In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

November 1, 2010

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CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

* * *

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 approximately 6:30 p.m., November 1, 2010.

* * *

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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

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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'd like to get the minutes for 10/4/2010 approved, please.

COUNCILMEMBER PACHUTA: So moved.

MAYOR JENKINS: Second?

COUNCILMEMBER PITTMAN: Second.

MAYOR JENKINS: Discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll, please.

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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: Thank you.

The first item on the agenda is Georgia City of Ethics Resolution.

We have to renew our ethics every four years. So all we need is a resolution that's signed by the Mayor and Council and city attorney to send to the GMA.

Do I have a motion?

COUNCILMEMBER PITTMAN: So moved.

MAYOR JENKINS: Second?

COUNCILMEMBER PACHUTA: Second.

MAYOR JENKINS: Any discussion?

COUNCILMEMBER ALEXANDER: Do we need to

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1 change this resolution because it's dated October?
2 ATTORNEY WEED: It's already been done.
3 MAYOR JENKINS: It's been changed.
4 COUNCILMEMBER ALEXANDER: Okay.
5 COUNCILMEMBER ROCHE: Yeah. I can't support
6 this. I'm afraid this would be like taking a medal
7 that someone else has earned and pinning it on.
8 I can't say that our record in terms of
9 ethics has been very good recently, and I think that
10 before we consider ourselves a city of ethics we need
11 to act as a city of ethics, so I cannot support this.
12 MAYOR JENKINS: Any more discussion?
13 _ _ _
14 (No response)
15 - - -
16 MAYOR JENKINS: Call the roll, please.
17 CLERK BLACKMON: Councilmember Alexander?
18 COUNCILMEMBER ALEXANDER: Yes.
19 CLERK BLACKMON: Councilmember Bates?
20 COUNCILMEMBER BATES: Yes.
21 CLERK BLACKMON: Councilmember Fleming?
22 COUNCILMEMBER FLEMING: Yes.
23 CLERK BLACKMON: Councilmember Pachuta?
24 COUNCILMEMBER PACHUTA: Yes.
25 CLERK BLACKMON: Councilmember Pittman?

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1 COUNCILMEMBER PITTMAN: Yes.
2 CLERK BLACKMON: Councilmember Roche?
3 COUNCILMEMBER ROCHE: No.
4 MAYOR JENKINS: Thank you.
5 Murray, does that -- That don't have to be a
6 hundred percent, does it?
7 ATTORNEY WEED: No, sir.
8 MAYOR JENKINS: Thank you, sir.
9 ATTORNEY WEED: I'll make the change and
10 deliver it tomorrow.
11 MAYOR JENKINS: Okay. Luke, on this
12 Resolution for Safe Routes to School Grant, that's a
13 grant that we're looking for for Tilly Mill Road?
14 MR. HOWE: Yes, sir.
15 This is by no means an administrative
16 initiative. Ms. Pittman has been working on this, you
17 know, well before my time, and of course Ms. Fleming
18 has been also vocal and has worked on trying to get
19 money for this sidewalk project since she arrived.
20 But we originally passed a resolution in
21 December of 2008 for both the Tilly Mill project and
22 the Central Avenue sidewalk project. Of course, that
23 round of funding was -- GDOT did not fund that cycle
24 due to their financial turmoil.
25 So this is the first year in two years that

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1 they have funded the Safe Routes to School Program,
2 which is basically an initiative to encourage children
3 in grades K through 8 to walk or bicycle to school.
4 So this grant, we're going to ask for six hundred --
5 close to $640,000 to build a sidewalk from the Tilly
6 Mill and Flowers intersection to the Mill Court
7 caution light.
8 THE REPORTER: Mill Court?
9 MR. HOWE: Mill Court.
10 COUNCILMEMBER FLEMING: Which is Gentilly.
11 MR. HOWE: Okay. The existing sidewalk that
12 goes -- that starts at Gentilly and ends at Tilly Mill
13 is in pretty good shape. There is a stormwater drain
14 that doesn't look real good in front of the park, but
15 for the most part, it's in pretty good shape. So this
16 will be a new project.
17 I'm going to -- There is a caveat. I rode
18 by and looked at it twice today, and the right-of-way
19 appears very generous in some areas. The power pole
20 or gas line is the best indication of how much right-
21 of-way you have. It appears very generous.
22 We may have to snag one power pole. There's
23 going to be some mailboxes that have to be moved. So
24 those are my caveats, so I don't think anybody -- I
25 think everybody will support it.

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1 And I may go ahead and authorize a survey
2 just to help bolster the grant application, but I'm
3 pretty sure it's going to say that there's plenty of
4 room there.
5 MAYOR JENKINS: Any more discussion?
6 COUNCILMEMBER FLEMING: In doing so, when we
7 do the survey, it'll indicate how long we have
8 available to us to do the sidewalks, the width of the
9 sidewalks. Are we anticipating a four-foot sidewalk?
10 five-, six-foot?
11 MR. HOWE: Four, four.
12 COUNCILMEMBER FLEMING: Okay.
13 MR. HOWE: It'll be the same size as the
14 existing sidewalk.
15 COUNCILMEMBER FLEMING: Okay. As I have
16 mentioned to Ms. Pittman, because this is a walk route
17 for bicycles and parents taking their smaller children
18 to school, I want to be sure that it's going to be
19 accessible for strollers and things like that.
20 MR. HOWE: Yes, ma'am. And in fact, the
21 second time I rode by today, there was a mother who
22 was pushing a baby in a stroller. She went to the end
23 of the sidewalk and turned around and went back. So
24 that's unacceptable, and I know the Council agrees
25 with that. So this is a great project, and I'm

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finally glad that the opportunity has presented itself for funding.

COUNCILMEMBER FLEMING: Thank you.

COUNCILMEMBER BATES: Are any matching funds required from the City or is this a hundred-percent-funded grant?

MR. HOWE: This is a hundred percent.

I'm going to talk to GDOT, Ms. Brown. The downside to these projects is with GDOT doesn't send a surveyor or an engineer out here to evaluate these projects. It's usually a project manager, and especially in this economy. So you can't take that for granted that a trained eye is going to be looking at this.

So I may err on the side of caution. I'd rather spend a couple thousand dollars. Number one, it says we're serious. Number two, it tells you -- a survey tells you exactly what we're working with. So I think that will only help our case.

But I'm going to talk to GDOT and try to feel them out before I go and do something like that, and of course I'll talk to the Mayor.

COUNCILMEMBER BATES: Thank you.

COUNCILMEMBER PITTMAN: And it's a really good project, a good grant if we can get it. There's

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kids that literally walk on the street, and it's very dangerous, and a couple years ago, we had an adult killed on that particular street, so --

MR. HOWE: Mr. Lewis is --

COUNCILMEMBER PITTMAN: Yes.

MR. HOWE: -- supporting this. Mr. Dan Drake, the planner for the school system is supporting this.

If I can get in front of the school board, I will. It's due at the end of November. I don't know how -- I don't know how realistic that is but I'll try.

COUNCILMEMBER PITTMAN: So you need a motion?

MR. HOWE: Yes, ma'am.

COUNCILMEMBER PITTMAN: Motion to support a resolution for Safe Routes to School Grant on Tilly Mill Road sidewalks.

COUNCILMEMBER FLEMING: Second.

MAYOR JENKINS: More discussion?

- - -

(No response)

- - -

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

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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: Thank you.

MR. HOWE: Thank you, Mayor; thank you, Council.

COUNCILMEMBER PITTMAN: Thank you.

MAYOR JENKINS: Thank you, Luke.

Food Service bids, can you --

CLERK BLACKMON: There's only two. There are two envelopes. Only two for food vendor.

COUNCILMEMBER ROCHE: If you're ready, I have one.

MAYOR JENKINS: Go ahead.

COUNCILMEMBER ROCHE: It's Top Notch Foodservice and Catering. Meals consisting of breakfast at a cost of $1.25 each, dinner of $2.25 each, between 7:00 a.m. and 7:00 p.m.

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COUNCILMEMBER PACHUTA: I have Piccadilly, and it's $3.75 for breakfast and $5.75 for lunch.

COUNCILMEMBER BATES: Make a motion we give those to the police department for review and evaluation and recommendation.

COUNCILMEMBER PACHUTA: Second.

MAYOR JENKINS: Discussion?

COUNCILMEMBER FLEMING: Yes. I wanted to ask Chief King, on the RFP, could you tell me how many estimated meals were going to be served for these bids or was there a number that they had to --

CHIEF KING: No, ma'am. We priced them per meal to try to get the best. What we asked, the RFP was made out for the best possible price for two meals per day so we could get the best value.

COUNCILMEMBER FLEMING: Okay. So --

CHIEF KING: Our population, you know, ranges. And obviously this has an effect obviously with our contract, because they're depending what the selection is from the City Council, if that causes us to then turn around and renegotiate with our customers who -- who have people coming to our jail, we will.

COUNCILMEMBER FLEMING: So we didn't give them an estimate of guaranteed meals or anything like that.

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CHIEF KING: No, ma'am.
COUNCILMEMBER FLEMING: Okay.
CHIEF KING: We showed them. We gave them access to our number of meals that have been served, and they have to be capable of providing the maximum.
COUNCILMEMBER FLEMING: Thank you very much.
CHIEF KING: Yes, ma'am.
COUNCILMEMBER PITTMAN: Chief, excuse me. What was it previously per meal?
CHIEF KING: I do not have the answer to that, ma'am. I know it was -- it was higher than the -- We were serving three meals a day. So we went and checked with the standards, the jail standards in the state of Georgia, and we were able to drop one of the meals to try to get a better price, negotiate a better price.
And the requirement is two meals per day, and it has a calorie requirement which both of these were presented with the standards, the calorie and the quality requirements.
But I do not have what we're paying right now, but this will give us a savings because we're dropping one meal.
COUNCILMEMBER PITTMAN: Okay. Thank you.
MAYOR JENKINS: More 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.
MAYOR JENKINS: Thank you.
CLERK BLACKMON: Chief, I'll get you those tomorrow, because I have to make you copies. I have to keep the originals.
CHIEF KING: Thank you, ma'am.
MAYOR JENKINS: Okay, sanitation bids, we'll open those.
- - -
(Bids opened)

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- - -
COUNCILMEMBER ALEXANDER: Waste Pro. The total monthly charge for two-year, $18.90. Total monthly charge for a five-year contract, $18.90.
COUNCILMEMBER FLEMING: Do they include recycling?
COUNCILMEMBER ALEXANDER: Yeah, it's in the chart.
COUNCILMEMBER FLEMING: I'm sorry?
COUNCILMEMBER ALEXANDER: It's on the chart.
COUNCILMEMBER FLEMING: So it's $18.90 is for waste pickup as well as recycling?
COUNCILMEMBER ALEXANDER: It's all in the chart fee, in the chart. It's curbside pickup of garbage, curbside pickup of recycling and curbside pickup of yard waste.
COUNCILMEMBER PITTMAN: Is that the once a week?
COUNCILMEMBER ALEXANDER: Yes.
COUNCILMEMBER BATES: I have Advanced Disposal Services-Atlanta, LLC. They list individual costs and then they have bundled monthly fees.
A two-year contract, bundled, $13.45. A bundled five-year contract, $12.70.
COUNCILMEMBER ROCHE: That's per month?

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COUNCILMEMBER BATES: Once a week. That's per --
COUNCILMEMBER PACHUTA: Monthly charge.
COUNCILMEMBER BATES: -- monthly charge, yeah.
COUNCILMEMBER ROCHE: So recycling?
COUNCILMEMBER BATES: Yes. It's inclusive.
COUNCILMEMBER FLEMING: I have Waste Management, two-year contract. This is garbage pickup once per week and recycling once per week, total $13.75.
MAYOR JENKINS: You said that is a two-year contract?
COUNCILMEMBER FLEMING: Yes.
MAYOR JENKINS: Does it list a five?
COUNCILMEMBER FLEMING: I'm sorry?
MAYOR JENKINS: Does it list five?
COUNCILMEMBER FLEMING: It indicates mutually agreeable extension to the two-year contract.
COUNCILMEMBER ROCHE: I have Republic Services of Georgia from Winder, Georgia. Total monthly charge, which includes one pickup, recycling and yard waste is $19.50 per month, and then if there's going to be a second garbage pickup per week, that's an additional $7.50 per month.

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COUNCILMEMBER FLEMING: Can we go back to Waste Management for a moment? He was no-bidding the yard waste.

COUNCILMEMBER ROCHE: And that's -- I'm sorry. To get back to Republic Services, that's for a two-year contract. Five-year contract is $16.87 per month plus $7.50 for an additional pickup.

COUNCILMEMBER BATES: Make a motion to send these to the Clerk for review, tabulation and comparison.

COUNCILMEMBER PACHUTA: Second.

MAYOR JENKINS: Discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

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?

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COUNCILMEMBER PITTMAN: Yes.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: Department Head Reports. Shanta, would you come up to the microphone, please.

MS. WILSON: On October 18th at the last Council meeting, Council asked that I give them more information on the vendor for the software implementation. So I'm just here for your discussion and how we should move forward with it.

COUNCILMEMBER ALEXANDER: Were you able to get any additional information from MAS90 other than what you included in here?

MS. WILSON: No, ma'am. That was all they gave me for the financial pieces.

And then I got quote on Friday from Capital Software which was $16,000 for the planning and zoning and code enforcement.

COUNCILMEMBER ALEXANDER: I guess I thought you were going to contact MAS90 to get some additional information about upgrading what we have and assistance with changing the GL codes?

MS. WILSON: That's the -- that was what we'll have to move into MIP. That's the software. The fund accounting software is what we'll have to

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move to.

COUNCILMEMBER ALEXANDER: But you could set up separate companies to handle the fund accounting in MAS90; is that correct?

MS. WILSON: Yes. It will be Capital Software and Sage. It would be two different companies. Sage will be what we already have, and they will move us to fund accounting, and then Capital Software will do the planning and zoning and pieces.

COUNCILMEMBER ALEXANDER: Okay. We currently have MAS90 --

MS. WILSON: Yes.

COUNCILMEMBER ALEXANDER: -- right now. Okay. I guess I -- it is my understanding that the general ledger numbers that we use now can be changed to meet the GASB requirements as far as the numbering format.

MS. WILSON: Yeah.

COUNCILMEMBER ALEXANDER: Okay. Did we get any information?

MS. WILSON: Not on that piece.

I thought I was supposed to get information on the fund accounting from Sage, and that's why I provided you with that.

COUNCILMEMBER ALEXANDER: Okay.

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COUNCILMEMBER BATES: Which is the CUSI; right?

MS. WILSON: Yes.

COUNCILMEMBER BATES: Do we know what other municipalities are using, you know, Decatur, Chamblee, Norcross, Suwanee? So we --

MS. WILSON: No, I haven't talked to them.

COUNCILMEMBER BATES: We just -- basically we did the RFP and we --

MS. WILSON: Yeah.

COUNCILMEMBER BATES: -- took who came in. Okay.

MS. WILSON: And I know Chamblee, they're not using a good software, either, because their finance director is looking for new software as well.

COUNCILMEMBER ROCHE: I believe Chamblee's is homegrown.

MS. WILSON: I don't know what they have. I just know she wants new software.

COUNCILMEMBER ROCHE: Can we find out what it would cost to get training on the Crystal Reports that we were using originally to do this reporting?

MS. WILSON: I didn't ask them about training on the Crystal Reports.

I mean we can get training for MAS90 but we

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still need to use a fund accounting software, and that's not what we're using.

COUNCILMEMBER ROCHE: Well, as Councilwoman Alexander mentioned, I mean you just set up separate companies and you do intercompany transfers. It's not that big a deal.

MS. WILSON: But we still need to use a fund accounting software, Councilman Roche, and we're not using that right now.

COUNCILMEMBER ROCHE: No. What I'm saying is that you can set up several companies in MAS90 and each company represents a separate fund. People do it all the time.

MS. WILSON: Uh-huh, but MAS90's --

COUNCILMEMBER ROCHE: You know, for -- it's just called intercompany transfers. I mean it's not that big a deal. It's just accounting.

I don't know of any software package that doesn't have that.

MS. WILSON: Okay.

COUNCILMEMBER ROCHE: MAS90 is ubiquitous, it's everywhere. I mean you can pick up the phone right now and find five people easily. They can come in and train you on how to use MAS90 and do interfund transfers.

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MS. WILSON: It's not the problem with MAS90 that I have. The problem that I have is that it's not a fund accounting software. That's the --

COUNCILMEMBER ROCHE: We're going --

MS. WILSON: -- problem that I have.

COUNCILMEMBER ROCHE: -- around in circles.

You set up every fund as a separate company in MAS90, and then you've got exactly the same thing. You can even rename it, call it fund accounting instead of inter -- instead of multi-company. I mean it's . . .

COUNCILMEMBER BATES: I'm just going to jump to the chase here. As much as I would love to get us right now into a new fund accounting software that was sexy with bells and whistles, budgetwise, I can't justify it right now.

MS. WILSON: That's fine. I just want to know where we need to move forward. If we're going to use the same thing, I'm fine with that.

COUNCILMEMBER BATES: I think we need to, and we'll reevaluate it, you know, when we get to the midyear budget review. And I would love to get us into a new system, and I just can't support it right now.

MS. WILSON: That's fine with me.

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COUNCILMEMBER ALEXANDER: But I would like for you to pursue getting assistance, even if it's just changing the GLs, to try to make it easier for you.

MS. WILSON: Okay.

COUNCILMEMBER ALEXANDER: And then if you need to upgrade to the new 4.4, get a price on that, because it's got that new financial reporting tool that they're implementing to replace the FRX, because Microsoft has purchased FRX and they're discontinuing support of it.

COUNCILMEMBER FLEMING: I believe if I'm not mistaken, the information that I researched, the 4.4 would accommodate the 16 digits that's possibly needed for the Georgia chart of accounts if I'm not mistaken.

COUNCILMEMBER ROCHE: I have to say that I greatly question the concept of us changing to a regulatory chart of accounts.

Regulatory charts of accounts are not built for this. At the end of the year, how much do we know we've spent on uniforms? We don't, because it's all lumped into one thing.

MS. WILSON: No. There are --

COUNCILMEMBER ROCHE: Electric bill.

MS. WILSON: -- subcodes. There are

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subcodes for that.

COUNCILMEMBER ROCHE: Well, I haven't seen that.

MS. WILSON: I thought I gave everyone a copy of all the codes, and if you need a copy, I'll be glad to put a copy in your mailbox or e-mail it to you.

COUNCILMEMBER ROCHE: Thank you very much.

MS. WILSON: Uh-huh.

COUNCILMEMBER ROCHE: Electronic, please.

MS. WILSON: No problem.

COUNCILMEMBER BATES: You did, and I --

MS. WILSON: Okay.

COUNCILMEMBER PACHUTA: It's also online. Not online. I mean on the State's web site, since it's a State requirement.

COUNCILMEMBER BATES: So unless Council -- I'm going to make a motion that we table this until we get to midyear budget.

COUNCILMEMBER ROCHE: Second.

COUNCILMEMBER PACHUTA: And I have to say, I mean I'm conflicted just in that I do think we need to upgrade our software, but right now, we're struggling to find where to cut things, and I'm uneasy at this time.

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MS. WILSON: That's fine with me. I just want to know where to move forward, are we going to keep talking about it or are we going to --

I don't have an interest as long as we do something. I just want us to do something.

COUNCILMEMBER BATES: On the -- before we vote on that motion, Ms. Alexander reminded me that there is the HR piece from Altera.

MS. WILSON: Uh-huh.

COUNCILMEMBER BATES: Is that a recommendation, to look at Altera for the time management and the insurance benefits?

MS. WILSON: Yes, it is, because you-all asked me in the last Council meeting about it and what was the cost.

They don't charge us anything for using their system, at all. They don't charge us hardly anything for anything that we use, because we ask them. If a report's out of align, they help us do that. There's not any charge other than what they're doing right now, and if we go to the other services that we -- that they have, they'll be a charge for those.

COUNCILMEMBER BATES: Which was the information you provided us.

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MS. WILSON: Right.

COUNCILMEMBER BATES: And Ms. Blackmon, are you currently doing most of those HR pieces; is that correct? Who's --

CLERK BLACKMON: Well, I mean not on Altera.

COUNCILMEMBER BATES: No, but as far as the benefits and insurance and things. Who's doing that internally now?

CLERK BLACKMON: That's me.

COUNCILMEMBER BATES: Okay.

MS. WILSON: And one good piece about the HR, advance HR, is that they will be the middle person for if we decided to choose another broker, all those RFP's. We won't have to deal with that. They will be the middle person. They will bring us the recommendation and says, "Hey, this is the company that we chose and, you know, we're leaving it up to you-all."

First, they have a better advantage because they know that they can bring other clients to that person where we if we can't and we're unhappy, they don't care. They can go to another city. Where Altera says, "If I recommend you to the City of Doraville, and they go with you and you don't treat them nice or they don't have good service, then we're not going to bring other clients to you." Brokers

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know that. But we have a -- it's a better advantage for us if we move to that area.

COUNCILMEMBER BATES: If we did elect to go in that direction, what would be the ramp-up time? How much time would they need to get up to speed and be prepared to take over that aspect of our city's business?

MS. WILSON: No time. We can make it effective January since we're moving to a new payroll frequency in January.

COUNCILMEMBER BATES: Would they be able to ramp up --

MS. WILSON: Oh, yeah.

COUNCILMEMBER BATES: -- and be ready to go by then?

MS. WILSON: Yeah. Because when I asked them about it, it was like, we just need to know how you-all do things, what are your processes, and we'll move from there.

COUNCILMEMBER PACHUTA: The electronic timekeeping, now, I guess, the employees turn in handwritten --

MS. WILSON: Yeah.

COUNCILMEMBER PACHUTA: -- time sheets?

MS. WILSON: Yeah.

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COUNCILMEMBER PACHUTA: So this would be computer entry?

MS. WILSON: Yes.

COUNCILMEMBER PACHUTA: And they provide software and everything with that?

MS. WILSON: Yes. We do it all on their system. We won't have to do anything. We just log in to like a web site, and the department heads can approve their people.

And Ms. Blackmon can go in there. If we say everybody has their time in on Friday or Monday morning, she can see who's keyed in their time. On Tuesday, she can import one software to another. It's still their system. You're just taking that file from the timekeeping to put it in payroll, and she's doing it in a manner of 10/15 seconds; whereas now, we know on Tuesdays, don't bother Ms. Blackmon, so --

COUNCILMEMBER PACHUTA: How often do you spend on working on payroll? How many hours do you spend on payroll?

CLERK BLACKMON: Only about an hour. If I have all the time sheets, an hour every week.

COUNCILMEMBER BATES: And would the department heads be responsible for entering in the time? Would it still be done by paper on the employee

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side, or would they log in and --
MS. WILSON: They would log in.
COUNCILMEMBER BATES: How would that work for PD or public works that --
MS. WILSON: It'll work just like it does now, except instead of writing on paper, they're putting it in electronically, and department heads would approve their time electronically.
COUNCILMEMBER BATES: So at public works, they would need to have access to --
MS. WILSON: Yes.
COUNCILMEMBER BATES: -- the software and --
MS. WILSON: Uh-huh. Everybody will have to have access.
They would just key in their total hours that they did for that day. If they took PTO, they would put in PTO. It makes it a lot easier. You can see like right now if there's a problem with a time sheet, Ms. Blackmon has to call the department head and say, "I don't have Jane Doe's, you know, time sheet. You know, can you get it over here?" So that's what she does on Monday mornings. She's making sure she has everybody's time sheets, where she could do that electronically, and she can call them, "Hey, can you get so-and-so to correct their time or you

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correct their time for them."
CLERK BLACKMON: And there is no software. All they have to do is log in just like you log into Google. You log into AlteraPayroll.com. It'll be called Altera-whatever-that-piece-is.com, and it's just web-site based.
COUNCILMEMBER BATES: So would this be a daily log-in so they show up to work at 6 o'clock in the morning and --
CLERK BLACKMON: I think we can set it up --
MS. WILSON: You can set it up --
CLERK BLACKMON: -- either way.
MS. WILSON: -- either way, total hours; because I told them, I said, "I can just see a public works guy or a PD guy forgetting to clock in. When there is an emergency, the last thing they're going to do is, 'Oh, I didn't clock in.'"
We just do the -- we could still put the total hours like we do right now.
COUNCILMEMBER BATES: Well, I'm guessing that there would be the ability to go in and -- if that were to happen, there would be the ability of a supervisor to go in and retroactively --
MS. WILSON: Oh, yes.
COUNCILMEMBER BATES: -- post their check-

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in/log-in start time, checkout time or --
Yes, sir?
CHIEF KING: I'm familiar with some of these systems. Cobb County uses them. And a supervisor monitors and answers the time for each one of the employees weekly or biweekly and adjusts for court or PTO or for whatever. The supervisor then transmits it, it gets checked off by a second supervisor. Then it gets sent to the payroll/personnel department.
COUNCILMEMBER BATES: But is each employee logging their own time every day or --
CHIEF KING: No. A supervisor does that.
COUNCILMEMBER BATES: Okay.
CHIEF KING: Yeah. You want to have some level of check and balances and you don't want to --
Now, I will tell you, some of the agencies have suffered, certainly. They've fired several employees for basically coming in and putting in, you know, erroneous time. And they develop a pattern where people are cheating on their time, and it's like stealing. They get fired.
I mean that's one of Cobb County's -- that and lying is the quickest way to get fired from the Cobb County Police Department. But timekeeping is one of the things that is just as -- you're not allowed

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flexibility. But yeah, that's why we have two supervisors doing it.
COUNCILMEMBER BATES: And would this -- I'm guessing this would accurately reflect the hours worked during the week versus the I worked eight today, eight today, eight today. You'd see he worked really 7.4 or 8.2 or whatever the actual hours worked based upon their login and logout --
MS. WILSON: Right.
COUNCILMEMBER BATES: -- times.
MS. WILSON: We could do it either way. It's however the City of Doraville wants to do that.
COUNCILMEMBER FLEMING: I have reservations for our public works department. I am not sure, first of all, whether they've got a computer system over there, number one.
CLERK BLACKMON: They have two.
COUNCILMEMBER FLEMING: And number two, they have what? 17, 18 employees that may not be familiar with computers to be able to do this on a daily basis.
And also, if we're going to be doing it on a daily basis and they're all standing around waiting to get onto the computer when they should be out into their trucks, I have concerns about that as well.
MS. WILSON: Or we could do it the way Chief

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just said, one person enter in all their time.
CLERK BLACKMON: It would be Bobby --
MS. WILSON: Yeah.
CLERK BLACKMON: -- entering their time.
MS. WILSON: Entering their time.
CLERK BLACKMON: And they have two systems over there. They have two computers already.
COUNCILMEMBER FLEMING: Well, then, we're back to the hand sheets, anyway, for Bobby to key in rather than you keying in the time sheets for his department.
MS. WILSON: That's right.
COUNCILMEMBER FLEMING: I think that's what I'm hearing.
CLERK BLACKMON: And he would that daily. I mean, somebody has to be able to key them in from every department.
MS. WILSON: Yes, or every employee will have to input their own time. They can even do it weekly. It doesn't have to be daily. It could be weekly if we just do the standard eight hours. But if we want to log in and log out, it will have to be based on the time that you came in and the time that you leave.
COUNCILMEMBER ALEXANDER: Do they have a

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time clock at public works?
CLERK BLACKMON: Not to my knowledge.
COUNCILMEMBER ALEXANDER: They don't have just a simple time card punch-in?
CLERK BLACKMON: No. Everybody has a time sheet, every department.
COUNCILMEMBER BATES: On the benefits reconciliation, are we doing any reconciliation now with Blue Cross and what employees are paying, should be paying?
MS. WILSON: Yes, we do. That's what Ms. Blackmon does.
COUNCILMEMBER PACHUTA: I guess I think looking at these, the two most used forms would be the electronic timekeeping and maybe the new employee on-boarding for new hires. I think those are definitely two we should look into.
CLERK BLACKMON: Do you have self-serve in there?
MS. WILSON: Employee self-service? Yes, it's on the -- it's on the recommendation, uh-huh. Employee self-service doesn't cost us anything right now at all.
COUNCILMEMBER BATES: Well, the --
CLERK BLACKMON: And that would be a huge

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benefit.
MS. WILSON: And they're still not charging us for it.
COUNCILMEMBER PACHUTA: What is that?
MS. WILSON: The employee self-service is where they can go in and download their own time sheets -- not their time sheets, but their pay stubs -- and look at their own W-2 instead of having to call Ms. Blackmon when they are trying to refinance their house, or trying to buying a house and ask her for, "Oh, I need the last 10 pay stubs that I have." That's something they can do on their own.
CLERK BLACKMON: They can change their home address. Just simple functions --
MS. WILSON: Yeah.
CLERK BLACKMON: -- that I do now, they can do themselves. And then I'd still have -- the clerk would still have access to look at that and make sure it's right, and they can change W-2s for taxes and all that.
COUNCILMEMBER BATES: But we've already got that in place now, right?
CLERK BLACKMON: No.
COUNCILMEMBER BATES: We don't have that in place. Okay.

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MS. WILSON: No, we don't have that in place.
CHIEF KING: No, sir.
MS. WILSON: And they can also put how much time you have for your PTO. You can see that as well.
But if we go to an employee self-service and no longer getting the pay stubs here, which is the pay stubs, there's a courtesy, for $14 each week, that we're being charged for the pay stubs to come here.
If we eliminate that and go to either direct deposit and the pay card, which is a pay card just like a debit Visa card, except the employee does not have to have a checking account, and their paycheck will go directly on that card. So that way, we've eliminated the whole $14.00 each week, which is about almost $800 a year. It may not seem like a lot, but that's a $800 savings you're not going to pay.
COUNCILMEMBER FLEMING: Yeah, but that's $12,000 worth of Altera that we're getting ready to possibly spend to save $800 a month or a year or whatever it was. So we're going to spend $12,000, because it's a thousand dollars a month for 12 months, to save $800.
MS. WILSON: Altera doesn't provide the pay card.

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COUNCILMEMBER FLEMING: But you're eliminating -- did you not tell me or did you not make a comment you're eliminating the pay stub by having --

MS. WILSON: I said if we eliminate the pay stubs, I said, then we can save the $14.00 courier fee.

COUNCILMEMBER BATES: But that's under the employee self-serve --

MS. WILSON: Service, yeah.

COUNCILMEMBER BATES: -- it's no charge.

MS. WILSON: Charge. We're not getting charged for the employee self-service.

COUNCILMEMBER FLEMING: I know, but -- okay. We're going to save $800 to go with this plan and it's going to cost $12,000 a year.

COUNCILMEMBER BATES: No, it's --

COUNCILMEMBER PACHUTA: We don't have to choose each thing.

COUNCILMEMBER BATES: It's no additional charge.

COUNCILMEMBER ROCHE: But we haven't implemented it yet, so we --

MS. WILSON: (Inaudible.)

COUNCILMEMBER ROCHE: I'm sorry?

MS. WILSON: No, we have not implemented an

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employee self-service.

COUNCILMEMBER ROCHE: So it's free, and we haven't implemented it.

MS. WILSON: Yeah, it's free. We could do that now, and it's free.

COUNCILMEMBER ROCHE: I mean what? Did someone say no? Someone say don't do it?

MS. WILSON: Nothing.

COUNCILMEMBER ROCHE: I don't understand why we haven't implemented it.

MS. WILSON: I don't either. When I asked them about it, they said, well, you have that capability now. You just haven't implemented it.

And I was like, oh, okay. I didn't know that.

COUNCILMEMBER ROCHE: You want to tell me about the monthly management meetings?

MS. WILSON: Them just calling us and giving us an update on how things are going. Just discussing how things are with us, that's all, or if there's any concerns that we have.

COUNCILMEMBER ROCHE: Okay. Flexible spending accounts and COBRA, it says see attached, but I don't see any attachment. What's --

MS. WILSON: I didn't put that because this

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wasn't something that was required, because they asked that -- Council asked for at the last meeting.

COUNCILMEMBER ROCHE: So is there a cost per with -- I mean I don't know if we even use flexible spending accounts now, although I think we said we wanted to because they're a very good benefit.

But I know the administrating of them, because you have to take in money and pay it out, et cetera, could be a significant level of effort. I'm just wondering if that's the case and if there is a charge for it and what's offered, et cetera, et cetera.

MS. WILSON: It's another company that Altera uses, and I can get you that information, e-mail it to you electronically as well.

COUNCILMEMBER ROCHE: Thank you. Could you send me both, please?

MS. WILSON: Yes.

COUNCILMEMBER ROCHE: But I --

COUNCILMEMBER FLEMING: Well, the only -- I'm sorry, go ahead.

COUNCILMEMBER ROCHE: But I definitely think we should be implementing the employee self-service, I mean considering it is free.

And by the way -- well, we have another

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motion on the table, but I guess that's okay.

COUNCILMEMBER BATES: I'm going to withdraw that motion until we separate these two pieces out.

COUNCILMEMBER FLEMING: And Karen withdrew her second?

COUNCILMEMBER ROCHE: No. I seconded it. I'll withdraw the second.

COUNCILMEMBER FLEMING: Okay. The other comment I wanted to make about going with the human resources portion of Altera is I believe Ms. Blackmon indicated that it takes her an hour, correct?, to make sure to reconcile the time sheets and key them in?

CLERK BLACKMON: Yes, ma'am.

COUNCILMEMBER FLEMING: Okay. So we would be saving one hour of a person's time and be spending $12,000 a year, and I just -- I can't --

COUNCILMEMBER PACHUTA: That's only if we choose every single option, and I don't know right now that we need the benefits reconciliation.

COUNCILMEMBER ROCHE: Well, just me, the first thing I would -- if we were going to eliminate things, the first thing I would eliminate would be the benefits consulting. I'm not sure that that's cost-effective at this point, and we do our benefits by RFP, basically, so --

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1 And again, I agree with Councilwoman Pachuta
2 on benefits reconciliation. I'm not sure I see the
3 value in that either.
4 But the timekeeping, I can see a value for
5 that, because it's not just a matter of one person. I
6 mean I see each department head has to spend time on
7 this every week --
8 MS. WILSON: Uh-huh.
9 COUNCILMEMBER ROCHE: -- and, I mean I know
10 several of us have been advocating that for some time,
11 me included. So I would certainly consider the
12 $450 -- Well, wait a minute. That would be about --
13 Do we have 118 employees?
14 COUNCILMEMBER BATES: Is that a one-time
15 charge, $2.50, or is it per month?
16 MS. WILSON: That's per month.
17 The $450 is a one-time.
18 COUNCILMEMBER ALEXANDER: But that $2.50 per
19 employee would be based on an employee logging in into
20 their web site. I --
21 MS. WILSON: Yes.
22 COUNCILMEMBER ALEXANDER: So I'm trying to
23 figure out if it's not going to improve public works,
24 they definitely need a time clock. They should be
25 clocking in and out every day. And you take the time

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1 clock, the card, and you add up your time instead of
2 having to, you know --
3 And I really think that's important too for
4 our IRS records. I mean we have time cards from 1970
5 probably that we've kept in payroll records. So I
6 think it's extremely important that a time clock of
7 some type, either a Lathem old punch clock or
8 something is installed over there.
9 MS. WILSON: Just at public works?
10 COUNCILMEMBER ALEXANDER: If they're the
11 only people that aren't going to be logging into a
12 system to keep up with their time. Because I assume
13 when everybody else logs into the computer, it's going
14 to say what time they get there.
15 COUNCILMEMBER PITTMAN: Is there a reason
16 they can't log in? I mean I couldn't --
17 MS. WILSON: Is there a reason why they
18 can't?
19 COUNCILMEMBER PITTMAN: Because I know that
20 Bobby uses the computer.
21 MS. WILSON: There are still computers over
22 there.
23 COUNCILMEMBER PITTMAN: Yeah.
24 COUNCILMEMBER FLEMING: But either we be
25 consistent with it's going to be done on a daily basis

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1 by the employee, because I could be keying in for
2 somebody else. And I don't want that to happen.
3 COUNCILMEMBER ALEXANDER: Then, every
4 individual employee is responsible for logging in
5 when they get here and logging out when they go home.
6 COUNCILMEMBER FLEMING: I agree. Either
7 that or everybody's got to do a time clock.
8 MS. WILSON: Right.
9 COUNCILMEMBER FLEMING: Not just public
10 works but everybody.
11 COUNCILMEMBER ROCHE: I have to say I think
12 the two fifty per employee per month would probably be
13 per employee whether or not one person logged in and
14 keyed in multiple time entries or not, because most
15 likely what that means is that, you know, if you have
16 40 hours per employee, that's going to feed directly
17 into the payroll system.
18 So I would pretty much assume that that two
19 fifty's going to be -- I'm seeing about $300 a month
20 for that, estimating based on about 120 employees a
21 month.
22 And it may be that different departments do
23 different things. I mean maybe the police department,
24 they all have their own laptops so they key in and do
25 their own time. I don't know.

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1 But you're right. I can't see where, you
2 know, everyone's lined up in front of the two
3 computers down at public works first thing in the
4 morning waiting to sign on, either, so --
5 But regardless of how it gets into the
6 system, it's a lot easier to deal with once it's in
7 the system, so, instead of pieces of paper.
8 So I would say that assuming it's around
9 $300 a month, I would probably go with the time --
10 electronic time keeping. I can see where that would e
11 cost effective, and I'll make that in the form of a
12 motion.
13 COUNCILMEMBER PACHUTA: And then also the
14 employee self-service?
15 COUNCILMEMBER ROCHE: Well, that's free.
16 That should have been set up anyway, but absolutely.
17 COUNCILMEMBER PACHUTA: I'll second that.
18 MAYOR JENKINS: Any more discussion?
19 COUNCILMEMBER PITTMAN: Electronic time
20 keeping, you're speaking of the time clock or what?
21 MS. WILSON: No. It's on the web.
22 COUNCILMEMBER PITTMAN: On the web.
23 MS. WILSON: It's web-based.
24 COUNCILMEMBER PITTMAN: So just maybe one
25 department head doing it once a week? Is that we're

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1 talking about?
2 MS. WILSON: Everybody can. No. Everybody
3 will have a log-in name and log in at the time.
4 COUNCILMEMBER FLEMING: We've got to make
5 procedures.
6 COUNCILMEMBER PITTMAN: Yeah, exactly.
7 COUNCILMEMBER ROCHE: Well, I would think it
8 may vary by department, but I think each department
9 head would have the flexibility to do it their own
10 way, whatever works best for that particular depart-
11 ment.
12 COUNCILMEMBER PACHUTA: The department heads
13 can work that out.
14 COUNCILMEMBER ROCHE: Right.
15 MS. WILSON: And department heads will be
16 able to approve their time.
17 CLERK BLACKMON: And it does not take that
18 long. I had the system similar to this when I worked
19 at the motorcycle shop, and all of the mechanics had
20 to. It was just one computer. All you do is just
21 punch in your code; you're clocked in. You just punch
22 in a code. There is no -- It doesn't take that long;
23 a second, two seconds to log in and log out.
24 COUNCILMEMBER ROCHE: It's just easier to
25 manage electronically, particularly with department

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1 heads and all that.
2 CHIEF KING: If I could respectfully ask
3 that the Council would allow the department heads to
4 work out their own systems. We all have different,
5 you know, methods. I have people going to court. I
6 have to clock them in.
7 I don't want to have employees who have to
8 come to the police department to key it into a
9 computer and then go to court and then come back. So
10 if y'all would allow us -- I think it's a great idea,
11 but if you will allow the department heads to work out
12 a system and then report back to y'all with our recom-
13 mendation.
14 COUNCILMEMBER ROCHE: I'll amend my motion
15 to include allowing each department head to work out
16 their own process and present that to the Council.
17 COUNCILMEMBER PACHUTA: I'll amend my
18 second.
19 MAYOR JENKINS: Any more discussion?
20 - - -
21 (No response)
22 - - -
23 MAYOR JENKINS: Call the roll.
24 CLERK BLACKMON: Councilmember Alexander?
25 COUNCILMEMBER ALEXANDER: Yes.

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1 CLERK BLACKMON: Councilmember Bates?
2 COUNCILMEMBER BATES: Yes.
3 CLERK BLACKMON: Councilmember Fleming?
4 COUNCILMEMBER FLEMING: No.
5 CLERK BLACKMON: Councilmember Pachuta?
6 COUNCILMEMBER PACHUTA: Yes.
7 CLERK BLACKMON: Councilmember Pittman?
8 COUNCILMEMBER PITTMAN: Yes.
9 CLERK BLACKMON: Councilmember Roche?
10 COUNCILMEMBER ROCHE: Yes.
11 Thank you.
12 COUNCILMEMBER BATES: Make the motion to
13 table the accounting software until --
14 COUNCILMEMBER ROCHE: Second.
15 COUNCILMEMBER BATES: -- until we get into
16 budget.
17 COUNCILMEMBER ROCHE: I'm sorry.
18 COUNCILMEMBER BATES: That's all right.
19 Thank you.
20 COUNCILMEMBER ROCHE: Second.
21 MAYOR JENKINS: Did we vote on that?
22 COUNCILMEMBER BATES: No, sir. We need to.
23 MAYOR JENKINS: Excuse me?
24 COUNCILMEMBER BATES: We need to.
25 MAYOR JENKINS: Have we still got a motion

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1 and a second?
2 COUNCILMEMBER BATES: Yes.
3 MAYOR JENKINS: All right. Any more
4 discussion?
5 - - -
6 (No response)
7 - - -
8 MAYOR JENKINS: Call the roll.
9 CLERK BLACKMON: Councilmember Alexander?
10 COUNCILMEMBER ALEXANDER: Yes.
11 CLERK BLACKMON: Councilmember Bates?
12 COUNCILMEMBER BATES: Yes.
13 CLERK BLACKMON: Councilmember Fleming?
14 COUNCILMEMBER FLEMING: Yes.
15 CLERK BLACKMON: Councilmember Pachuta?
16 COUNCILMEMBER PACHUTA: Yes.
17 CLERK BLACKMON: Councilmember Pittman?
18 COUNCILMEMBER PITTMAN: Yes.
19 CLERK BLACKMON: Councilmember Roche?
20 COUNCILMEMBER ROCHE: Yes.
21 MAYOR JENKINS: Okay. Water contract.
22 MS. WILSON: Yes. I would like the Council
23 to approve the Avalon Water contract. Apparently we
24 get bottled water. And this will be a way for us to
25 use our own water system. It's just a purification

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1 system. We are spending about almost $6,400 by having
2 two vendors. We have City Water International and we
3 have Crystal Springs. This will get the City using
4 one vendor, the vendor is locally, and we'll save
5 about $3,000.
6 So I would like the Council to approve the
7 contract for Avalon Water, and we will get rid of all
8 the bottled waters and the waters outside and use a
9 purification machine. We're using our own water
10 system.
11 COUNCILMEMBER FLEMING: Now, based on what
12 I'm looking at, these are water coolers?
13 MS. WILSON: Yes, ma'am.
14 COUNCILMEMBER FLEMING: In hallways?
15 COUNCILMEMBER PITTMAN: Yes, ma'am. You
16 could put water in the hallway just like the water we
17 have out here in the hallway. Instead of the big
18 bottle, it'd be distributed through our own water
19 here.
20 COUNCILMEMBER FLEMING: Okay. And so we
21 would need to be providing cups for that or this
22 service does that?
23 MS. WILSON: The service does that.
24 COUNCILMEMBER FLEMING: And do you have any
25 idea how much we have been spending for bottled water?

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1 MS. WILSON: Just the Crys- --
2 COUNCILMEMBER FLEMING: I mean I'm talking
3 about little, bitty bottles of water.
4 MS. WILSON: Well, we don't -- I don't have
5 the total just for the little bit of bottles I have,
6 just the total for Crystal Springs that we spent.
7 COUNCILMEMBER FLEMING: Okay. These are
8 delivered by Crystal Springs?
9 MS. WILSON: Yes, ma'am.
10 COUNCILMEMBER ROCHE: So this will be a
11 water cooler in what departments? How many?
12 MS. WILSON: For the entire city will be
13 nine.
14 COUNCILMEMBER BATES: Do we need to install
15 new water lines?
16 MS. WILSON: Do we need to do what?
17 COUNCILMEMBER BATES: Install new water
18 lines.
19 MS. WILSON: No.
20 For Crystal Springs, we spent $2,375.42.
21 COUNCILMEMBER BATES: To date?
22 MS. WILSON: To date.
23 COUNCILMEMBER BATES: Fiscal year to date?
24 MS. WILSON: Yes, to date. From last year
25 up to current is what we've spent.

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1 COUNCILMEMBER ROCHE: So you're going to set
2 up a little water cooler back here for us?
3 COUNCILMEMBER PITTMAN: We thought about
4 putting it over there in the corner behind
5 Ms. Alexander unless you want it behind you.
6 COUNCILMEMBER ROCHE: Normally I'd want to
7 put it out for bids, but since it's less than $5,000,
8 I guess I'm in favor of it.
9 COUNCILMEMBER PITTMAN: Now, we're not going
10 to actually spend the $4,000. I just rounded it up to
11 a whole number, and we're going to spend about thirty-
12 two hundred and some change, and so I just put let's
13 just round it up to $4,000.
14 COUNCILMEMBER BATES: This would be a one-
15 year contract, I assume, Mr. Weed?
16 MS. WILSON: Yes.
17 ATTORNEY WEED: Yes, sir.
18 COUNCILMEMBER ALEXANDER: Did they supply
19 any references of other customers?
20 MS. WILSON: I didn't ask them for any. We
21 just decided to go with two local companies that were
22 here, try to use our own businesses.
23 CLERK BLACKMON: Yeah, we did research two
24 companies. This is just the one out of the two that
25 was chosen.

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1 COUNCILMEMBER FLEMING: And the coolers that
2 we presently have are supplied by whom?
3 MS. WILSON: Crystal Springs.
4 COUNCILMEMBER FLEMING: And that was a
5 rental agreement with them or --
6 MS. WILSON: They can --
7 COUNCILMEMBER FLEMING: -- they own them?
8 MS. WILSON: -- come pick -- No, we do not
9 own them. And our service is not that good with them,
10 either.
11 MAYOR JENKINS: Excuse me. Are you
12 referring to the two coolers we have?
13 MS. WILSON: Yes, sir.
14 MAYOR JENKINS: We bought those.
15 MS. WILSON: Okay.
16 Plus this will be a lot cleaner, because you
17 take those big bottles up, there's green -- like green
18 bacteria sitting in the bottom of it. So this will
19 be a lot cleaner. I'm sorry, but it does. It has
20 green film, bacteria at the bottom. I'm sorry.
21 COUNCILMEMBER ROCHE: I would ask for one
22 change. Paragraph B, this is the termination
23 policy -- I'm sorry -- termination part of the
24 agreement. And if I'm reading this right, essentially
25 this will automatically terminate and then roll over

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at the beginning of every year, and we have to terminate within 30 days prior to the close or 60 days after the close. That means if we decided we want to terminate it in July, we can't. I would rather have just a straight 30 days' notice to terminate.

ATTORNEY WEED: Well, we can certainly do that. We built in the additional 60 days as an additional time frame. There's a fall-back provision. Every contract terminates automatically at the end of the calendar year, and I built in another 60 days after that in case there was an "Oh-my-gosh" moment. "We didn't terminate," and 60 days after the calendar year, we want to, so I gave you another two months. However, it's not required by law; I can eliminate it. But I put that fall-back provision. It's my oh-my-God-oh-my-God, we're-going-to-crash clause I built into all of our contracts to give you one more opportunity to cancel if you didn't do it beforehand, before the end of the calendar year, but I'm happy to eliminate it.

COUNCILMEMBER BATES: But is there a --? I'm sorry. Where is the termination?

COUNCILMEMBER ROCHE: Paragraph II(B).

ATTORNEY WEED: Paragraph II(B) --

COUNCILMEMBER FLEMING: On page one.

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ATTORNEY WEED: -- page one.

COUNCILMEMBER BATES: Thank you.

COUNCILMEMBER ROCHE: Because I'm looking at $267.75 per month. I don't see any other charges.

MS. WILSON: That's it.

COUNCILMEMBER ROCHE: Right.

COUNCILMEMBER BATES: Do we have an out clause if they start up and the service is awful?

ATTORNEY WEED: We have a standard 30-day termination clause.

COUNCILMEMBER ROCHE: Well, I didn't see that. That's what I was saying.

COUNCILMEMBER BATES: Right. Because this says "terminate the Agreement thirty days prior to the day of the close of the calendar year," but it doesn't say -- I don't see where it says if we agree to it today and November 15th we decide that the service is terrible, there's not a -- not an out clause.

COUNCILMEMBER ROCHE: That was my question. That was my concern.

ATTORNEY WEED: You are correct. This one doesn't have that. I can add a 30-day notice clause.

COUNCILMEMBER BATES: Thank you.

COUNCILMEMBER ROCHE: And that would basically replace paragraph B.

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ATTORNEY WEED: No, sir, it wouldn't.

COUNCILMEMBER BATES: But --

ATTORNEY WEED: It can.

Paragraph B is required in part by law. If you want to automatically renew the agreement, then you have to have some provision that says it's going to automatically renew.

And what the importance of paragraph B is to give you two options: one, to give you the opportunity to give them 30 days notice prior to the end of the year to terminate, allow it to terminate automatically at the end of the year, or build in another 60 days after the end of the year that you can terminate as well.

COUNCILMEMBER ROCHE: I go that.

ATTORNEY WEED: So I would advise you to leave that in there, and I would add another clause that allows you to terminate based upon failure to perform with --

COUNCILMEMBER ROCHE: Right.

ATTORNEY WEED: -- 30 days' notice.

COUNCILMEMBER BATES: Great.

ATTORNEY WEED: And that is in there because this is the short-form basis of their contract that I'd simply modified to make it comport with the

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minimum time frames of Georgia law. It's not our standard contract that we use.

COUNCILMEMBER BATES: If you could add --

COUNCILMEMBER ROCHE: But like I was saying a minute ago, I think we both -- Councilman Bates and I agree on that.

COUNCILMEMBER BATES: If you could add in that 30-day out clause.

ATTORNEY WEED: Consider it done.

COUNCILMEMBER BATES: Make a motion to approve the Avalon contract with the addition of the 30-day out clause.

COUNCILMEMBER PACHUTA: Second.

MAYOR JENKINS: More discussion?

- - -

(No response)

- - -

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?

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COUNCILMEMBER PACHUTA: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: Remote deposit?
MS. WILSON: I would like the Council to approve the contract with First Intercontinental so that we can do remote deposits, which means that we will no longer have to go to the bank to deposit checks; the checks will be deposited electronically. And they're providing all the equipment and the software to install on our computers. We don't have to pay for anything.
COUNCILMEMBER ALEXANDER: The only question I had, in the specifications on the P.C., it did not list a Windows 7 operating system. It only listed XP or 2000. So I wanted to make sure it was compatible, because I think everybody here at City Hall is on Windows 7 now.
MS. WILSON: I will make sure it's compatible.
COUNCILMEMBER ROCHE: Free is good.
COUNCILMEMBER BATES: And again, even though it's free, the 30-day out clause is not in it.

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ATTORNEY WEED: It's not in the addendum. I'll have to go back and look at the termination terms in the master contract. We can revisit that. I'll make sure that there's a 30-day out clause in the master contract or I'll add it to the addendum.
COUNCILMEMBER BATES: Thank you.
COUNCILMEMBER ROCHE: If we decided to close down all our accounts and Intercontinental opened an account elsewhere and just simply stopped using this, I mean there's no penalty or anything.
ATTORNEY WEED: No.
COUNCILMEMBER ROCHE: I mean I'm with Councilman Bates. I just don't see where we have -- we're not -- we have no exposure on this one, so.
COUNCILMEMBER PITTMAN: Do we currently have an officer go or an escort?
MS. WILSON: We have -- currently have an officer come pick up our deposits every day.
We will still have to go to the bank for cash, but we get more checks in. I saw Ms. Fleming bring in her check for her sanitation. Well, that's something we can just do right then instead of having to wait till the bank, wait till the officer comes.
There is one incident where we couldn't have an officer come because there was an accident, I think

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on 285, so that became more precedent [sic]. But we still had to wait until the next morning to send those checks; whereas, if we had the remote deposit, it would already be there.
COUNCILMEMBER FLEMING: I had a couple of -- I actually have four comments, and you answered one of them.
The cash is still going to need to be deposited on a daily basis or whatever terms you have presently set up with the police department and the bank, so that scanning these checks by the devices that they're going to give us for free actually is adding an additional step to our depositing process because I would think that you're going to have to reconcile all the checks, run an adding machine tape to make sure that your figures are going to match the scanning to determine whether there have been any errors made.
MS. WILSON: We do that already. We already reconcile. We have a report that we have to send to the bank, but we have to write every check down, and we have another person that verifies that's the amount of money that's going to the bank. So we already do that now.
COUNCILMEMBER FLEMING: Correct.

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MS. WILSON: Yeah.
COUNCILMEMBER FLEMING: But you're already going to be doing that anyway.
MS. WILSON: Yeah.
COUNCILMEMBER FLEMING: But then you're going to scan them also.
MS. WILSON: Uh-huh.
COUNCILMEMBER FLEMING: And so like I said, you're adding an additional item or an additional step to the depositing process by then scanning each one of the checks.
MS. WILSON: Right.
COUNCILMEMBER FLEMING: Okay. What about error in reading the scans?
I mean I'm not familiar with this process. That's why I'm asking questions.
MS. WILSON: Uh-huh.
COUNCILMEMBER FLEMING: What about error in reading the scans where we say it's $30.00 and then scanned it for $50.00 or vice versa?
MS. WILSON: Uh-huh. I'm pretty sure we'll probably get an error message from the system. That's something we will probably take care of during the training, you know, if there is an issue like that.
For instance, right now, like the bank that

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1 I use, I don't have to do any deposits, or if I go to
2 the bank and deposit a check, I do it right at the
3 ATM, and it scans my check. And I see that image on
4 the -- on the screen, and it asks me yes or no, "Is
5 this the amount that you're depositing?" And I can
6 say yes or I can say no.
7 COUNCILMEMBER FLEMING: Is that what it's
8 going to do on each individual check that we're doing?
9 MS. WILSON: It should, yes, ma'am, because
10 we're --
11 COUNCILMEMBER FLEMING: Oh, my goodness.
12 MS. WILSON: -- scanning through it.
13 COUNCILMEMBER FLEMING: That sounds like
14 it's going to take additional time, a lot of
15 additional time.
16 MS. WILSON: I don't think so, because we
17 get checks all day. It just depends on how many
18 checks we get. Sometimes we don't -- we may get a few
19 checks. Sometimes we may get a whole lot.
20 It's -- it's eliminating when we get all the
21 checks here, that we don't have to go to the bank.
22 It's electronically hitting our account. We won't
23 have to go to the bank and have a teller to do that
24 process at all.
25 COUNCILMEMBER FLEMING: I know. We're

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1 saving the bank time.
2 MS. WILSON: Uh-huh.
3 COUNCILMEMBER FLEMING: We're adding the
4 time to ourselves.
5 MS. WILSON: And then we don't have a time
6 where we have an officer to come pick up that deposit
7 either.
8 COUNCILMEMBER FLEMING: But you're going to
9 the bank anyway.
10 MS. WILSON: If there's cash that day. Only
11 if there is cash.
12 COUNCILMEMBER FLEMING: All right. Those --
13 MS. WILSON: But if there is not cash, then
14 we don't have to go to the bank.
15 COUNCILMEMBER FLEMING: Those were my
16 questions. Thank you.
17 MS. WILSON: Uh-huh.
18 ATTORNEY WEED: And there is a 30-day
19 termination clause already in the master in paragraph
20 13.
21 COUNCILMEMBER BATES: Thank you, sir.
22 COUNCILMEMBER PACHUTA: I make a motion to
23 approve the contract with First Intercontinental.
24 COUNCILMEMBER ALEXANDER: Second.
25 MAYOR JENKINS: More discussion?

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1 - - -
2 (No response)
3 - - -
4 MAYOR JENKINS: Call the roll.
5 CLERK BLACKMON: Councilmember Alexander?
6 COUNCILMEMBER ALEXANDER: Yes.
7 CLERK BLACKMON: Councilmember Bates?
8 COUNCILMEMBER BATES: Yes.
9 CLERK BLACKMON: Councilmember Fleming?
10 COUNCILMEMBER FLEMING: No.
11 CLERK BLACKMON: Councilmember Pachuta?
12 COUNCILMEMBER PACHUTA: Yes.
13 CLERK BLACKMON: Councilmember Pittman?
14 COUNCILMEMBER PITTMAN: Yes.
15 CLERK BLACKMON: Councilmember Roche?
16 COUNCILMEMBER ROCHE: Yes.
17 MS. WILSON: Thank you.
18 COUNCILMEMBER BATES: Thank you.
19 MAYOR JENKINS: John King, come on up to the
20 microphone.
21 CHIEF KING: Mayor and members of the City
22 Council, as you saw, Congressman Hank Johnson
23 presented us with notification that we have received a
24 COPS grant authorizing us to -- to get funding for two
25 police officers.

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1 My intent -- if the Council approves by a
2 vote tonight, my intent is to have those -- apply the
3 COPS grant to two of our vacant positions that we have
4 not hired.
5 Currently I have three vacant patrol
6 positions. Well, actually, two patrol positions, one
7 detective position, one radio operator and one jailer
8 are currently vacant.
9 So it's my recommendation, if the Council
10 approves it, is to apply the COPS grant for two of
11 these positions to be able to hire them. As previous
12 Council action, all hiring and promotions require a
13 vote from the Council.
14 COUNCILMEMBER FLEMING: Okay. The amount of
15 money that you receive from the COPS grant from the
16 Federal government for those two positions, is that
17 for a year or two years or --
18 CHIEF KING: It's a year, ma'am. It's
19 renewed. The expectation is that they pay for three
20 years of their salaries.
21 We estimated -- our request for that grant
22 was estimating the total salary and benefits package
23 of one patrol officer for -- and then we are required
24 to keep these officers employed for four years
25 minimum. They will pay for three years, and basically

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we will be responsible for that last year.
COUNCILMEMBER FLEMING: So that was for one or two?
CHIEF KING: Two police officers, ma'am.
COUNCILMEMBER FLEMING: Okay.
COUNCILMEMBER PITTMAN: So you're wanting one patrol officer and two --
CHIEF KING: I want to hire -- I want to be able to hire the two patrol officers, the two police officers. It's what the grant calls for. But I want to get the vote from the Council if the Council approves it.
COUNCILMEMBER ROCHE: That's three altogether, right?
CHIEF KING: No, sir, two.
COUNCILMEMBER PITTMAN: Two.
COUNCILMEMBER ROCHE: I'm sorry. I'm misunderstanding.
CHIEF KING: For this -- I've got -- I've got other items on the agenda, but I want to kind of take them systematically one at a time. I want to deal with the COPS grant first before we got to the other items.
COUNCILMEMBER ROCHE: Okay. So -- because it says approve the hiring of one patrol officer as

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well as the two COPS officers.
COUNCILMEMBER PITTMAN: You're going to do that separate.
CHIEF KING: Yes. My -- I want to deal with the COPS grant because that has to be specific to the COPS grant.
I want to get authorization on my other item on the agenda. I want to be able to get the authorization to hire -- Instead of replacing the captain we have, replace it with a patrol officer.
COUNCILMEMBER ROCHE: Okay. So right now you just need --
CHIEF KING: Because that is a different pot of money. That's why I'm trying to keep them separate.
COUNCILMEMBER ROCHE: Right now you just need a motion for two officers --
CHIEF KING: Yes, sir --
COUNCILMEMBER ROCHE: -- for the COPS.
CHIEF KING: -- for two officers.
COUNCILMEMBER PITTMAN: Okay. So I'll make a motion that --
ATTORNEY WEED: Well, the first thing you need to do is lift the -- make a motion to lift the hiring freeze, and then after you do that, you would

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make a motion to create the new positions.
COUNCILMEMBER PITTMAN: Okay. Make a motion to lift the hiring freeze.
COUNCILMEMBER ROCHE: Second.
MAYOR JENKINS: Any 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.
COUNCILMEMBER PITTMAN: And now I make a motion that we approve the hiring of the two officers with the COPS grant.
COUNCILMEMBER ROCHE: Second.

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MAYOR JENKINS: Discussion?
- - -
(No response)
- - -
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.
CHIEF KING: And Mayor, if you don't mind, sir, if you can sign that document (presenting). That gives me the authorization to apply to the Department of Justice.
On the other position -- Mr. Roche, as you mentioned, there's a third position. Currently we -- my intent is to --
We're in the process of reorganizing the

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1 police department, and part of that reorganization,
2 instead of replacing the captain that is no longer
3 with us is use that position and replace it with a
4 patrol officer, and then take the savings out of
5 that -- of that salary to be able to adjust the pay of
6 two lieutenants to make them assistant division
7 commanders because they're taking increased duties and
8 responsibilities.
9 COUNCILMEMBER ROCHE: Is that a break-even
10 in terms of cost?
11 CHIEF KING: Yes, sir. It will be revenue
12 neutral. It will not -- And I've already talked to
13 Shanta.
14 What I'm asking is for the authorization to
15 use that salary, whatever's left out of this year's
16 salary, for that position, to adjust those two lieu-
17 tenants and be able to pay for my corporals who are
18 basically running shifts at this point.
19 But I don't have any corporals, so I want to
20 promote a couple people to corporals for taking those
21 added responsibilities and those two lieutenants, with
22 the caveat that it does not go over the amount of
23 salary for that captain position.
24 COUNCILMEMBER ROCHE: Right.
25 COUNCILMEMBER FLEMING: Okay. Before we

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1 make any type of motions, because this is a two-item
2 agenda, because you have salary adjustments as one
3 agenda item, number 3 --
4 CHIEF KING: Yes, ma'am.
5 COUNCILMEMBER FLEMING: -- under you.
6 CAPTAIN ATKINSON: That was my error
7 completing that form.
8 COUNCILMEMBER FLEMING: Okay. So is it a --
9 I'd really like to sort of do it separately,
10 personally, to hire the one patrol officer as a motion
11 and then do the salary --
12 CHIEF KING: Yes.
13 COUNCILMEMBER FLEMING: -- adjustments on
14 the other if you don't mind.
15 CHIEF KING: No, not at all, ma'am.
16 COUNCILMEMBER FLEMING: Council --
17 COUNCILMEMBER ROCHE: That's fine.
18 COUNCILMEMBER FLEMING: -- is that
19 acceptable?
20 COUNCILMEMBER ROCHE: That's fine.
21 COUNCILMEMBER PITTMAN: That's fine.
22 Okay. So I'm --
23 COUNCILMEMBER FLEMING: I'm sorry?
24 COUNCILMEMBER PITTMAN: Go ahead.
25 COUNCILMEMBER FLEMING: I'd like to make a

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1 motion to give permission to Chief King to hire one
2 patrol officer to replace the captain's position
3 that's vacant.
4 COUNCILMEMBER PITTMAN: Second.
5 MAYOR JENKINS: Discussion?
6 - - -
7 (No response)
8 - - -
9 MAYOR JENKINS: Call the roll, please.
10 COUNCILMEMBER ALEXANDER: Yes.
11 CLERK BLACKMON: Councilmember Alexander?
12 COUNCILMEMBER ALEXANDER: Oh. I'm sorry.
13 Yes.
14 CLERK BLACKMON: Councilmember Bates?
15 COUNCILMEMBER BATES: Yes.
16 CLERK BLACKMON: Councilmember Fleming?
17 COUNCILMEMBER FLEMING: Yes.
18 CLERK BLACKMON: Councilmember Pachuta?
19 COUNCILMEMBER PACHUTA: Yes.
20 CLERK BLACKMON: Councilmember Pittman?
21 COUNCILMEMBER PITTMAN: Yes.
22 CLERK BLACKMON: Councilmember Roche?
23 COUNCILMEMBER ROCHE: Yes.
24 MAYOR JENKINS: All right.
25 COUNCILMEMBER FLEMING: Okay. And before

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1 you go to sexual harassment, can we go ahead and do
2 the salary adjustment and go ahead and finish that
3 out?
4 CHIEF KING: Yes, ma'am.
5 My intent, ma'am, is because I am adjust --
6 We reorganized the department. Instead of replacing
7 the captain, I shifted sections and units to the two
8 captains. They get overwhelmed with the span of
9 control, the number of people they're supervising, so
10 I'm bringing two lieutenants and make them assistant
11 division commanders. I'm not giving them increased --
12 I'm not giving them an additional rank. I don't want
13 any extra captains.
14 But I'm bringing two lieutenants to make
15 them assistant division commanders, and I want to give
16 them a step pay, a step raise to each one of them to
17 adjust for those increased responsibilities. And that
18 will be all covered under the -- under the salary of
19 that captain. It's revenue neutral and it will not --
20 it will not go over.
21 I have to determine with Ms. Wilson how much
22 of that salary for that captain is left so I can then,
23 you know, provide each one of them with the
24 appropriate amount, but it will -- it will be revenue
25 neutral.

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1 COUNCILMEMBER FLEMING: Okay. The only
2 question I had on this particular one with these two
3 positions that you're promoting them to because it is
4 a promotion, and I congratulate the two of them, are
5 these scheduled for in-field service or is it more
6 like a desk duty administration?
7 CHIEF KING: Oh, they're -- they're field
8 officers, ma'am.
9 COUNCILMEMBER FLEMING: Okay.
10 CHIEF KING: Yes. We're not -- There's so
11 much, the administrative part. For example, one of
12 them was going to be assisting, you know, Major
13 Atkinson because I've dumped a -- All the extra's
14 going to Major Atkinson --
15 COUNCILMEMBER FLEMING: Right.
16 CHIEF KING: -- and very quickly he runs out
17 of hours in a day to be able to manage all these
18 sections.
19 And then the other one is my detective
20 captain. I'm moving him out of detective, making him
21 my uniform, but also putting the detectives under him.
22 I need somebody to supervise the detectives.
23 COUNCILMEMBER FLEMING: Okay. Thank you.
24 COUNCILMEMBER ALEXANDER: And you mentioned
25 something about corporals?

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1 CHIEF KING: Yes, ma'am. My intent is to
2 try to get the field training officers, which are key
3 to running a police department, especially with brand
4 new employees, is bring these senior police officers
5 who -- there's -- there's nothing in between patrol
6 officer and sergeant. I need to have a field -- the
7 field training officers and the -- and the senior
8 officers who run a lot of times a shift when there's
9 not a sergeant available, the ability to get promoted
10 to corporal, and it's one per shift is right now what
11 I'm looking at depending on how much money I'm left
12 with from that captain's salary position. Again,
13 trying to do all this revenue neutral.
14 COUNCILMEMBER ALEXANDER: Do you already
15 have corporals listed in your --
16 CHIEF KING: Yes, I do have corporals on
17 the -- on the step program, ma'am. We just don't
18 have -- It was one of those positions that we have not
19 filled over the years.
20 COUNCILMEMBER FLEMING: And how many? One
21 per shift?
22 CHIEF KING: Ideally, ma'am, it's one. It
23 all depends how much money I got left, ma'am. That
24 will be the driving factor. Whatever money I got
25 within that salary is how many I will able to adjust.

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1 They might not get a full step because I just don't
2 have that money left in the salary. But the
3 commitment to the City is that I will not go over that
4 captain's salary, whatever is left this fiscal year.
5 COUNCILMEMBER ALEXANDER: How many FTOs do
6 you have now?
7 CHIEF KING: Currently, I believe, four,
8 ma'am.
9 COUNCILMEMBER ROCHE: Sounds fine to me.
10 COUNCILMEMBER ALEXANDER: I make a motion
11 that we allow you to use the balance of the captain's
12 salary to adjust the salaries of the senior
13 lieutenants and, if funds exist, also promote possibly
14 four FTOs to the rank of corporal with salary
15 adjustments.
16 COUNCILMEMBER ROCHE: I second that.
17 MAYOR JENKINS: Any more discussion?
18 - - -
19 (No response)
20 - - -
21 MAYOR JENKINS: Call the roll.
22 CLERK BLACKMON: Councilmember Alexander?
23 COUNCILMEMBER ALEXANDER: Yes.
24 CLERK BLACKMON: Councilmember Bates?
25 COUNCILMEMBER BATES: Yes.

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1 CLERK BLACKMON: Councilmember Fleming?
2 COUNCILMEMBER FLEMING: Yes.
3 CLERK BLACKMON: Councilmember Pachuta?
4 COUNCILMEMBER PACHUTA: Yes.
5 CLERK BLACKMON: Councilmember Pittman?
6 COUNCILMEMBER PITTMAN: Yes.
7 CLERK BLACKMON: Councilmember Roche?
8 COUNCILMEMBER ROCHE: Yes.
9 MAYOR JENKINS: Okay.
10 CHIEF KING: The next item is a request to
11 the City Council to -- Currently we have a difference
12 in the policies for sexual harassment between the
13 police department and the City, and the key is
14 basically the way we approach this.
15 Currently, the City policy is that
16 complaints of harassment or sexual harassment get
17 reported to the Mayor and/or to the city attorney.
18 There's nothing wrong with that. It's clearly legal.
19 I mean the city attorney has put a lot of work into --
20 into that policy, and I don't have a problem with that
21 being one of the avenues.
22 My challenge, what I would like the City to
23 consider, is to empower the chain of command and the
24 department heads to be responsible for what happens in
25 their departments and to take positive action and

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1 concrete action the moment an issue comes up. I'm
2 uncomfortable basically just saying, "No, you got to
3 go to City Hall," when I know what right looks like.
4 So I would ask the City Council to take -- to let --
5 to empower the chain of command in those departments
6 to clean their own house.
7 The quick -- the better -- in my experience,
8 the easiest way to deal with a problem is nip it in
9 the bud the first time it occurs.
10 To wait for something gets -- you know, gets
11 elevated to the Mayor or to the city attorney, I think
12 it just -- it puts the City in, I think, peril, and I
13 would respectfully request that the City authorize the
14 department heads to take proactive action and have a
15 policy where you -- you know, the chain of command is
16 in charge of their departments to nip things in the
17 bud the moment it occurs.
18 COUNCILMEMBER PITTMAN: And I couldn't agree
19 with you more.
20 COUNCILMEMBER ROCHE: Well, my --
21 COUNCILMEMBER PACHUTA: The current policy
22 says employee may bypass the supervisor. So are you
23 just asking for more detailed --
24 CHIEF KING: Yes. I mean --
25 COUNCILMEMBER PACHUTA: -- instructions to

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1 go through --
2 CHIEF KING: -- right now it's --
3 COUNCILMEMBER PACHUTA: -- the chain of
4 command?
5 CHIEF KING: -- main bypass but it's not
6 clear. I think clearly the policy, the Mayor and the
7 city attorney should be one of the avenues, but right
8 now "may" is extremely vague, and I --
9 COUNCILMEMBER PACHUTA: So you're just --
10 CHIEF KING: -- want detail --
11 COUNCILMEMBER PACHUTA: -- asking for more
12 clarification and detail?
13 CHIEF KING: I want the chain of command to
14 take care -- you know, to take care of our problems.
15 I think we -- I think we've proven to the City and to
16 the City Council that we are capable of dealing with
17 problems.
18 But I want to have -- be able to look at my
19 supervisors and look them in the eye and say, "Hey, we
20 have to change the culture of thinking," in my
21 department.
22 I can't write checks for the other
23 departments, but I want to change the cultural
24 thinking, that that behavior is not tolerated and
25 we're not going to put up with it, and we're not just

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1 going to pawn it off on, "Oh, you need to go to City
2 Hall or go to the city attorney to deal with this."
3 I want to empower my supervisors that when
4 this occurs, when this -- you know, the first time it
5 occurs, we deal with it, but I feel like I need that
6 authority from the City Council because the charter is
7 pretty restrictive about personnel actions.
8 ATTORNEY WEED: And legally, I don't have an
9 issue with that other than you have to have built into
10 the program if the supervisor is the harassing
11 party --
12 CHIEF KING: Yes.
13 ATTORNEY WEED: -- you have to give the
14 employee somewhere else to go other than through the
15 strict chain of command. You must do that under the
16 law.
17 CHIEF KING: And no remarks that I made
18 tonight would change that, but I want to empower our
19 supervisors to do the right thing.
20 Clearly, if a supervisor is the harasser,
21 clearly, you know, he should be bypassed or she should
22 be bypassed.
23 COUNCILMEMBER ROCHE: The only thing I would
24 add or ask is that -- and if it's not already in
25 there, is that regardless of what level it's taken

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1 care of, it always gets reported to the -- to the
2 Mayor and to the city attorney.
3 CHIEF KING: Yes, sir. No --
4 COUNCILMEMBER ROCHE: Regardless of what
5 level it's handled, I mean any complaint needs to be
6 reported.
7 CHIEF KING: Yes, sir. I mean we are
8 required by our State standards to keep a record of
9 all investigations.
10 COUNCILMEMBER ROCHE: No, I understand
11 that's within the police department. I mean I'm just
12 saying across the board, that there's always a record
13 that goes to the Mayor.
14 CHIEF KING: My apologies, sir. I'm very
15 uncomfortable speaking on behalf of the other
16 department heads so --
17 COUNCILMEMBER ROCHE: I understand.
18 CHIEF KING: -- so I want to make sure
19 that --
20 COUNCILMEMBER ROCHE: I just don't want a
21 situation where it only rises to maybe three levels up
22 and then it's not heard of anywhere else --
23 CHIEF KING: You're right.
24 COUNCILMEMBER ROCHE: -- because a person --
25 an employee could get transferred to another

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1 department and maybe the problem recurs there. And
2 because it never rose to the top --
3 CHIEF KING: Yes.
4 COUNCILMEMBER ROCHE: -- no one knows about
5 it.
6 CHIEF KING: I agree, sir.
7 COUNCILMEMBER ROCHE: That would be my only
8 caveat.
9 COUNCILMEMBER FLEMING: Now, are you --
10 COUNCILMEMBER ROCHE: -- or only correction.
11 COUNCILMEMBER FLEMING: Are you suggesting
12 that --? And maybe this isn't part of yours but part
13 of Ms. Pachuta's item number 2 for old business, is
14 that the appeal process? Is that what you're --
15 CHIEF KING: I don't know what that number 2
16 is, ma'am. I'm sorry. I'm not aware of that.
17 COUNCILMEMBER PACHUTA: Yeah. The personnel
18 policy revisions, no, it's not the same thing. He's
19 just saying if an employee -- I'm viewing your request
20 as that this complaint procedure needs to be a little
21 bit more detailed as far as what the options are
22 within the chain of command before -- still leaving an
23 avenue of going to the Mayor or the city attorney,
24 but, I guess --
25 CHIEF KING: I want to empower --

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1 COUNCILMEMBER PACHUTA: -- detailing --
2 CHIEF KING: -- the chain of command.
3 COUNCILMEMBER PACHUTA: -- detailing respon-
4 sibilities within the chain of command. Am I -- Is
5 that correct?
6 CHIEF KING: I want to make sure that the
7 chain of command is held responsible for taking
8 proactive action when an incidence of sexual
9 harassment takes place in the workplace, not just
10 to --
11 Right now, you know, the policy makes the
12 employees feel that the need to go either to the Mayor
13 or to the city attorney, and I want it detailed that
14 it is the chain of command's responsibility. I would
15 say I would -- I take it to be it's my primary
16 responsibility to deal with it.
17 Now, obviously if the employee's
18 uncomfortable or the employee feels that I'm the one,
19 clearly they should go to the Mayor and to the city
20 attorney. But I want to make sure that leaders are
21 leading.
22 COUNCILMEMBER FLEMING: I read this
23 information that we were given, to any type of alle-
24 gation of misconduct.
25 CHIEF KING: That's correct.

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1 COUNCILMEMBER FLEMING: Not just sexual
2 harassment.
3 CHIEF KING: Absolutely.
4 COUNCILMEMBER FLEMING: So I'm very much in
5 favor of your -- of the report that we've been given
6 or the procedures that you have given us.
7 CHIEF KING: That is currently our policy,
8 and the reason is because there's a difference between
9 what our internal policies in the department is and
10 the City employee policy, but clearly the City
11 employee policy takes precedence over our SOPs.
12 ATTORNEY WEED: Now, I want to clarify this
13 at this point. There are -- there are at least three
14 different and parallel procedures, and that's how they
15 -- they ought to be. You approved the personnel
16 policy under the law for a specific reason. There's
17 an Equal Opportunity process, there is a sexual
18 harassment process. That sexual harassment process is
19 also part of the Equal Opportunity process. But if
20 you are being -- if something is occurring against you
21 because you are Jewish, there's a process for that.
22 If something is occurring against you because your
23 boss wants to go out on a date with you and you don't
24 want to go, there's a process for that.
25 The other process, which Councilman Pachuta

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1 and we've been working on the amendment on item 2,
2 that deals only with disciplinary functions not
3 including termination or inducement to resign. That
4 would be, "Joe, you're doing a bad job. You need to
5 fill out your reports properly. You need to take a
6 day off." That's the type of situation that that
7 process in item number 2 deals with.
8 So I want to make sure there's no -- no
9 crossing of the lines here, because they are different
10 processes and they must be different processes.
11 COUNCILMEMBER FLEMING: But 10.3.1 indicates
12 it is the desire of the City to resolve any concerns
13 informally and, as such, both supervisors and
14 employees are expected to make every effort to resolve
15 problems as they arise.
16 So it's not indicating whether it's sexual
17 harassment, whether it's any other form. And that's
18 when we get into the appeal process.
19 ATTORNEY WEED: It doesn't mention it there
20 because it's mentioned in 2.6 at the beginning of the
21 policy.
22 COUNCILMEMBER PITTMAN: And you're talking
23 about your chain -- corporal, sergeant, lieutenant,
24 captain, major?
25 CHIEF KING: Yes.

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COUNCILMEMBER PITTMAN: Okay.
CHIEF KING: And that's why I bring it. I know this -- that's where the frustrations is. I just don't want to let -- I don't want to allow my employees to just be able to shrug their shoulders when something bad is happening, "Well, you know, I guess you got to go to the Mayor or to the city attorney." I don't want to allow that. I think we're better than that.
And that's what I'm asking for: to put the onus on our supervisors to deal with it, whatever it is -- primarily sexual harassment, but for other disciplinary issues too. And I know they have to be kept separate because those are very highly litigated issues.
COUNCILMEMBER FLEMING: Okay. Forgive me for my confusion.
CHIEF KING: Ma'am, this is -- this is Ph.D. level hard stuff, and there's nothing wrong with taking our time because --
COUNCILMEMBER FLEMING: But Mr. Weed, in your e-mail this afternoon, you referenced 10.3.3.
ATTORNEY WEED: I'm not sure which e-mail you're referring to, but I know for a fact that it was never my intention and I haven't sent an e-mail that

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says anything about abandoning 2.6. They are very different policies and they're meant to be different policies.
COUNCILMEMBER FLEMING: Okay. But in -- I want to be sure that before I vote on your particular item --
CHIEF KING: I'm not sure what --
COUNCILMEMBER FLEMING: -- that I understand --
CHIEF KING: -- what's transpired between you and the city attorney.
COUNCILMEMBER FLEMING: -- that I understand what we're going to try to do in old business before I --
COUNCILMEMBER PACHUTA: That has nothing to do with the sexual harassment policy or an EEOC policy. That has to do with just general discipline and appeals of discipline. It has nothing to do with sexual harassment complaints or EEOC complaints.
The incident that arose dealt with sexual harassment but it dealt with discipline of employees. It did not deal with what an employee does and the procedure they do when they have been sexually harassed, which is what this 2.6 complaint is.
CHIEF KING: I think, ma'am -- thanks from

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Major Atkinson. I think the issue with Ms. Pachuta is the appeal. Once an investigation and discipline has taken place, then there's an appeal process for offenses that don't lead to termination or inducement to resign.
COUNCILMEMBER FLEMING: That's correct.
CHIEF KING: What I'm dealing with is the discipline process in the front end, how we deal with that. That's what I'm trying to advocate.
COUNCILMEMBER PACHUTA: Dealing with a complaint.
CHIEF KING: Dealing with a complaint.
COUNCILMEMBER FLEMING: Okay.
ATTORNEY WEED: For sexual harassment.
COUNCILMEMBER PITTMAN: Or you're saying anything. Sexual harassment or anything.
ATTORNEY WEED: And I'm saying my opinion is it can't be anything. I mean we can specify what it is, but if it's an Equal Opportunity issue, you know, an officer is being -- an officer alleges that he is being treated differently because he is Jewish, there's a battery of law that deals with that.
If an officer who is female believes that her supervisor is harassing her sexually and wants to go out on a date, there's a battery of law that deals

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with that.
If an officer feels like, "I got a bad OER," officer evaluation report, you know, "and was sent home for the day without pay, and I shouldn't have," there is a battery of law that deals with that.
CHIEF KING: I --
COUNCILMEMBER BATES: Okay. Okay. Hold on.
So I understand that.
And Chief, I believe I understand your issue.
Mr. Weed, under your analogy, all three of those, under 2.6, the complaint procedure, would the complaint procedure apply to all three of those analogies that you gave?
ATTORNEY WEED: Absolutely not.
COUNCILMEMBER BATES: Okay. That's -- that's -- What I wanted to get clarified is that the complaint procedure under 2.6 talks about discrimination, harassment, retaliation or other unlawful or inappropriate treatments.
So how do you differentiate between, "I've been inappropriately treated because I am Jewish," versus, "I've been EEOC'd because I'm Jewish"?
ATTORNEY WEED: If you look at the other sections under 2.6 and 2.3, 4 and 5, there is a

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1 definition of class. You have to be a member of a
2 protected class: you must be gay, you must be Jewish,
3 you must be black; you must be a member of a protected
4 class.
5 That's completely different than, "Joe
6 Smith, you are a bad employee. You didn't file your
7 reports on time. You're going home for a day."
8 Now, Joe Smith may say, "You're not doing
9 that. That's a pretext punishment because I am
10 Jewish," or, "It's a pretext punishment because you
11 really want to take me out on a date, and I don't want
12 to go." Then you'd be bounced over to the 2.6
13 section.
14 But as long as it's just, "Joe, you're going
15 home for a day," and Joe says, "I don't think that's
16 right, Sergeant. I want to talk about this with
17 somebody higher up the food chain," then that would be
18 dealt with underneath, you know --
19 CHIEF KING: That would go to the Mayor.
20 ATTORNEY WEED: -- underneath 10.3.3.
21 COUNCILMEMBER PACHUTA: But if Joe thinks
22 his discipline is because of his protected class, it
23 would then move to 2.6.
24 ATTORNEY WEED: Correct.
25 COUNCILMEMBER BATES: Okay. But then,

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1 Chief, your concern is, I think, if I'm hearing
2 correctly, under 2.6, that they're being encouraged to
3 or it says "may bypass their supervisor," and you're
4 looking for a little bit more specificity on the
5 procedures: Go to your supervisor. If you're not
6 comfortable, then go to the --
7 CHIEF KING: I want to have two avenues.
8 Clearly, that avenue to go direct to the Mayor and the
9 city attorney, it's always open. I am not asking to
10 modify that.
11 But I want to make -- you know, so I can
12 empower and hold responsible my employees, because
13 right now, they don't feel like, "Well, you know, if I
14 detect this or if I know about it," which is what
15 we've discovered, "So yes, I was aware of it. But you
16 know, if you got a complaint, don't tell me. Go tell
17 the Mayor or the city attorney."
18 I don't think that's healthy for an organi-
19 zation to have that environment. I just --
20 COUNCILMEMBER PACHUTA: So it's basically to
21 make clear -- well, one, to make clear to any
22 complaining party the different avenues but also to
23 make clear to the people with any authority, "You have
24 a responsibility and you may be violating your own job
25 duties."

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1 CHIEF KING: Exactly.
2 COUNCILMEMBER PACHUTA: Okay.
3 COUNCILMEMBER BATES: Now, based upon that
4 being said, Murray, is that craftable in modifying the
5 2.6 or wherever it would be appropriate within our
6 personnel policy?
7 ATTORNEY WEED: Yes; with the one caveat
8 that -- because the policies are to protect the
9 employee, not to punish their supervisor who made a
10 decision not to report it on further. But the idea is
11 to actually protect the employee who feels they're
12 being harassed or treated badly, and so you've got to
13 have a parachute for them to take if their immediate
14 supervisor is the one who's doing the harassment.
15 COUNCILMEMBER BATES: Sure.
16 ATTORNEY WEED: You've got to have an
17 outside -- It's required. So I think we can do that,
18 and I will certainly attempt to do that.
19 I think the general idea would be we craft
20 language that says that, you know, we have a chain of
21 command. We expect you to follow the chain of
22 command. An exception to following the chain of
23 command is if it is your immediate supervisor who is
24 harassing you or if you feel like you have no other
25 alternative or avenue within your chain of command,

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1 then you may go to -- you know, we can leave it as
2 department head and/or the Mayor, you know, and/or the
3 city attorney.
4 I'm only there as like the last possible
5 option where the chain of corruption goes rampant, but
6 that's -- fortunately, I hope that that will never
7 happen.
8 COUNCILMEMBER PITTMAN: So before the Mayor
9 and the attorney gets it, you would be the end of the
10 chain of command.
11 CHIEF KING: No.
12 COUNCILMEMBER PITTMAN: Who --? I'm not --
13 I'm missing it, then.
14 ATTORNEY WEED: I'm proposing that. What
15 I'm saying is -- and that would be fine with me --
16 COUNCILMEMBER BATES: Here's -- here's --
17 ATTORNEY WEED: -- (inaudible)
18 COUNCILMEMBER BATES: Here's what -- because
19 we're not going to resolve this up here. So can the
20 two of you and the Mayor sit down and iron this out?
21 CHIEF KING: Sir, this is -- the City
22 Council is the only one that has the authority to do
23 it.
24 COUNCILMEMBER BATES: I understand that.
25 COUNCILMEMBER PACHUTA: But can we have a

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draft?
COUNCILMEMBER BATES: But we're not going to iron this out between the nine of us arguing back and forth about something that we clearly don't understand right now.
CHIEF KING: Sir, the answer is clear. No.
COUNCILMEMBER PACHUTA: No. I think we understand your intent, but if the two of you get together and come up with draft language to give to us to approve.
ATTORNEY WEED: Sure. Yes, ma'am.
CHIEF KING: Sure, ma'am.
COUNCILMEMBER ROCHE: It would have to include, though, regardless of anybody anywhere initiating a complaint, that that also initiates a document which one way or another, at the beginning, the middle or the end of the process, the fact that that complaint did exist and was somehow resolved one way or another, has to reach the Mayor, regardless of anything else.
CHIEF KING: That exists currently police department's standard operating procedures but does not occur -- it does not -- is not present in the City policy, and we will always have to default to the City policy.

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COUNCILMEMBER ROCHE: That's what I would like to see it added to the City policy.
COUNCILMEMBER PITTMAN: But the complaints are done in writing. It's not just --
CHIEF KING: Absolutely.
COUNCILMEMBER PITTMAN: -- "I'm being harassed," or whatever. It has to be in writing; is that correct? Or --
CHIEF KING: Yes, ma'am.
COUNCILMEMBER PITTMAN: -- is it verbal?
ATTORNEY WEED: Yes. It's required.
CHIEF KING: Yes. It's always been required for us.
COUNCILMEMBER ROCHE: I just don't want a situation where someone complains about their supervisor, and they maybe resolve it, but it doesn't go any further.
COUNCILMEMBER PITTMAN: But then that's when you take it to the next chain of command. If the corporal doesn't do it and then the sergeant, then you move your way up.
COUNCILMEMBER ROCHE: I got that. What I'm saying, though, is the fact that --
CHIEF KING: Right now, that --
COUNCILMEMBER ROCHE: -- the complaint

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existed.
CHIEF KING: -- that is not the policy.
COUNCILMEMBER PITTMAN: That's what I'm saying. It's not being done.
CHIEF KING: I got it. Thank you very much.
MAYOR JENKINS: Thank you, John.
COUNCILMEMBER ROCHE: So do we need a motion to draft language stating this?
ATTORNEY WEED: In accordance with your last policy on that issue, my opinion would be yes. Because this would be, I think, Council generated, then yes.
COUNCILMEMBER PACHUTA: All right. I make a motion to have Chief King and Attorney Weed get together to draft a more detailed complaint procedure for sexual harassment policies that will outline the complaint procedure within the department as the addition to the option to go to the Mayor and/or the city attorney.
MAYOR JENKINS: You mean three of us get together, not just two. The Mayor --
COUNCILMEMBER PACHUTA: The Mayor, Chief King and the city attorney get together to draft a complaint procedure that involves a chain of command in the police department and clarifies that within the

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policy.
COUNCILMEMBER ALEXANDER: It's not just the police department, though.
COUNCILMEMBER ROCHE: That's correct.
COUNCILMEMBER ALEXANDER: It's Section 2.6.
COUNCILMEMBER PACHUTA: Okay, for each department.
COUNCILMEMBER ROCHE: I'll second that, and I'd like to make a friendly amendment to include that any and all sexual harassment complaints will be documented and a copy will be provided to the Mayor.
COUNCILMEMBER PACHUTA: Fine.
COUNCILMEMBER ROCHE: I'll second my amendment.
MAYOR JENKINS: Do you agree with that?
COUNCILMEMBER PACHUTA: Yes, I do.
COUNCILMEMBER ROCHE: I think you got the gist.
MAYOR JENKINS: Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.

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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: I think we're going to take a 10-minute break.

- - -

(Recess)

- - -

MAYOR JENKINS: Public comments on agenda items, old and new business; three minutes, please. Anybody wants to come up, come on.
MR. CHAMBERS: Richard Chambers, New Peachtree Road.
Really it's more of a question. The sidewalk on Buford Highway that's collapsed, what is the -- is that something the State takes care of? the City? the County? What's the -- I guess the plans for that, right in front of the --

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MAYOR JENKINS: Where's it at?
MR. CHAMBERS: -- soccer -- indoor soccer rink?
COUNCILMEMBER BATES: Yeah. It's in front of El Compadre, the truck/car sales people.
MR. CHAMBERS: Yes.
COUNCILMEMBER BATES: It's a State highway.
COUNCILMEMBER ALEXANDER: That's the State, and Steven Strickland has been working with them to try to get them fixed. He's been on it ever since it first happened.
MR. CHAMBERS: Do we have an estimated time?
COUNCILMEMBER ALEXANDER: They were going to send a camera truck to survey the extent of the damage.
MR. CHAMBERS: Okay.
COUNCILMEMBER ALEXANDER: They have two such trucks for the entire state.
MR. CHAMBERS: State?
COUNCILMEMBER ALEXANDER: Yes, sir.
MR. CHAMBERS: Okay.
COUNCILMEMBER ALEXANDER: And so Steven is on it. It's like a thorn in his side right now, but he's staying on it.
MR. CHAMBERS: Because it really -- I'm sure

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y'all have seen it. It is impassable --
COUNCILMEMBER ALEXANDER: Right.
MR. CHAMBERS: -- so people have to step out in the road.
COUNCILMEMBER BATES: It's going to actually, I think, start impacting Buford Highway itself.
MR. CHAMBERS: Can just a sheet of steel be put over that so it can still be used, so to speak, instead of people having to step into the roadway?
COUNCILMEMBER ALEXANDER: I don't think so.
COUNCILMEMBER BATES: I don't -- I don't know. Thank you, though.
MAYOR JENKINS: Anybody on agenda items?
MS. FRAYSSE: I've been following all of the Dekalb activity on the foreclosure registry, and I'm really glad to see that appear here on our agenda tonight, because I only found out recently that we weren't going to be able to do anything with what Dekalb has going. So I'm hoping this is going to be a way for us to also have that ability to monitor and get registry of foreclosures, so I appreciate it.
MAYOR JENKINS: Thank you.
Anybody else? Come on up.
MR. HART: It has to do with five broken

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vertebrae in my back. That's the reason why I move somewhat slowly. I have to do something about that.
I'm glad we're doing the Dekalb foreclosure listing, but can we save money by just adapting what they have?
And the other part is it seemed to be the first part of the meeting tonight dealt with a tube of toothpaste. It's where you put the cap on the tube of toothpaste, and you squeeze it at one end and it goes to one end, and then you squeeze it at the other end and it goes to the other end.
It's like there's a lot of movement here and a lot of different things being done but they don't result in the City saving any more money. It just adds to the complexity. And after you develop systems for a while, you either get some more horsepower out of them or it becomes -- it becomes more simplistic over time rather than being more complex. And it's like government; it makes things more complex without making it run any better.
So I don't know about the -- you know, they can run a nuclear power plant off a proximity card to keep their time and management budget for their employees, which I think the police department already has proximity chips in their -- in their card

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gates; that you could utilize systems merely as software venture rather than spending all this money on employees jumping on the computer and all the security problems that that entails, that you could do something a little more passive and actually would save money rather than adding to the complexity.

The same thing with this depositing checks. We're doing the bank's business. Of course they're going to give you equipment because you're doing their job for them, and we're adding more -- we're not saving any employees here because we still have the City Hall overhead, same City Hall employees, but we're not saving any money. Again, we're squeezing the tube of toothpaste but we're not getting rid of any of it.

The police captain, we moved the money from there to the other officers, but then we gave them raises. And the City is losing money right now. It's losing money because we got too much in payroll and we're not doing anything about that.

Thank you.

MAYOR JENKINS: Anybody else?

- - -

(No response)

- - -

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MAYOR JENKINS: Okay. Go into old business. Pawn shop regulations, Karen Pachuta.

COUNCILMEMBER PACHUTA: This has been an item that's been on the agenda for a few weeks, a few meetings, and I believe the main issue still is how or by what distance to limit the number of pawn shops within the city limits. And I'm not exactly sure where we left that. I think we were also going to check on the title pawns and the distances between those and then also a map.

ATTORNEY WEED: That's correct. This item will remain on the old business until we're able to generate the map.

COUNCILMEMBER PACHUTA: Okay.

ATTORNEY WEED: And I did send the Council an e-mail as to the plan of action. Mr. Haeberlin is going to contact Keck & Wood. They've got a GIS system and they were going to have them generate the appropriate maps that show that.

Have you been able to contact them yet, Mr. Haeberlin?

MR. HAEBERLIN: I have not. I will need to probably sit down with Mike. I don't think this is really a phone-call conversation because of the complexity. But I'll give Mike a call tomorrow and

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see if he can come out and meet us at our building so I can kind of explain to him, because I really need to explain to him and show him the map and what I want.

COUNCILMEMBER BATES: It would be helpful if we could move this forward. I think we're ready in theory to adopt it as soon as we can get some resolution to the distance piece. So the sooner we can move that, the sooner we can finally adopt something.

COUNCILMEMBER ALEXANDER: I also -- this is draft one of 9/29. I think that's the only one you've given us. And I had mentioned about including distance between residential property and the pawn shops, and I thought we had gotten a --

COUNCILMEMBER PACHUTA: I think we passed a motion to add distance but I don't think we came up with an amount between pawn shops and residential.

ATTORNEY WEED: That jogs my memory as well but I think the question was --

COUNCILMEMBER PACHUTA: The distance.

ATTORNEY WEED: -- what the distance was going to be.

COUNCILMEMBER ALEXANDER: So are you going to add, I guess, a subsection D?

ATTORNEY WEED: I will. What is the

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distance the Council wants to insert?

COUNCILMEMBER PACHUTA: Well, I think that's still something we need to decide.

COUNCILMEMBER ALEXANDER: I --

ATTORNEY WEED: And then my next question would be, would you want that as one of the parameters on --

COUNCILMEMBER ALEXANDER: Yes.

ATTORNEY WEED: -- the map?

COUNCILMEMBER ALEXANDER: That's what I was about to ask Mr. Haeberlin.

MR. HAEBERLIN: Well, then, we're definitely going to -- we're going to measure from the parcel boundary, correct? Because in a multi-tenant shopping center, there are various units on a piece of -- a parcel. So the distance would be measured from the parcel or --

COUNCILMEMBER PACHUTA: Well, alcohol is normally, what?, measured door to --

ATTORNEY WEED: Door.

MAYOR JENKINS: That's right.

COUNCILMEMBER PACHUTA: Is it door to door or door to the parcel of the residential or --

ATTORNEY WEED: It's door to parcel.

COUNCILMEMBER PACHUTA: Okay.

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ATTORNEY WEED: And frankly, it depends upon which thing you're measuring it to and from.

It's always from the door of the place selling to whatever, and sometimes the difference -- the difference between the door of, you know, the parcel or if it's a -- if it's school campus or college campus, it's door to parcel, and if it's to another -- if it's to an alcohol treatment center, I'm going to state, I believe that's door to door.

But we will -- we can do it either way. I mean this is -- it's not dictated. However you want to do it.

COUNCILMEMBER PACHUTA: Right.

ATTORNEY WEED: You can do it door to door, you can do it door to parcel.

COUNCILMEMBER PACHUTA: I think for residential it makes sense to do door to parcel, and then maybe between businesses door to door?

COUNCILMEMBER BATES: You know, we can get those distances once we see the distance, the radii, from the points. You know, at a hundred yards, at five hundred yards, at a thousand yards, whatever, you know, incremental distances y'all draw the circles from, we'll be able to see that the distance from pawn shop A to residential is a hundred yards or fifty

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yards or whatever.

COUNCILMEMBER ALEXANDER: Because we already know that there is one establishment that's zero. It backs up to residential-zoned property.

MR. HAEBERLIN: That's correct.

COUNCILMEMBER ALEXANDER: And that's something I feel like we definitely need to improve in the future is to try to have a buffer.

MAYOR JENKINS: And business you say is going to be door to door; is that correct?

COUNCILMEMBER PACHUTA: I don't know if --

ATTORNEY WEED: Well, at this point, it --

COUNCILMEMBER PACHUTA: -- we necessarily have to make --

ATTORNEY WEED: -- sounds like the Council would just rather get the map and put radii on it and then you'll backtrack to figure out a distance, a measurement, because right now we would locate it from -- What I'd recommend is you locate -- you start shooting at the point from the door of the pawn shop out, and that would give you the baseline distance at one hundred, five hundred, one thousand, and then from that, we can go back and decide if it ought to be door to property line or door to door or whatever.

COUNCILMEMBER PACHUTA: Okay.

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ATTORNEY WEED: Does that sound reasonable?

COUNCILMEMBER PACHUTA: Uh-huh.

COUNCILMEMBER FLEMING: And once we go through this calculation and the GIS process and so forth, the first time that we have an application, their survey is not going to indicate how far they are from another location.

So who's going to make that determination? Are they going to have to go out and get a GIS person to measure from them to the next pawn shop?

ATTORNEY WEED: What I had envisioned would be -- the final version of the ordinance would be for everyone. For the existing pawn shops and title pawns, they would have a survey that would indicate all the other pawn shops and title pawns and then whatever other requirements there are -- if there's a distance to residential, whatever the other distances are.

Anybody new who comes in would have to identify the same things. They're going to have to identify the grandfathered-in title pawns and pawn shops. They'd have to identify the distance to any residential or whatever other component Council builds into it.

COUNCILMEMBER FLEMING: And so this thing

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that we don't want more than three per 10,000 in the city isn't easier.

ATTORNEY WEED: Ma'am, it may be easier but it's less -- there's always a way to do it cheaper. There's always a way to do it easier. But that doesn't mean it's better. It doesn't mean it's legal.

COUNCILMEMBER ROCHE: I think any legal fees that we would be liable for from a lawsuit based on population we've probably already spent just talking about it.

I don't see why we can't essentially say, you know, no more than four pawn shops per 10,000 people with at least a 500-yard buffer between the front door of any new pawn shops and residential properties and be done with it several meetings ago.

It seems like whenever we have a simple solution or a complicated solution, guess which side we always go for?

ATTORNEY WEED: I'm going to give you my good-faith opinion, Councilman. It's always up to the Council to elect to do whatever you want to do, and we'll do it. I'll write it any way you want to.

COUNCILMEMBER ROCHE: I'll make a motion that we modify the pawn shop regulations to limit the number of pawn shops to no more than four pawn shops

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per 10,000 population with a buffer of 500 yards from the nearest residential property, and obviously existing pawn shops are grandfathered in. This would apply to new pawn shops.

COUNCILMEMBER FLEMING: Second.

MAYOR JENKINS: Any more discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Um.

MAYOR JENKINS: Excuse me?

COUNCILMEMBER ALEXANDER: Yes, sir. I guess that may not -- the 500 yards, that may not allow any.

COUNCILMEMBER ROCHE: Well, do you want to modify it? That's fine. You want to call it a hundred yards?

COUNCILMEMBER BATES: And again, Mr. Weed, your concern on the population-based, just so that I'm clear, is that the distance piece has been thoroughly vetted in the courts, and based upon regulatory industries, we are on firm ground with regards to any challenges that may come regarding a distance ordinance; whereas, a population-based ordinance has

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not been vetted in the courts, and it's untested ground.

ATTORNEY WEED: That is my opinion.

COUNCILMEMBER ROCHE: Doesn't mean it's wrong. It doesn't mean we wouldn't win in court, and it doesn't mean someone's going to come and sue us about it either.

ATTORNEY WEED: Are you asking me that question?

COUNCILMEMBER ROCHE: No. I'm just making a -- I mean I'm -- I guess I'm asking a yes-or-no question. I mean that's exactly how we have our labor pool set up. I think it's three per 10,000, if I remember correctly.

So if and when someone sues us, if and when we discover this is a problem, fine, but it's like we're spending a whole lot of time and a whole lot of money on a problem that hasn't happened yet.

ATTORNEY WEED: Well, with regard to the expenditure of money, the Council has negotiated a flat rate. So if I spend my time on this as opposed to anything else, you've already paid for the work. So that isn't an immediate consideration.

With regard to my opinion, my opinion is as Councilman Bates stated. I've said that numerous

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times.

I think one of the reasons why -- or what you want me to do is try to be proactive and give you the best advice that would keep you out of trouble to save you money later. If litigation isn't covered by insurance, that does come out of the City's pocket. So in my opinion, it would be ultimately more expensive to take the risk of taking chances and get sued over something that was, you know, not as solid a basis as a distance basis.

COUNCILMEMBER ROCHE: But by the time you --

ATTORNEY WEED: I think that would cost you more in the long run in my opinion.

COUNCILMEMBER ROCHE: Sorry.

COUNCILMEMBER FLEMING: But honestly, Mr. Weed, and I don't mean to contradict you but you didn't mention any of this when we were discussing labor pools.

ATTORNEY WEED: No, ma'am, I didn't, because, you know, three years ago -- I'm a better attorney now and I've learned more, and three years from now, I hope I'll be a better attorney than I am now.

COUNCILMEMBER FLEMING: Okay.

ATTORNEY WEED: And as I grow and as the law

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changes, my job is to keep telling you that, and I'm going to.

COUNCILMEMBER ROCHE: But by the time we get this --

COUNCILMEMBER FLEMING: Thank you.

COUNCILMEMBER ROCHE: -- approach sorted out, it's going to be three more years from now, so I mean by the time we get the GIS and all, you know, it's --

I made the motion. I'll be happy to modify it to 100 yards, I'd be happy to modify the number four, and it either sinks or swims, and we can maybe deal with something else.

COUNCILMEMBER ALEXANDER: I think you just said pawn shops. I would like you to add the language to include the title pawn also.

COUNCILMEMBER ROCHE: Yeah, and I assumed that they were all the same.

ATTORNEY WEED: I had planned on doing that if the motion passed.

COUNCILMEMBER ROCHE: And that's -- I'd certainly make that amendment.

COUNCILMEMBER BATES: And the motion was for four?

COUNCILMEMBER ROCHE: Four per 10,000 and

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1 500 yards, and I think Councilwoman Alexander is
2 right. That may be a little too much.
3 COUNCILMEMBER ALEXANDER: Trying to find all
4 the research I did. I think one of the municipalities
5 that Councilman Bates and I looked at was 150 yards
6 from residential.
7 COUNCILMEMBER BATES: There were several
8 that were 150 yards.
9 COUNCILMEMBER ALEXANDER: 150 yards from
10 residential.
11 COUNCILMEMBER ROCHE: I would be happy to
12 modify my motion to make that 150-yard buffer between
13 the front door of any new pawn shops and residential.
14 COUNCILMEMBER FLEMING: I modify my second.
15 COUNCILMEMBER ALEXANDER: So this is only
16 changing in the proposed ordinance you have supplied
17 us the language in 6-92, because I don't want to
18 change -- We've got hours in here, we didn't have that
19 in the old ordinance, and I would like to keep that.
20 COUNCILMEMBER ROCHE: That's right. I'm
21 only talking about the number that can be in town,
22 because by the time we finish paying Keck & Wood to do
23 all these surveys and everything and everything else
24 and on and on and on, we'll just --
25 I would like to get to the foreclosed

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1 property registration item on the agenda.
2 ATTORNEY WEED: 6.9 what?
3 COUNCILMEMBER BATES: 92.
4 COUNCILMEMBER ALEXANDER: 6-92, page two.
5 ATTORNEY WEED: Okay.
6 COUNCILMEMBER BATES: That's all that this
7 would be modifying if it passes?
8 ATTORNEY WEED: If you want it to do that,
9 yes, sir; correct.
10 COUNCILMEMBER ROCHE: Right.
11 ATTORNEY WEED: I'm not going to make
12 changes you haven't requested.
13 COUNCILMEMBER BATES: Mr. Roche, could you
14 amend your motion again to reflect it only modifying
15 6-92?
16 COUNCILMEMBER ROCHE: Yeah, I'm looking at
17 that now. It would basically replace 6-92 paragraph
18 A, and I guess they would need a survey to take care
19 of the buffer in B; right?
20 COUNCILMEMBER BATES: They would.
21 COUNCILMEMBER ROCHE: And then C would stay.
22 So I'll modify -- I'll amend my motion as I stated.
23 You okay with that?
24 COUNCILMEMBER FLEMING: Yes.
25 COUNCILMEMBER ROCHE: Second.

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1 MAYOR JENKINS: You want to add to that,
2 Scott?
3 MR. HAEBERLIN: I just want to -- it's a
4 question from the staff just so we understand.
5 When you say "residential," what are you
6 meaning? Every district that has more residential in
7 it or are we referring to single-family detached?
8 Because we have that situation all the time. I just
9 want to understand, does that include every
10 residential district with the word residential?
11 COUNCILMEMBER ROCHE: I'm open to
12 persuasion. You want to say R-1/R-2 only or R-1/RCA/
13 R-2? Do we want to include apartment houses? I'm
14 fine with including all residential.
15 COUNCILMEMBER BATES: I'm fine with all
16 residential.
17 COUNCILMEMBER FLEMING: I am too.
18 COUNCILMEMBER ROCHE: So I think that's the
19 way the motion was, so --
20 COUNCILMEMBER BATES: Got it. All
21 residential.
22 MR. HAEBERLIN: Well, the reason I asked
23 that, because that will essentially kill almost all in
24 terms of locations, because the way this city is
25 structured, you know, there are all sorts of forms of

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1 residential living that abut upon most of our
2 commercial corridor. So really you are definitely
3 winnowing down the available sites. So I mean I want
4 you to understand that. I don't know if you knew that
5 when you made the motion.
6 COUNCILMEMBER ROCHE: I was fully aware of
7 that, and this is only going to apply to brand-new
8 title pawns or pawn shops that do not currently exist.
9 ATTORNEY WEED: And while you can clearly
10 regulate them, remember you can't completely eliminate
11 them in an area that they're allowed for. So while,
12 you know, maybe only three or four at the end of the
13 day will be able to fit those locations, that number
14 can't be zero.
15 COUNCILMEMBER ROCHE: I think within 150
16 yards, that should be plenty of room.
17 COUNCILMEMBER ALEXANDER: Do we need to
18 specify (inaudible)?
19 THE REPORTER: I'm sorry?
20 ATTORNEY WEED: Yes, ma'am.
21 THE REPORTER: Could you repeat that.
22 COUNCILMEMBER FLEMING: Maria, I didn't hear
23 you.
24 COUNCILMEMBER ALEXANDER: Do we need to
25 specify how it's measured.

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COUNCILMEMBER ROCHE: Well, the motion was from the front door of the pawn shop to the residential --
COUNCILMEMBER ALEXANDER: To the parcel?
COUNCILMEMBER ROCHE: -- parcel.
COUNCILMEMBER ALEXANDER: Okay.
COUNCILMEMBER ROCHE: I'll amend my motion to make it residential parcel.
COUNCILMEMBER FLEMING: I concur.
COUNCILMEMBER ROCHE: You second?
COUNCILMEMBER FLEMING: I most certainly do.
MAYOR JENKINS: I think we need to read that motion.
COUNCILMEMBER ROCHE: I make a motion to modify -- I'll start over.
I'll make a motion to modify -- let me find the page here -- Section 6-92, replace paragraph A with no more than four pawn shops per 10,000 population; modify paragraph B, applicant will provide to City a survey showing the distance to the nearest residential parcel and reflecting a 150-yard buffer.
CLERK BLACKMON: On all residential.
COUNCILMEMBER ROCHE: From the front door of the pawn shop to the residential parcel, nearest residential parcel.

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CLERK BLACKMON: On all residential.
COUNCILMEMBER ROCHE: Okay, on all residential.
COUNCILMEMBER FLEMING: I second that motion still.
MAYOR JENKINS: You had something in there about four every 10,000 population; is that correct?
COUNCILMEMBER ROCHE: Yes, sir.
MAYOR JENKINS: Okay. And you did say -- and I don't believe it's in your motion, that the other -- they're grandfathered in?
COUNCILMEMBER ROCHE: Well, that's section C which is there already.
MAYOR JENKINS: Okay.
COUNCILMEMBER ROCHE: I didn't mention that.
MAYOR JENKINS: That's in there; is that correct?
COUNCILMEMBER ROCHE: Yeah. I was going to leave section C. I didn't say anything about that.
I'm sorry. Not section C; paragraph C.
MAYOR JENKINS: Okay. Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll, please.

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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: No.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: No.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
Thank you.
MAYOR JENKINS: Murray?
ATTORNEY WEED: Per my e-mail that I sent to the Council earlier today, I just wanted to bring this back up. This will continue on old business until the Council elects to do something with it.
Essentially, these are the changes to the personnel policy that our firm recommended for 2010, and per the e-mail that I sent out today, most of these changes, the vast majority of them are things that are already in the code book now. They simply aren't in the personnel policy. For example, you've already got an ordinance that deals with being gay,

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you have one that deals with domestic partnerships and have had those ordinances for a long time; however, they aren't in the current copy of the personnel policy.
The issues of great importance that we had particularly wanted you to address was to clarify what you wanted to do with exempt employees' PTO and whether or not you consider them to have already been paid for it or if you wanted to pay them for that eight days based upon a breakdown of their salaries into hourly increments, which you can do either one.
Our firm doesn't have a recommendation either way. The idea was simply to clarify what you wanted to do with regard to that. And that's the primary issue.
I did remove the language that Council did ask me to remove with regard to advances and the advances of course would be -- they are allowed now and will continue to be allowed.
So those are the main concepts behind this.
COUNCILMEMBER BATES: I have two questions for you on section 4.3.2, which is page 10.
ATTORNEY WEED: Yes.
COUNCILMEMBER BATES: The first one I think is a typographical. There's actually two pieces.

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1 Actually on 5.2.4, the carryover of PTO, and I'm on
2 the fifth -- fifth line -- fourth line that says,
3 "accrued PTO that is not so carried over."
4 ATTORNEY WEED: I'm sorry. Are you on --
5 You're on 5.2.4 --
6 COUNCILMEMBER BATES: Yeah.
7 ATTORNEY WEED: -- line five.
8 COUNCILMEMBER BATES: It actually starts on
9 line four. It says, "Maximum of eight additional days
10 of unused accrued PTO that is not so carried over."
11 ATTORNEY WEED: Well, I mean the original
12 sentence in the original code reads, without the
13 additions, "Employees may carry over a maximum of
14 eight days of unused accrued PTO from one year to the
15 next and also may be paid for up to a maximum of eight
16 additional days of unused accrued PTO that is not so
17 carried over."
18 COUNCILMEMBER BATES: I guess the word "so"
19 seems -- I was not reading the context, but if it's
20 legalize and it's --
21 ATTORNEY WEED: That's what's in your code
22 right now.
23 COUNCILMEMBER BATES: Okay.
24 ATTORNEY WEED: I think that it's confusing
25 because there are now --

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1 COUNCILMEMBER BATES: Okay.
2 ATTORNEY WEED: -- two other options
3 involved in that language.
4 COUNCILMEMBER BATES: The very next line,
5 "Such payment will be made in the amount of eight
6 hours." Should that read eight days?
7 COUNCILMEMBER FLEMING: Well, the day is
8 considered an eight-hour day.
9 COUNCILMEMBER BATES: Right.
10 COUNCILMEMBER FLEMING: And I think that's
11 where we're coming from.
12 COUNCILMEMBER BATES: Right, but it just
13 says that such payment will be made in the amount of
14 eight hours.
15 ATTORNEY WEED: I believe that's what's in
16 your current code now.
17 COUNCILMEMBER BATES: So eight hours per
18 day?
19 COUNCILMEMBER ROCHE: Per day.
20 ATTORNEY WEED: Yes, correct.
21 COUNCILMEMBER BATES: Okay.
22 ATTORNEY WEED: Right. It's eight days on
23 eight-hour days.
24 COUNCILMEMBER BATES: Okay. It just didn't
25 -- it just stops at eight hours. So if they had six

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1 hours [sic], it should be six hours per day or eight
2 hours per day for the six days. I just wanted a
3 little clarification.
4 The bigger one for me, though, is under
5 4.3.2. And if I'm reading this correctly, which it's
6 entirely possible that I'm not, they've got two
7 options. They can get paid for time-and-a-half or
8 they can bank one-and-a-half hours per hour worked; is
9 that correct?
10 COUNCILMEMBER FLEMING: Are we still on that
11 same item?
12 COUNCILMEMBER PACHUTA: 4.3.2.
13 COUNCILMEMBER BATES: 4.3.2.
14 COUNCILMEMBER FLEMING: All right.
15 ATTORNEY WEED: Yes, that's correct.
16 COUNCILMEMBER BATES: Okay. So under that
17 scenario, if an employee works 10 hours of overtime
18 and they make -- just for simple math, they make $10
19 an hour, if they want to get paid for that, they would
20 get paid 10 hours times $15 per hour; if their rate
21 was $10 an hour, they would get -- so they would
22 receive a check for $150.
23 ATTORNEY WEED: Yes.
24 COUNCILMEMBER BATES: Okay. If they wanted
25 to bank it, they would be getting paid for the 10

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1 hours of over -- of hours that they worked. They'd
2 get their regular pay for 10 hours and they would be
3 banking 15 hours.
4 Why not?
5 ATTORNEY WEED: No.
6 CLERK BLACKMON: We don't get paid the
7 overtime.
8 COUNCILMEMBER PACHUTA: You wouldn't get
9 paid at all.
10 COUNCILMEMBER BATES: So they don't get paid
11 for the overtime at all.
12 COUNCILMEMBER PACHUTA: No.
13 COUNCILMEMBER BATES: So you work 10 hours,
14 you bank 15 hours to use later. Those 10 hours --
15 Okay. Got it. Just wanted to make sure I was clear.
16 COUNCILMEMBER ROCHE: How do you know at the
17 end of the year, though, that you've banked 15 hours
18 and not to pay time-and-a-half on 15 hours?
19 CLERK BLACKMON: If I can answer that, I
20 have it on their time sheets currently, which will
21 have to be changed over if we use the module for
22 Altera, but there is a spot for them to write down
23 what they accrue, what they worked to accrue and not
24 get paid for, and then that is put into a spreadsheet.
25 So each department head has that as well as myself.

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1 Plus I'm sure the employees are keeping up with it
2 themselves as well.
3 ATTORNEY WEED: The change to this policy
4 had nothing to do with numbers, really.
5 It really just dealt with a clarification
6 that only the hours actually worked count toward
7 computing weekly overtime --
8 COUNCILMEMBER BATES: Right.
9 ATTORNEY WEED: -- because there was some
10 question about that.
11 COUNCILMEMBER BATES: I just want to make
12 sure that they weren't getting paid twice.
13 So, then, the question on 5.2.4 is how do we
14 treat exempt employees. Are we going to allow them to
15 carry over eight days at their, in theory, hourly
16 rate?
17 ATTORNEY WEED: Breaking it down to an
18 hourly rate.
19 COUNCILMEMBER BATES: Or use it or lose it.
20 ATTORNEY WEED: Right. Or did you consider
21 that because they are salaried, and, technically, a
22 salaried employee only has to work -- there's no
23 minimum amount of time a salaried employee's got to
24 work.
25 They can show up for two hours if they are

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1 able to get their work on that day done, technically,
2 they may. They might get fired because the boss isn't
3 happy, but it's not because they -- that they've been
4 paid whether they work it or not.
5 So this contemplated a question to Council,
6 did you want to consider this to be time already paid
7 or in addition to? And you would simply take that
8 person's salaried rate of pay and you'd break it down
9 into what their hourly rate would be if they were an
10 hourly-rate employee.
11 COUNCILMEMBER PACHUTA: And currently
12 there's only one employee that we're treating as
13 exempt; is that correct?
14 ATTORNEY WEED: Currently that is my
15 understanding.
16 COUNCILMEMBER FLEMING: One employee that
17 we're only treating as exempt?
18 COUNCILMEMBER PACHUTA: Correct.
19 ATTORNEY WEED: That is my understanding.
20 COUNCILMEMBER FLEMING: And everybody else
21 in the City is nonexempt.
22 COUNCILMEMBER PACHUTA: Everyone -- the only
23 employee that we're treating as exempt is Chief King.
24 all other department heads are being treated as
25 nonexempt.

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1 COUNCILMEMBER FLEMING: So we're giving
2 everybody in the City -- we're going to pay them 52
3 weeks plus time-and-a-half if they work it, and 16
4 additional days every year.
5 So we're going to pay them three weeks --
6 three weeks -- we're going to pay them 55 weeks of
7 salary.
8 Yes? No?
9 COUNCILMEMBER ALEXANDER: You're correct.
10 That's the bigger -- the bigger issue with this is
11 that they're getting an extra paycheck. And then on
12 top of that, last year they got a Christmas bonus too.
13 COUNCILMEMBER FLEMING: Well, you know, I'm
14 really sorry. I mean I hate to go back and say I
15 didn't vote the personnel manual to begin with because
16 this was one of my issues: that time and a half
17 should be paid on the paycheck they received it;
18 vacation time is vacation time, and they've got to use
19 it.
20 I'm sorry. I just -- This is very hard for
21 me to deal with particularly with the budget the way
22 it is right now.
23 COUNCILMEMBER ROCHE: I certainly agree with
24 that.
25 ATTORNEY WEED: Obviously, legal's got no --

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1 we have no issue with it either way. Either thing is
2 legal. You just have to decide what you want to do.
3 Our job is to point out the facts to you so you could
4 make an informed decision.
5 COUNCILMEMBER ROCHE: I think if nothing
6 else, first of all, we need to make department heads
7 exempt just like they are in every other organization
8 in the world, and --
9 ATTORNEY WEED: And all of you know that's
10 been my opinion since 2008 and it continues to be my
11 opinion today.
12 COUNCILMEMBER ROCHE: And then we need to
13 get this thing under control. This is just . . .
14 COUNCILMEMBER PITTMAN: And I couldn't agree
15 more that they should be exempt, but they also -- the
16 ones that do not, should be making what they should be
17 making -- should be making, not below that.
18 ATTORNEY WEED: As part of that, in my
19 opinion, you need to do a salary survey. DCA, I think
20 you can do this at low cost or no cost, because DCA
21 already maintains all the records pretty much
22 statewide. It would require some elbow grease to
23 ferret out like-size cities, but I believe based upon
24 that, you can make a determination as to which
25 employees who are exempt -- and I think you only have

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currently eight. I haven't done a recent count but I believe it's eight -- which ones are within their salary ranges for like-size cities and which ones aren't. Some may need to go up and some might need to go down. I mean we don't know. Legal doesn't know because we haven't done the survey, you know, but that's what we've -- you know, there might need to be adjustments made.

COUNCILMEMBER ALEXANDER: I believe the ARC offers a service as far as classification of employees and wage analysis. I believe I even had information where we got a price quote on doing so two years ago, and I don't know that Council ever did anything about it.

But I'm upset about I think we passed 5.2.4 to encourage our employees to take their vacation time but giving them the option to carry over and to get paid for vacation time, and then I feel like that they treated it as no incentive except to get an extra paycheck.

COUNCILMEMBER ROCHE: Right.

COUNCILMEMBER ALEXANDER: And that really is disheartening to me, as someone who is on a use-it-or-lose-it policy.

COUNCILMEMBER ROCHE: And the other concern

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that we had was that we were having this growing and growing liability with comp time that was just -- you know, people were getting literally hundreds of hours and we had this liability that was growing all the time that we couldn't really budget for because we never knew when someone was going to say, "Hey, give me a check right now."

COUNCILMEMBER ALEXANDER: Correct. And that's when we cut that down from the Federal maximum to the 80 hours.

And then -- like I said, those are my personal feelings about it, and then also I don't think it would be fair to -- you know, we've got to get this classification under control. You know, it's just been -- I guess it's just been a situation that hasn't been dealt with.

But I'm not happy about people getting extra weeks of paycheck. I just don't think that's fair to anyone.

So I would like to make a motion to modify section 5.2.4 effective January 1 to eliminate the eight days of paid-out vacation and to leave the eight days maximum of carryover time.

COUNCILMEMBER PACHUTA: I'll second that.

COUNCILMEMBER FLEMING: Now, the --

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I'm sorry. Go ahead, Mayor.

MAYOR JENKINS: Give me that motion again, please.

COUNCILMEMBER ALEXANDER: Effective January 1, to eliminate the eight days of paid-out vacation time but to keep the eight days maximum carryover of PTO.

MAYOR JENKINS: Any more discussion?

COUNCILMEMBER FLEMING: Just as a comment, I think I pointed out at the last meeting -- I think we got to this item; I'm not sure. I didn't bring my notes from the previous meeting with me, and I apologize.

If I'm not mistaken, just taking a very low average per hour for the eight days for the total amount of employees if everyone carried over the eight days, it would be like over $200,000 that we would be carrying over into the next year's budget.

And I'm really -- I'm really concerned about the eight days carryover as well, and I'm just making that as a comment.

COUNCILMEMBER ALEXANDER: Well, they're not going to get paid for it. If they don't take it, they're going to lose it.

COUNCILMEMBER FLEMING: Once it's carried

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over.

COUNCILMEMBER ALEXANDER: Yes.

ATTORNEY WEED: And to clarify, your motion deals with the exempt employees; correct?

COUNCILMEMBER ALEXANDER: No, it's everyone.

ATTORNEY WEED: Okay. Just wanted to clarify.

COUNCILMEMBER BATES: Ms. Fleming, what would you suggest?

COUNCILMEMBER FLEMING: Because we were so concerned when we first started out, that we couldn't determine what our accrued was and we were -- we were having problems, and though I know Ms. Blackmon is trying to keep a spreadsheet on it, the amount that's being carried over, I think if you leave, I think that's part of your package too, is it not? I mean if a person resigns, they get to have that eight hours?

COUNCILMEMBER ALEXANDER: Eight days.

COUNCILMEMBER FLEMING: Eight days. I'm sorry. Eight days.

So I will be one that's always for the employee, but in this particular case, I'm having difficulty with it also. At my previous employer, I was the same way. It was either you use it or you lose it, and it wasn't any 55 weeks. It was 52, take

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your three weeks vacation during that 52-week period.
COUNCILMEMBER ROCHE: Five days, then? One week?
COUNCILMEMBER BATES: We actually have a use-it-or-lose-it policy but we allow our employees to carry over two days so they can start off the year with two days already in the bank.
But I'm with you. I want people to be incentivized to take vacation and I understand the concern that, you know, some aren't able to or that, you know, their positions, you know, may not afford it. I think we need to provide the resources to make sure that they feel comfortable taking vacation and not feel overwhelmed that their position is, you know, so critically important to the city's operation that they can't take a week's vacation.
I don't want us to be in that position, so I do think we need to incentivize. You know, carrot or stick: you know, take your vacation or lose it. And I'm good with moving it down to a week, five days.
COUNCILMEMBER ALEXANDER: I guess the only other thing that I see would be a benefit as my company does have, we have short-term disability. I've got an employee that's been out eight weeks because he broke his leg in three places. But I don't

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believe that's anything we offer here, so I think that's one of the reasons why they appreciated the payout or they appreciate carryover.
And I think that's something we definitely need to look at in the future. I mean we do have to pay for that premium every month, but I think it's worth it for a rainy day or if something happens.
COUNCILMEMBER PACHUTA: Well --
COUNCILMEMBER FLEMING: Well, to be very honest with you -- I'm sorry.
COUNCILMEMBER PACHUTA: I was going to say, employees can purchase that if it's an accident, the AFLAC accident policy. Doesn't that pay something? I don't remember.
CLERK BLACKMON: Yes. It doesn't cover pregnancies and things like that, though. There are numerous reasons that -- and that is part of why we used to hold onto that: women that were pregnant would use their accumulated PTO and so forth.
So I have advocated to Mr. Weed on several occasions that I think we need short-term disability. Most companies carry it.
COUNCILMEMBER FLEMING: And short-term disability, depending on what the cost savings would be, it may even be cost-beneficial to us to carry it

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on our employees than giving the eight full days of carryover. I mean we don't know that because we don't have the figures.
COUNCILMEMBER ROCHE: So we want to try to change it to five?
COUNCILMEMBER BATES: I'm good with it.
COUNCILMEMBER ROCHE: Five is good to me. Would you consider a friendly amendment? Five days?
COUNCILMEMBER ALEXANDER: I'll modify the previous motion. Instead of carrying over eight days, carry over five days.
COUNCILMEMBER PACHUTA: I'm amending my second also.
COUNCILMEMBER ALEXANDER: I thought you did, did you not?
COUNCILMEMBER ROCHE: Did I?
COUNCILMEMBER FLEMING: No.
COUNCILMEMBER ALEXANDER: Karen seconded it.
COUNCILMEMBER PACHUTA: Okay. I'll amend my second. Sorry.
COUNCILMEMBER ROCHE: I was going to say I try to give other people a chance.
COUNCILMEMBER PACHUTA: I guess I'm getting tired. I'm amending my second also, assuming I made the first.

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MAYOR JENKINS: Five days instead of eight; is that correct?
COUNCILMEMBER ALEXANDER: Yes, sir.
COUNCILMEMBER FLEMING: And was that the part of the motion that we were not paying them the eight days?
COUNCILMEMBER BATES: Yes.
COUNCILMEMBER FLEMING: Okay.
COUNCILMEMBER ALEXANDER: Effective January 1.
COUNCILMEMBER FLEMING: Correct.
MAYOR JENKINS: This begins as of when?
COUNCILMEMBER PACHUTA: January 1.
MAYOR JENKINS: January 1.
COUNCILMEMBER PACHUTA: Uh-huh.
MAYOR JENKINS: Any 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?

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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 PACHUTA: And this is kind of related. I would like to make a motion to have staff contact ARC/DCA and get the comparatives at least for the department heads and the employees that should be treated as exempt, have exempt type or exempt level positions, because I think it's crazy that we only have one employee and one department head that we're treating as exempt and other department heads receive overtime.
COUNCILMEMBER BATES: Respectfully, I've already got that, and was -- actually have been in the process of working on a proposal for migrating our employees into exempt/nonexempt along with establishing a Citywide step program. So that was -- I was hoping to have that for the next agenda, if you'd be okay with withdrawing that, because I've already -- I've already compiled and compared, so if you're okay with that.

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COUNCILMEMBER PACHUTA: Yes, that's fine. I just want to get that moving before the first of the year so we have something in place January 1st.
COUNCILMEMBER BATES: From an initial review, there are three department heads right now that are below the average of our comparable sister cities.
COUNCILMEMBER ALEXANDER: The base salary or including overtime?
COUNCILMEMBER BATES: Base salary.
COUNCILMEMBER ALEXANDER: Okay.
CLERK BLACKMON: Also, would Council like me to get -- Ms. Wilson and I have talked about the short-term. Do y'all want to get figures just to see what that would be with our current policy or --
COUNCILMEMBER BATES: I'd be interested in seeing that.
CLERK BLACKMON: Okay.
COUNCILMEMBER ROCHE: And I'll second his motion.
COUNCILMEMBER BATES: I didn't make one.
COUNCILMEMBER ROCHE: Well, if we need one, let's make one.
COUNCILMEMBER PACHUTA: No, I don't think we

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do.
COUNCILMEMBER ROCHE: All right.
COUNCILMEMBER BATES: No. It's just -- I'll work on having it for the next agenda.
COUNCILMEMBER ROCHE: Mayor, a point of order, I guess. I'm just concerned. We made a motion to change the pawn shop regulation, and I don't -- I mean we're not finished with it; right?
MAYOR JENKINS: No.
COUNCILMEMBER ROCHE: Have we changed the regulation for the number of pawn shops allowed in the city of Doraville as of right this minute?
ATTORNEY WEED: My opinion is yes.
COUNCILMEMBER ROCHE: Okay.
ATTORNEY WEED: You had an ordinance. It appeared on more than one agenda.
COUNCILMEMBER ROCHE: Fair enough.
ATTORNEY WEED: It was old business, and you have approved it in my opinion.
COUNCILMEMBER ROCHE: Great. My concern, though, is Councilman Pachuta brought this up, we had some other issues about changes too and I didn't want to just skip over that.
COUNCILMEMBER PACHUTA: I think we already made any other changes.

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COUNCILMEMBER ROCHE: Okay.
ATTORNEY WEED: I will of course do a clean copy draft and send it out, and if anybody sees something that -- you can always bring it back up and we'll deal with it.
COUNCILMEMBER ROCHE: Yeah, they're like hours of operation and stuff like that, and I just didn't want to -- didn't know if we passed that or not is what I'm saying.
COUNCILMEMBER BATES: Well, that's a good point. I think we actually voted on amending 6-92, and I don't think we --
COUNCILMEMBER FLEMING: We didn't adopt the ordinance.
COUNCILMEMBER BATES: That we didn't adopt the ordinance itself.
COUNCILMEMBER PITTMAN: Correct.
MAYOR JENKINS: No, we didn't.
ATTORNEY WEED: My take on it would be that you adopted the entire ordinance, but if you don't feel comfortable doing that, there's no harm in going back and revisiting that.
COUNCILMEMBER BATES: I would be more comfortable in readopting the ordinance. So I'll make the motion to adopt --

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1 Unless you want to. Go ahead. It's yours.
2 COUNCILMEMBER PACHUTA: No, because I
3 actually disagree with the change that was made --
4 COUNCILMEMBER BATES: Oh, that's right.
5 COUNCILMEMBER PACHUTA: -- to 6.92.
6 COUNCILMEMBER BATES: I'll make the motion
7 to adopt the pawn shop ordinance with the modified
8 6.92.
9 COUNCILMEMBER ROCHE: And I'll second it.
10 MAYOR JENKINS: More discussion?
11 COUNCILMEMBER PITTMAN: Well, I disagree
12 with the last -- not this motion but the motion
13 previous. I think we need regulations. I just don't
14 agree with that one.
15 COUNCILMEMBER FLEMING: Talking about the
16 distance? Donna?
17 COUNCILMEMBER PITTMAN: Yes. I'm sorry.
18 COUNCILMEMBER PACHUTA: That's also my
19 disagreement.
20 COUNCILMEMBER PITTMAN: Yes, the distance.
21 COUNCILMEMBER ROCHE: Did you want to handle
22 like the hours and the other changes separately then?
23 COUNCILMEMBER BATES: No, I think we can
24 just adopt the whole thing.
25 COUNCILMEMBER ROCHE: All right.

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1 MAYOR JENKINS: More 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: No.
14 CLERK BLACKMON: Councilmember Pittman?
15 COUNCILMEMBER PITTMAN: No.
16 CLERK BLACKMON: Councilmember Roche?
17 COUNCILMEMBER ROCHE: Yes.
18 COUNCILMEMBER PITTMAN: And it's 9:00, sir.
19 ATTORNEY WEED: Yes. If someone would make
20 a motion to extend.
21 MAYOR JENKINS: Do I get a motion that we
22 extend the meeting?
23 COUNCILMEMBER PITTMAN: Can we just extend
24 it to continue just to finish our old business --
25 MAYOR JENKINS: So far?

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1 COUNCILMEMBER PITTMAN: Yeah, just finish
2 the old business.
3 COUNCILMEMBER FLEMING: I don't --
4 MR. HAEBERLIN: I do have one applicant
5 present for number 7 that has been waiting for this
6 one item. Could we include that as well?
7 I believe I have an applicant. Is there an
8 applicant here for number 7?
9 UNIDENTIFIED SPEAKER: Yes, sir.
10 MR. HAEBERLIN: The gentleman in the back.
11 MAYOR JENKINS: Would the Council want to
12 move that up?
13 COUNCILMEMBER BATES: Ms. Fleming?
14 COUNCILMEMBER FLEMING: I have no problem
15 with moving item number 7 of new business up, but I
16 don't believe that we are finished with old business
17 item number 2.
18 COUNCILMEMBER PACHUTA: We're not.
19 COUNCILMEMBER BATES: We're not.
20 ATTORNEY WEED: We're not in my opinion.
21 COUNCILMEMBER FLEMING: Okay.
22 COUNCILMEMBER BATES: We're not. You're
23 right.
24 But can we make the motion to move 7 now so
25 that we can take care of the applicant?

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1 COUNCILMEMBER ROCHE: And then pick up
2 number 2 of old business next meeting? I don't want
3 to be here all night long. That's all.
4 COUNCILMEMBER BATES: Let's deal with them
5 one at a time.
6 COUNCILMEMBER PITTMAN: Okay. So I make a
7 motion that we move number 7 under new business to be
8 heard now and then to extend the meeting to finish old
9 business --
10 COUNCILMEMBER FLEMING: No.
11 COUNCILMEMBER PITTMAN: -- excluding number
12 or do you want to continue with number 2?
13 COUNCILMEMBER PACHUTA: Why don't for now we
14 just extend the meeting --
15 COUNCILMEMBER ROCHE: Just extend the
16 meeting for --
17 COUNCILMEMBER PACHUTA: -- to do 7 --
18 COUNCILMEMBER ROCHE: -- new business number
19 7.
20 COUNCILMEMBER PITTMAN: Okay.
21 COUNCILMEMBER PACHUTA: -- new business 7
22 and then we'll see what happens.
23 COUNCILMEMBER PITTMAN: Okay.
24 MAYOR JENKINS: Come on up, sir.
25 COUNCILMEMBER PACHUTA: We've got to vote on

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that.
CLERK BLACKMON: Now I need a second.
COUNCILMEMBER FLEMING: Second.
CLERK BLACKMON: Donna made --
COUNCILMEMBER PITTMAN: I made the motion, she seconded.
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: Scott, come on up.
MR. HAEBERLIN: This item again is under our tower ordinance. It's called a special administrative review. That's when there's a tower that's existing and there's modifications occurring.
On that tower, in this case, this does not

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result in a height increase. This is 6110 New Peachtree Road. It is zoned C-2. This does not require a public hearing so it did not require a sign or advertisement. It merely requires an action of the Council to allow us, the staff, to process the permit application.
So at this time, I invite the applicant to come forward. Also if you would, please state your name and legal address for the record.
MR. COFIELD: Good evening. My name is Tim Cofield and I live at 1213 Club Walk Drive, Atlanta.
COUNCILMEMBER FLEMING: Tell us what you're doing, sir.
MR. COFIELD: At this particular location, what we're doing is we're adding to the tower, not redoing anything of a structural nature affecting, but we're adding a 26-inch diameter microwave dish, and I think the dish along with the mounting apparatus weighs I think it's 55 pounds. There's nothing that goes on the ground. There's no additional structure inside the fence. It's just the tower. And then there are also two lines like little coax lines that are each three-eighths of an inch in diameter, and that's what we're doing.
COUNCILMEMBER PITTMAN: What's the purpose?

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MR. COFIELD: The purpose is -- you might be familiar just in general with the new -- kind of the next level of wireless services. It's kind of referred to as 4G. It just means fourth generation.
I was speaking with one of the ladies over here. It will kind of do for cell phones what DSL, how -- I guess the best comparison is that it is to cell phone service what DSL was over, if you'll recall, dial-up, if you can remember that. But that's -- it's just an enhancement to being able to produce and deliver services, and we do this -- It's for I think the customer at that location is Verizon Wireless. That's who we're doing it for.
COUNCILMEMBER FLEMING: And their servicing area from that tower?
MR. COFIELD: Their servicing area is probably -- I'm just going to guess. It's something in the vicinity of probably about 14 square miles from this tower. So as a matter of fact, I think it's -- I don't think it's this tower but I think it is very, very close by, and I believe that it would probably also encompass your administration buildings in this area.
COUNCILMEMBER BATES: And if I'm reading the proposal correctly, you're just adding the dish at the

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80-foot level, not increasing the height of the tower.
MR. COFIELD: That is correct. No increase in the height of the tower itself.
And due to the I guess you could say the modestness of this dish, there were no structural enhancements that were required or necessary.
COUNCILMEMBER BATES: Make a motion to approve the administrative review request of the proposed tower --
COUNCILMEMBER PACHUTA: Second.
COUNCILMEMBER BATES: -- antenna.
MAYOR JENKINS: Any more discussion?
COUNCILMEMBER FLEMING: Yes, sir. I have a question for Mr. Haeberlin.
In regards to permitting fees and inspection fees and so forth that goes along with this particular item, that falls under your purview of your department?
MR. HAEBERLIN: That is correct.
COUNCILMEMBER FLEMING: Okay. And has the applicant met all the specifications that are required by your department at this time?
MR. HAEBERLIN: Well, he has paid for the special administrative review fee which is required by the zoning code to get here tonight.

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The next he will be paying is the permit review fee and then also too the building permit fee and then any inspections that are necessitated by the building official. So those are forthcoming after we do the permitting perhaps tomorrow.

COUNCILMEMBER FLEMING: Okay. Thank you very much.

MAYOR JENKINS: Any 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: No.

CLERK BLACKMON: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: Thank you. Now we're going

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back to item 2; is that correct?

COUNCILMEMBER PACHUTA: I think we made a motion --

COUNCILMEMBER PITTMAN: Well, don't we need a motion to -- Did we want to do a separate motion now to extend it?

ATTORNEY WEED: Yes, unless your -- the final version of Councilman Pittman's motion covered an extension of this meeting or just moved 7 up?

COUNCILMEMBER FLEMING: Moved 7 up, I thought.

COUNCILMEMBER PITTMAN: I think it just moved.

CLERK BLACKMON: And to extend it to hear that item is what I wrote down.

COUNCILMEMBER PITTMAN: Yes.

ATTORNEY WEED: All right.

COUNCILMEMBER PITTMAN: So we need to extend it.

ATTORNEY WEED: And if you want to continue, you need another motion to extend it.

COUNCILMEMBER PITTMAN: Well, I have a question.

Mr. Haeberlin --

MR. HAEBERLIN: Yes, ma'am.

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COUNCILMEMBER PITTMAN: -- under new business number 3, do we have enough time if we move this to the next agenda to get this done by the end of the year if we proceed with anything?

MR. HAEBERLIN: I would prefer more time just because it requires notification to the property owner and running the legal ads, et cetera. I would prefer more time. We probably have enough time but I would prefer more time if you can afford to.

COUNCILMEMBER ROCHE: What is the nature of this City-initiated rezoning?

COUNCILMEMBER PITTMAN: It's some property that abuts a residential area off of Peachtree Industrial that possibly may be going out of business, and we realized in my doing a little research that everything there along the front line is C-2 and that one piece of property is zoned M-1, which would let anything go in there. So I wanted to see at some point if we could also make it C-2 because it abuts the --

COUNCILMEMBER ROCHE: Can we get some more information? It's like no --

COUNCILMEMBER PITTMAN: Well, there wasn't really --

COUNCILMEMBER ROCHE: -- information at all.

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COUNCILMEMBER PITTMAN: -- anything to give at the time. Most of it was --

COUNCILMEMBER ROCHE: Well, like a street address at least?

COUNCILMEMBER PITTMAN: I can give you that. But I want to see if we can discuss -- Do we want to continue on with all of it or just do the rest of the old business and maybe add that one?

COUNCILMEMBER BATES: Well, selfishly, I am flying in the morning and so you've got me for about another 15/20 minutes before I've got to go.

COUNCILMEMBER ROCHE: While we're talking about the agenda, do we have to cover agenda item 5? Was there a special event that was coming up that we need to take action on?

COUNCILMEMBER BATES: I don't think we need to take action on it.

COUNCILMEMBER FLEMING: Okay.

COUNCILMEMBER PITTMAN: Okay. So since Mr. Bates has to leave, could we I guess make the motion to finish up our old business? Maybe we should come back to number 2 or do y'all want to just do that tonight?

COUNCILMEMBER ROCHE: How about just the one for -- the one number 3 under new business? I'm just

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1 trying to understand and what can be put off till next
2 time.
3 I can understand the urgency if we need to
4 advertise. So basically for under new business number
5 3, we're going to look for a motion to add it to the
6 zoning hearing; right?
7 COUNCILMEMBER PITTMAN: Could we do that?
8 MR. HAEBERLIN: Yes, ma'am.
9 COUNCILMEMBER PITTMAN: Okay.
10 COUNCILMEMBER ROCHE: I'd like to make a
11 motion that we extend the meeting to cover number 3
12 under new business.
13 COUNCILMEMBER PITTMAN: Ms. Alexander, can
14 yours wait?
15 COUNCILMEMBER ALEXANDER: I can just make a
16 comment about mine.
17 COUNCILMEMBER PITTMAN: Second.
18 MAYOR JENKINS: Okay. We'll get that one
19 too.
20 COUNCILMEMBER ROCHE: And we can make more
21 motions afterwards. I'm just --
22 COUNCILMEMBER PITTMAN: Okay. So we're
23 doing number 3.
24 COUNCILMEMBER ROCHE: Next.
25 COUNCILMEMBER PITTMAN: Well, we got to

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1 vote.
2 MAYOR JENKINS: 3 and 4, then. Just add
3 three and four. Is that correct?
4 COUNCILMEMBER ROCHE: No. 3. New business
5 number 3.
6 COUNCILMEMBER PITTMAN: Well, Ms. Alexander
7 had a comment.
8 MAYOR JENKINS: Well, Maria has --
9 COUNCILMEMBER ALEXANDER: No. I meant on my
10 agenda item, not this one.
11 COUNCILMEMBER PITTMAN: No. That's what I
12 mean. She had one on hers.
13 MAYOR JENKINS: Just add -- if she's got a
14 comment, just add 3 and 4, and then she'll have her
15 comment and we'll close.
16 COUNCILMEMBER ROCHE: I don't know what 4
17 is. Did you want 4? Is that --
18 MAYOR JENKINS: That's Maria.
19 COUNCILMEMBER ALEXANDER: I can just e-mail
20 everybody of my concerns for that section that needed
21 to be corrected, and then we can take it up on the
22 next agenda.
23 COUNCILMEMBER ROCHE: Just need a vote,
24 then, Mayor.
25 COUNCILMEMBER PACHUTA: No. Discussion.

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1 MAYOR JENKINS: Yeah, I will.
2 COUNCILMEMBER PACHUTA: I have a problem
3 because it's already been -- we didn't get to stuff on
4 last agenda, and I just don't like pushing other items
5 back just to move one particular item up, so --
6 COUNCILMEMBER PITTMAN: Mine's not being
7 moved. Mine's the next one.
8 COUNCILMEMBER PACHUTA: Oh. I --
9 COUNCILMEMBER PITTMAN: We're not doing the
10 zoning. That one's being --
11 COUNCILMEMBER PACHUTA: Oh. I thought that
12 was what you were talking about.
13 COUNCILMEMBER PITTMAN: No.
14 COUNCILMEMBER BATES: So what's the motion?
15 COUNCILMEMBER ROCHE: The motion was --
16 COUNCILMEMBER ALEXANDER: That's what we
17 were doing --
18 COUNCILMEMBER BATES: -- to extend the
19 meeting.
20 COUNCILMEMBER ALEXANDER: -- and leaving the
21 zoning.
22 COUNCILMEMBER PACHUTA: That's what I
23 thought you were doing.
24 COUNCILMEMBER PITTMAN: No. We're moving it
25 to another meeting.

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1 COUNCILMEMBER PACHUTA: That's not what I
2 understood your motion to be.
3 COUNCILMEMBER ROCHE: Maybe I misunderstood.
4 COUNCILMEMBER PITTMAN: That's what his
5 motion was.
6 COUNCILMEMBER ROCHE: Let me make -- let me
7 try again. The motion as I understand it was to
8 extend the meeting to cover new business number 3.
9 COUNCILMEMBER PITTMAN: No. I thought it
10 was old business number 3.
11 COUNCILMEMBER PACHUTA: So you're just
12 saying to move --
13 COUNCILMEMBER ROCHE: Oh, okay.
14 COUNCILMEMBER PACHUTA: -- continue the
15 personnel policy to the next meeting.
16 COUNCILMEMBER PITTMAN: I don't think we
17 said.
18 COUNCILMEMBER ROCHE: Yes.
19 COUNCILMEMBER PITTMAN: I don't know what he
20 said. What did you say, Mr. Roche?
21 COUNCILMEMBER ROCHE: It's my understanding
22 that under new business number 3, according to our
23 city planner, he needed enough time to be able to
24 advertise this if --
25 COUNCILMEMBER PACHUTA: No.

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COUNCILMEMBER ROCHE: -- it was going to happen by the --
COUNCILMEMBER PITTMAN: But I thought --
COUNCILMEMBER ROCHE: -- beginning of the year.
COUNCILMEMBER PITTMAN: I thought you said we were going to put it on the zoning.
MR. HAEBERLIN: Well, what we're going to need to do because it's one parcel, we're required now by the adoption of code that's specific just to our city, for me to notify the person via certified mail. That is going to take additional time. So as much time as I can have would be better, to try to get this done before December.
As you found out earlier this evening, the planning commission is not intending on having a meeting in the month of November, so it will have to be on the December calendar.
COUNCILMEMBER PITTMAN: Well, then, I guess we need to move.
COUNCILMEMBER PITTMAN: But the time frame that we allot, you know, to get this process going would be helpful because of the notification.
COUNCILMEMBER BATES: Well, if it's not going to be heard from the planning commission until

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December, we can hear this -- we can do this at the November meeting.
COUNCILMEMBER FLEMING: We're in November.
COUNCILMEMBER BATES: The November 15th meeting.
COUNCILMEMBER FLEMING: But he's got to advertise it for the December meeting.
COUNCILMEMBER BATES: But there's time to do that.
MR. HAEBERLIN: I think really the notification of the individual property owner via certified mail is probably the more complicated aspect. So if I'm understanding that I can go ahead and do that, then I want to just go ahead and do that if I'm understanding that as a direction.
COUNCILMEMBER ROCHE: And my vision was that someone would make a motion to allow that to happen and we go home. That was what I was thinking was going to happen. Just trying to help.
COUNCILMEMBER FLEMING: And there's a motion but not a second on the table; is that correct?
COUNCILMEMBER ROCHE: No, there is a second.
COUNCILMEMBER FLEMING: Okay. Discussion? We're still in discussion?
COUNCILMEMBER ROCHE: Yeah.

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COUNCILMEMBER FLEMING: We have a meeting next Monday for alcohol. Can we not put this on? And that way, it gives Council enough time to go look at the 6555 and determine for their own --
COUNCILMEMBER PITTMAN: That's good.
COUNCILMEMBER FLEMING: -- and put it on Monday night's agenda prior to the alcohol discussions.
ATTORNEY WEED: That's legal.
COUNCILMEMBER BATES: I'm good.
COUNCILMEMBER PITTMAN: Okay.
COUNCILMEMBER ROCHE: I will withdraw my motion and make a motion to adjourn. How about that?
ATTORNEY WEED: So we're done with item 2. We're not discussing 2 any more.
COUNCILMEMBER PACHUTA: We are not done with it.
COUNCILMEMBER ROCHE: No, we're not done with it. It would carry over, item 2 under old business, to the next meeting.
CLERK BLACKMON: Donna needs to withdraw her second to Bob's motion.
COUNCILMEMBER PITTMAN: I withdraw my second.
CLERK BLACKMON: Thank you.

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COUNCILMEMBER ROCHE: Okay. So I withdraw my motion.
COUNCILMEMBER FLEMING: Okay. And don't adjourn yet. I want to make a motion to move item number 3 on new business to appear on the agenda of November 8, first item before alcohol, please.
COUNCILMEMBER PITTMAN: Second.
MAYOR JENKINS: Did you get a second?
COUNCILMEMBER FLEMING: Yes, sir, I did.
MAYOR JENKINS: Any 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?

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COUNCILMEMBER ROCHE: Yes.
ATTORNEY WEED: Now I have a question. With regard to item 2 as far as what you have approved, do you want another draft copy sent to you with that language in it?
COUNCILMEMBER ROCHE: Yes.
ATTORNEY WEED: Okay. My next question would be after the meeting with the Chief and the Mayor and I, we may still have yet another amendment to item number 2, which would deal with 2.6. So don't forget that.
COUNCILMEMBER ROCHE: Right.
CLERK BLACKMON: And I'm going to put that on the next agenda.
COUNCILMEMBER ALEXANDER: Would you like to wait and give us a revamp until after you have that meeting?
ATTORNEY WEED: I would prefer that.
COUNCILMEMBER FLEMING: That's fine.
COUNCILMEMBER PITTMAN: That's fine.
ATTORNEY WEED: I'd like to end it some day, but, so yes, ma'am. That would be what I'd like to do.
COUNCILMEMBER ROCHE: Motion to adjourn.
COUNCILMEMBER PITTMAN: Second.

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MAYOR JENKINS: What was the motion?
COUNCILMEMBER ROCHE: To adjourn, Mayor.
MAYOR JENKINS: Yes, sir, Bob. Any 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?
COUNCILMEMBER PITTMAN: Wait.
MAYOR JENKINS: Go ahead and do that, but we're going to have to have public comments. I'm tired of being criticized for that.
COUNCILMEMBER ROCHE: Oh, I'm sorry.
MAYOR JENKINS: Can we go ahead with this motion and then have public comments?

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ATTORNEY WEED: Well, if this motion passes, the meeting is over.
MAYOR JENKINS: Okay.
CLERK BLACKMON: Yeah.
ATTORNEY WEED: And you're already in the process of voting.
COUNCILMEMBER FLEMING: No. We're already --
COUNCILMEMBER PACHUTA: We already voted.
COUNCILMEMBER FLEMING: We're already 4 to nothing, right?
COUNCILMEMBER ROCHE: Well, I don't want to --
MAYOR JENKINS: All right. We have a motion to adjourn. Call the roll, please.
CLERK BLACKMON: I've already called it to Ms. Pittman.
ATTORNEY WEED: Ms. Pittman, you're up.
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: I apologize, but I'll vote yes.
COUNCILMEMBER FLEMING: But I don't mind sitting here waiting.
COUNCILMEMBER ROCHE: I'll be happy to

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listen too.
ATTORNEY WEED: Or you could schedule a separate public comment section at the workshop on next Monday night.
COUNCILMEMBER ROCHE: Mayor, I of all people, you know.
MAYOR JENKINS: Meeting adjourned.
- - -
(Meeting adjourned at 9:40 p.m.)
-o0o-

1 C E R T I F I C A T E
2 STATE OF GEORGIA]
3 COUNTY OF DEKALB]
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16
17 _____
18 Theresa Bretch, CCR
19 Permit No. B-755
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