 the reason we go to 9:30 was because Bob Spangler got
17 up at 3 o'clock in the morning -- that's just for what
18 it's worth -- and that's where that came from.
19 Thank you.
20 MAYOR JENKINS: All right, Brian, go ahead.
21 COUNCILMEMBER BATES: Thank you. Items 8
22 and 9, Street Lights.
23 Mr. Weed mentioned a few moments ago about
24 having an administrative memo that outlined the pros,
25 cons, costs of doing something. I asked Mr. Howe to

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do that very thing for us.
There are -- on Poplar or Aztec in between Pine and Stewart, adjacent to Cary Reynolds, the entire stretch, there is only one street light. And in the morning, you've got a significant number of children walking down Stewart Road, down Aztec to go to Cary Reynolds not to mention you've got all the buses and parents driving, and that stretch is very, very dark. So I asked Mr. Howe to get with Georgia Power and investigate the cost of installing some additional lighting there as a public safety item.
And at the end of Stewart Road where it dead ends into the Sequoyah ball fields, there is also an area that is very dark, and occasionally I will see cars parked down there. I'm assuming that they're people playing soccer down on the fields, but I don't know that. So this was also to ask for a light to be installed on one of the existing poles.
Georgia Power has come back with a cost estimate to install three 30-foot wood poles, that's $258.05 per pole for a total one-time cost of $774.15; and then to install three 100-watt HPS cobra head fixtures on the three poles, it would be $8.60 per month per light, and then to install one 150-watt HPS cobra head fixture on the existing pole, it would be

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$11.16 per month.
Staff is recommending that the engineering budget of $10,000 be used to cover the up-front costs and that the monthlies would roll in with our regular Georgia Power lighting costs.
So I will make a motion to install three lights --
Mayor, is there anybody signed up on this?
MAYOR JENKINS: No.
COUNCILMEMBER BATES: I'll make a motion to install three new poles with cobra heads and install a 150-watt fixture on an existing wood pole at Stewart Road.
COUNCILMEMBER ROCHE: I'll second that.
MAYOR JENKINS: Anymore discussion?
COUNCILMEMBER FLEMING: Yes. I have a couple questions in regards to the setbacks, where they're going to be located, whether that's considered the City of Doraville property or whether that's Dekalb County and whether we will require Dekalb County permitting if it is indeed Dekalb.
COUNCILMEMBER BATES: It's Georgia Power, and I believe they can put telephone poles wherever they want to.
MAYOR JENKINS: Anymore discussion?

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- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
COUNCILMEMBER BATES: Thank you. I'm done, sir.
MAYOR JENKINS: All right.
COUNCILMEMBER ROCHE: Didn't we have Sequoyah?
COUNCILMEMBER PACHUTA: That included it.
COUNCILMEMBER BATES: That includes it.
COUNCILMEMBER ROCHE: Oh, okay. Sorry.
COUNCILMEMBER FLEMING: Well, then I need to

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-- I thought we were going on to the next item and I thought that was Sequoyah also.
May I ask a question?
COUNCILMEMBER BATES: Sure.
COUNCILMEMBER FLEMING: Because I was concerned about in the Carver Drive area. I mean if we're going to do this, I realize that we don't have a quote on it. But I had been advised that the lighting on Carver Drive is very, very dim and that if you went to campaign in that area, you definitely wanted to leave that area before dusk. So I was wondering whether we could possibly look into installing also additional lighting in that area.
COUNCILMEMBER BATES: I would be in favor of having Mr. Howe -- you know, get with him and coordinate with Georgia Power on appropriate placements.
COUNCILMEMBER FLEMING: Thank you.
COUNCILMEMBER ALEXANDER: Back in I believe it was April or August of I think it was 2006, there were about half a dozen or so street lights approved by Council. I don't know that any of those got installed. I know the one on my street did not get installed. So --
MS. HOFFMEISTER: You can have mine.

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COUNCILMEMBER ALEXANDER: -- I will be glad to dig out those minute and e-mail that to Mr. Howe too because Council had already approved those.

COUNCILMEMBER PACHUTA: Shady Oak did. It's bright.

MAYOR JENKINS: Okay. Item No. 10?

ATTORNEY WEED: Mr. Mayor, this was an item that was generated by staff as part of the occupation tax receipt renewal program.

Occupation taxes are dealt with in Title 48 of the Georgia tax code, and that state law gives the local governments the authority to adopt local rules and regulations with regard to occupation taxes.

All this amendment to that tax code does is provide that when an occupation tax receipt is issued that it be conspicuously displayed so that the public entity can go into a business and see it.

Councilman Roche was concerned that if the ordinance applied to home occupations as well, that he did not want the government going into people's, you know, private residences or having that ability to check out their occupation tax displayed whether or not it was on the wall. So we revised the ordinance to include a provision that for home occupations, a card essentially could be generated and that could be

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given to the public official rather than that public official looking at the placard on the wall.

This originally came before you -- was sent to you apparently on December the 4th. This is the second reading. It was revised. Draft number two went out on January the 11th and it's been on the agenda for some time.

COUNCILMEMBER ROCHE: It seems like mine says on the back of my actual -- on the back, it says it has to be conspicuously displayed. So are we saying it just says that and there's no ordinance to back it up or --? I could have sworn that's what mine said.

ATTORNEY WEED: I would agree completely. If that's what it says now, then technically, in my opinion, there's no ordinance that backs it up.

COUNCILMEMBER FLEMING: I have two concerns about this, though I truly believe that yes, they need to be conspicuously displayed. In many cases, the applicants are not receiving their -- or they must be received by 3/31 of that year. The period of January to 3/31, if they do not have a tax receipt displayed, what is the enforcement and the fee attached if it's not?

CLERK BLACKMON: Currently what we are doing

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and we have done since I've been here is as long as they can produce a receipt showing where they paid it and they still have their current one displayed, then they are good until we -- Code enforcement will not do anything until April 1st.

ATTORNEY WEED: On the cases that I've seen the solicitor handle in city court, that's essentially what the judges do. If a person is cited for that offense, usually the judge will almost always suspend the sentence either on the front end if they've got a receipt the day of court, or if they go and get it, the judges, you know, very rarely actually issue a fine that I've ever seen.

COUNCILMEMBER FLEMING: Okay. Thank you.

ATTORNEY WEED: The only additional penalty would be there would be the other standard misdemeanor penalty for failure to display.

COUNCILMEMBER ROCHE: Any sign-ups on this, Mayor?

MAYOR JENKINS: Stuart Anderson.

MR. ANDERSON: I apologize. Quick clarification. The card in lieu of the occupational tax certificate, where would I display that card if I'm a home occupation, which I am?

COUNCILMEMBER FLEMING: Mr. Weed, answer the

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gentleman's request, please.

ATTORNEY WEED: I'd be glad to.

COUNCILMEMBER FLEMING: Thank you.

ATTORNEY WEED: Obviously, it would depend upon who's asking. Clearly, it would need to be a public official such as a police officer or Quality of Life. If someone knocked on your door to do a check, you know, because you are on a list of home occupations, you could be asked at your doorway, "Would you please show me either your occupation tax placard and/or your card," and then you would pull it out of your wallet, or if you're Jack Benny, you'd pull it out of your change purse and the dust would come out, because that's how often it's going to happen, and you'd give them your card and they would go away.

MR. ANDERSON: You're already giving me a -- sometimes; I guess you are -- an occupational tax certificate. I guess a card would be handy. Thanks.

COUNCILMEMBER ROCHE: I could just tape mine to the back of my laptop, I guess.

ATTORNEY WEED: That would do it too.

COUNCILMEMBER ROCHE: I'd like to make a motion that we go ahead and adopt this ordinance, modify Section 6-801 Definitions (G).

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COUNCILMEMBER ALEXANDER: Second.
MAYOR JENKINS: More discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: All right, Pam.
COUNCILMEMBER FLEMING: All right. I'll take five minutes, Mayor, if you don't mind.
This is about the business meeting, the business forum that we had, and addressing the issues that were in that business forum. And I've really done a lot of questioning of myself and the city, and

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these are some comments that were on there, some of the reasons why there is discontent in the city.
In the past, we had open communications and today we have seemingly lack of courtesy and information.
Today I requested an address. As just an example, I requested an address of a denied parking pad or a driveway and I was told that I was not able to have that information, that I would have to get with the Mayor. So I don't think that's really open information.
In the past, we had expedient application review. Now we've got delays in decisions, denials rather than pending with explanations to correct.
In the past, we had explanations to applicable codes. Now we have no reference to code numbers or requirements.
In the past, we had zoning codes in categories and now we have enumerated permitted uses. We ran into a situation just the other day. Didn't know where to put karioke establishments so we put it into a comedy club, you know, so I'm not sure about that.
In the past, we had compatability, approval by Council. Now we don't have any type of comment at

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all; it's just denied by staff.
Number 6 is consideration to the uniqueness of our city. We are very unique. You know, we're not a Dunwoody, we're not Sandy Springs, we're not John's Creek. We have different architectural standards. We had a previous parking and dumpster ordinance that, you know, may be invalid, yes, and maybe needed to be updated. Even fence screening material. Those are some unique things we have in the city, but now we have a cut, copy and pasted from an unknown source without any consideration to our own characteristics, our own area, our own population and our own revenue source. None of those items have been considered.
Previously we had self-explanatory layman term ordinances that anyone would be able to read. Now we have ordinances, the legislative ordinances which define yet other ordinances which conflict with other ordinances. We're ordinance happy here.
Previously we considered regulatory fees and now we have excessive fees to the undesirables that we don't want in the city.
We are a very diverse city, however, we don't have any overlay districts. We truly need to consider overlay districts in our city.
One of the concerns I have right now not

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only to the current business owners that we have and the property owners that we have in our city, but as all of you know, New Broad Street has bought the G.M. property. It's getting ready to be developed. And I am concerned about the rigidity of our city: is it really going to delay our progress?
Now, what I did, Council --
Well, first of all, the Mayor and staff did address the lack of courtesy and information, and I did put copies out there on the table. And I think this is a very good start to addressing some of the issues, and I appreciate the Mayor doing that. It's a customer service of what we expect and who we are, and I commend the Mayor for doing that.
The other thing I provided Council, I have -- we need to get back into looking at each and every zoning ordinance, and I went through C-1 and C-2 and went through both of those extensively and I have found 79 things that I personally would like to change in it. And there are repetitions. There are duplications. Billiard parlors are listed three different times with three different characters. For instance, daycare center is listed with age limitations of six weeks to 18 months. I don't know what you're going to do with a child after they've

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turned 19 months in our city, but anyway, they can't be in a daycare center.

So there are truly a lot of things that we need to tweak, and if we don't address them now, I don't know how New Broad Street can even consider working with us. They may indeed want to de-annex and go to use Dekalb County.

I know that many of the business owners here tonight as well as previously are de-annexing themselves by moving to other cities.

I'd like to propose that we have a special-called or possibly a work session for February the 17th to discuss our follow-up to the business forum concerns, and that's in the form of a motion.

MAYOR JENKINS: What day is February the 17th?

COUNCILMEMBER FLEMING: That's on a Wednesday because I understand that February 15th is a holiday. And so we will have a regular Council meeting on the 16th, so I'm requesting a work session to discuss the business forum follow-up on February 17th and what we do to -- what we're going to do to address those issues.

COUNCILMEMBER ROCHE: 6:30?

COUNCILMEMBER FLEMING: At 6:30.

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UNIDENTIFIED SPEAKER: What location?

CLERK BLACKMON: Here.

COUNCILMEMBER ROCHE: I'll second that.

MAYOR JENKINS: Before we go any further, we'll -- Stuart Anderson?

MR. ANDERSON: Sorry for all the popping up. I could keep this comment till February 17th but I guess I should make it now.

Recently I was looking into membership of the APA, American Planning Association, as far as myself being a certified planner. They sent me back an e-mail indicating prices and the qualifications, et cetera. At the bottom of the e-mail was a small paragraph/sentence to me. It says, and I quote, "I was only able to locate one Scott Haeberlin in our membership directory. He is neither a member -- a current member of the APA member or an AICP certified planner.

We have our inspectors, our attorney, everybody is a certified person. We've been through several of these kinds of debates in the last several years about people being certified.

Part of the discussion here with C-1 and C-2 that's a problem, M-1/M-2, all the rest of this, is possibly because we don't have a certified planner.

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I'm sorry. That's what they sent me.

MAYOR JENKINS: David Shanahan?

MR. SHANAHAN: Pass.

MAYOR JENKINS: Joe Frank?

MR. FRANK: I pass.

MAYOR JENKINS: Thank you. I enough has been said on that.

MS. HOFFMEISTER: I was signed up on this. I was signed up on this, wasn't I?

MAYOR JENKINS: Okay, come on up.

MS. HOFFMEISTER: Bonita Hoffmeister.

Councillor Fleming, you did a wonderful job of outlining the results of the actions the City has taken in the last year. Be they good or bad, they are the results. They are not just perceived. They're real. I've heard enough discussions from business people to know that they are real.

But I caution the City Council. You have done a lot of good work in our C-1 and C-2. Good zoning ordinances get good development. Bad zoning ordinances get bad development. Bear that in mind.

We've made great strides. Possibly what we needed to do was be more civil in the way we governed our ordinances. But if anything, we need to have tougher ordinances as far as structural standards.

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You don't go forward by going backward and letting dumps, massage parlors, wholesalers who sell forged products on the marketplace up and down Doraville. That doesn't generate good business. It doesn't encourage banks to back good businesses. Thank you.

- - -

(Applause)

- - -

MAYOR JENKINS: Okay, Pam.

COUNCILMEMBER FLEMING: ADA ramps.

COUNCILMEMBER ROCHE: I'm sorry. We --

COUNCILMEMBER FLEMING: Oh, we didn't -- I'm sorry.

MAYOR JENKINS: Wait a minute.

COUNCILMEMBER ROCHE: We got a motion on the table.

COUNCILMEMBER FLEMING: I'm very sorry.

COUNCILMEMBER ROCHE: And second.

MAYOR JENKINS: Is there anymore discussion?

COUNCILMEMBER ROCHE: Well, other than I mean clearly we did have the forum meeting a few weeks ago. Over 80 people showed up. Many, many people came up to express their views.

I've been contacted by, if I made a list, it

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1 probably would be at least 15 different business
2 people or property owners here in Doraville. I mean
3 it seems like every single day we get more -- you
4 know, this is a letter that was in our mailboxes today
5 that's very concerned about the --
6 You know, this G.M. property is a huge
7 opportunity. And you know, even if 558 passes, you
8 know, then that will basically give New Broad Street
9 the choice of who they want to deal with. I want us
10 to have a high -- a very professional development
11 department here so that if they have the choice of who
12 they're going to play ball with, that they're going to
13 immediately say, "Well, we'd much rather deal with
14 Doraville than Dekalb County." That's a very high
15 standard.
16 I think, though, that I don't want to get
17 too far away from this, but if the citizens and the
18 business people could take their time to come out and
19 spend all that time at the business forum and make
20 their current concerns known, I think it's incumbent
21 on the Council to respond by having our own meeting in
22 public and discuss these issues one by one and
23 actually do something about it.
24 This is not a public relations problem.
25 This is a policy problem. Thank you.

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1 MAYOR JENKINS: Anymore discussion?
2 COUNCILMEMBER ALEXANDER: I like the idea of
3 a work session because Councilman Bates and I had
4 discussed about customer service training not just for
5 City Hall staff but also like the permits clerk, the
6 records department. Anybody that deals with the
7 public, we had discussed having customer service
8 training, and he has got some information on that.
9 I'd like for us to -- to roundtable. I've
10 got some ideas as far as trying to make the
11 application to become a business in the city flow more
12 easily and be more understandable. So I'd like for us
13 to definitely treat it like a work session and
14 brainstorm and comment.
15 COUNCILMEMBER PACHUTA: And if anyone has
16 anything they're going to pass out, I would appreciate
17 it, you know, in advance before that meeting so that
18 we can have some time to review it.
19 COUNCILMEMBER FLEMING: I challenge you, to
20 the Council members, to take it upon themselves and
21 look at each and every of our zoning codes and do the
22 extensive study that I did as well.
23 COUNCILMEMBER ROCHE: And to listen to the
24 business people when they call.
25 COUNCILMEMBER BATES: Already done it.

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1 MAYOR JENKINS: Anymore discussion?
2 - - -
3 (No response)
4 - - -
5 MAYOR JENKINS: Call the roll.
6 CLERK BLACKMON: Councilmember Alexander?
7 COUNCILMEMBER ALEXANDER: Yes.
8 CLERK BLACKMON: Councilmember Bates?
9 COUNCILMEMBER BATES: Yes.
10 CLERK BLACKMON: Councilmember Fleming?
11 COUNCILMEMBER FLEMING: Yes.
12 CLERK BLACKMON: Councilmember Pachuta?
13 COUNCILMEMBER PACHUTA: Yes.
14 CLERK BLACKMON: Councilmember Pittman?
15 COUNCILMEMBER PITTMAN: Yes.
16 CLERK BLACKMON: Councilmember Roche?
17 COUNCILMEMBER ROCHE: Yes.
18 MAYOR JENKINS: Thank you.
19 I need a motion either go into police
20 department or extend the meeting or whatever. We're
21 already 15 minutes over.
22 COUNCILMEMBER BATES: Make a motion to go
23 into police department comments and then citizen
24 comments.
25 MAYOR JENKINS: Do I get a second?

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1 COUNCILMEMBER ALEXANDER: Second.
2 UNIDENTIFIED SPEAKER: What about Arbor Day?
3 COUNCILMEMBER PITTMAN: Actually --
4 MAYOR JENKINS: We got --
5 COUNCILMEMBER PITTMAN: Excuse me.
6 MAYOR JENKINS: We got a motion and a
7 second. Wait just a minute.
8 Anymore discussion?
9 COUNCILMEMBER FLEMING: Yes, sir. I think
10 it's necessary that we take Item No. 14. We really do
11 need to move on discussion of and putting out an RFP
12 for the development director.
13 MAYOR JENKINS: That's premature.
14 COUNCILMEMBER FLEMING: Premature, sir?
15 MAYOR JENKINS: Yes, ma'am.
16 COUNCILMEMBER FLEMING: Okay.
17 MAYOR JENKINS: They've not even got a
18 contract. It'll be the middle of the summer before
19 there's any action taken.
20 COUNCILMEMBER ROCHE: That's why we need to
21 prepare now, Mayor, so that we're ready when it
22 happens.
23 MAYOR JENKINS: That was my opinion, Bob.
24 COUNCILMEMBER ROCHE: Well, I know, but --
25 COUNCILMEMBER BATES: I think this'll be --

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MAYOR JENKINS: Okay. We got a motion and a second on the table. Who seconded it?
CLERK BLACKMON: Maria seconded.
MAYOR JENKINS: Anymore discussion?
COUNCILMEMBER FLEMING: Well, I tried to but you shut me down. So do we -- so are you not going to allow discussion or you are going to allow discussion?
MAYOR JENKINS: The motion was to extend the meeting to the police department and the citizens comments. That's the motion.
COUNCILMEMBER FLEMING: Thank you, sir.
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: No.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: No.
CLERK BLACKMON: Motion carries.

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MAYOR JENKINS: Excuse me?
CLERK BLACKMON: Motion carries
MAYOR JENKINS: Police department?
ACTING CHIEF ATKINSON: I just have a couple things, Mayor and Council.
Our part-time Quality of Life officer started today, Mr. Frank Winfrey.
Also, our criminal investigations divisions has been working a pretty large-scale gambling operation, undercover operation, for the last month. That ended last night in the service of five search warrants.
We served search warrants at three businesses here in the city as well as two residences -- two of the owners of those businesses at their residence. We seized approximately 20 gaming machines. This was a gaming machine operation as well as illegal sports betting. Basically the store fronts -- the businesses were just store fronts. The real activity was the gambling operation, but we'll have more information later about that.
COUNCILMEMBER ROCHE: What was the -- I mean obviously people are innocent until proven guilty and all of that, but what was the nature of the businesses? What was the nature of the store front?

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ACTING CHIEF ATKINSON: Two of them were cafes, coffee shops, and one was a wireless phone store, cell phone store.
COUNCILMEMBER ROCHE: Thank you.
MAYOR JENKINS: Is that all you have?
ACTING CHIEF ATKINSON: That's it.
MAYOR JENKINS: Thank you.
Citizens comments, three minutes.
MR. AMBROSE: James Ambrose.
Last year the Council defeated a motion to have a work session and a Council meeting in the month. I have kept records for the last year and I can only do the last two on account of we got a new Council member, and this does not reflect on her a bit because it's been going on for years.
In the two meetings in January, there were 13 old items brought up. Six were handled. There were 17 new items and only two of them were brought up and one of them was brought up by the Mayor because there was a gentleman here that had bids on Autumn Park.
Also during the last month, two items took up an hour and 40 minutes discussion between the Council. Three items took up an hour. So there is your complete two and a half hour meeting,

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practically, right there. If you could have had a work session, that hour and 40 minutes could have been cut way down.
Mr. Bates, I hate to say it, the 45 minutes of tonight's meeting you had would have been cut way down. I applaud you for what you're doing trying to cut it down.
But the citizens want to see what kind of action we're taking, not just talking between yourselves up here, and I'd appreciate if you-all would think about that and take another vote on it.
Thank you.
COUNCILMEMBER FLEMING: Thank you.
- - -
(Applause)
- - -
MAYOR JENKINS: Next?
MR. ANDERSON: Stuart Anderson.
Try to make it brief. Item 14, the development director. I've been asking for zoning in the G.M. property since 2006 and before. So I apologize to the Mayor. I don't think it's premature at all that we get after this.
MAYOR JENKINS: I do, Stuart. You've got your opinion; I've got mine.

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MR. ANDERSON: We've been --
MAYOR JENKINS: Thank you.
MR. ANDERSON: We've been needing this. We're way behind, way behind.
MAYOR JENKINS: Next?
MS. CALVERT: I think the work session is a good idea like we used to have but only if the Council cooperates with each other and let each other know ahead of time the item that they intend to bring up. That way, that could be discussed at the work session, and the person that brings it up would know full well whether it was going to go through or not and not put it on the next agenda.

- - -

(Applause)

- - -

MAYOR JENKINS: Thank you.
More comments?
MR. O'CONNOR: Good evening, Council, Mayor. I just wanted to acknowledge the progress that seems to have been made. We've gotten through 11 items tonight versus the last time I spoke here I think it was three. And it's been very civil, and I think progress is really being made.
The only thing I just don't want to see done

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is going back over these old codes, C-1, C-2, M-1, M-2. We've done them. We've got so may other codes to change and update before we start circling the wagon back again, and I hope we can keep our mind ahead of time -- or up ahead to what needs to be done and not continually going backwards.
Thank you.
MAYOR JENKINS: Thank you.

- - -

(Applause)

- - -

MAYOR JENKINS: Joe Frank?
MR. FRANK: Joe Frank. We could save a great deal of time I think if we would go -- a lot -- a great deal of time is being spent trying to micromanage the businesses and the business district in the city, and I think you could save a great deal of time if you just allow the businesses to take care of the business and the City Council takes care of the city.
We're going back and forth trying to change everything, modify everything, and all it's doing is creating confusion. It's creating a lot of lost income for the city. It's creating a lot of problems for the business people. And like somebody said, the

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businesses are just simply leaving the city and going to other places, which is going to hurt the city in the long run and it's not going to do any good to anybody. The business people know how to run the business, the City Council knows how to run the city, and keeping those separate would certainly I think save a great deal of time for the City Council and for everyone else.
Thank you very much for allowing me to speak.
MAYOR JENKINS: Thank you.
MR. CRAWFORD: Mayor and City Council, Ben Crawford.
First of all, I'd like to agree with Mr. Frank: the businesses take care of the businesses and the City Council should take care of setting the ordinances and the zoning for the city.
And that's not really why I got up here to speak tonight. What I'd like to do is find out from the City Council and the Mayor, I guess, what's going to be done about the neighborhoods. I mean on my street alone we have trailers that have been out in front of houses -- I guess they're eight feet tall with ladders sitting on top of them -- for weeks and weeks at a time; vans that come in at night, it seems

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like at night after, you know, like probably Quality of Life goes home. We have vans that pull in with about, I don't know, six ladders in each rack, and I thought there was zoning against that.
And I don't know. I mean I want to fix up my house and make it look nice, and other people in the neighborhood have fixed up their houses. I think mine looks okay. But I think all of that has to do with what happens in our neighborhoods.
I'm not about to go to my neighbor -- I do that for a living. I'm not going to go to my neighbor and knock on his door and tell him he's in violation of city zoning. That's up to the City to care of that, you know. It's up to the City to go through the neighborhoods. I know they're going through the business community and the neighborhoods and stuff and doing things, but I wish they'd pay particular attention to my street. It doesn't seem like anybody's ever done anything on my street, and it's about time. Somebody's got a trailer there. And if it's legal to park it there, fine. Then maybe that's the way it is, but I don't believe it is. I don't even believe it belongs to the gentleman. I believe it belongs to a business. But you know, if somebody could just look at that, I'd appreciate it. Thank

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you.
MAYOR JENKINS: Thank you.
Yes, ma'am.
MS. GILMAN: Mayor, Council, Carol Gilman, Chestnut Place.
I want you to know how very much I appreciate the Council and the Mayor taking every opportunity that exists to support the Doraville Police Department. Without a safe place to live and work and play, not a whole lot else comes into play. I thank you for that. A lot of people I speak to in Doraville think the same way, and I want to express that to you this evening. Thank you.
COUNCILMEMBER FLEMING: Thank you.
- - -
(Applause)
- - -
MAYOR JENKINS: Anyone else?
- - -
(No response)
- - -
MAYOR JENKINS: Have a motion?
COUNCILMEMBER BATES: Motion to adjourn.
MAYOR JENKINS: Second?
COUNCILMEMBER PACHUTA: Second.

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MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
- - -
(Meeting adjourned at approximately 9:30 p.m.)
-o0o-

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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 10th day of February 2010.

_____

Theresa Bretch, CCR
Permit No. B-755

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