In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

July 25, 2011

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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 Donna Pittman presiding, before Theresa Bretch, Certified Court Reporter, commencing at approximately 6:30 p.m. on Monday, July 25, 2011.

* * *

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APPEARANCES:

Doraville City Council:

Mayor Donna Pittman
Councilmember Maria Alexander
Councilmember Brian Bates
Councilmember Karen Pachuta
Councilmember Bob Roche
Councilmember Pam Fleming

Melissa McCain, City Clerk

Cecil G. McClendon, Jr., City Attorney
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315 Washington Avenue
Marietta, GA 30060
(770) 590-5900

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P R O C E E D I N G S

MAYOR PRO TEM ALEXANDER: Meeting come to order, please.

If everyone will please stand if you're already seated, for the pledge.

- - -

(Pledge of Allegiance)

- - -

MAYOR PRO TEM ALEXANDER: Thank you. Call the roll, please.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Here.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Here.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Here.

MAYOR PRO TEM ALEXANDER: Judge Carter.

JUDGE CARTER: Yes, ma'am.

MAYOR PRO TEM ALEXANDER: If you'd please come to the podium and swear in our newly-elected Mayor Pittman.

JUDGE CARTER: Okay. If you would raise your hand and follow along.

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Oath of Office Administered to Mayor Donna Pittman as follows:

I do solemnly swear or affirm that I will faithfully execute the office of Mayor of the City of Doraville and will to the best of my ability support and defend the Constitution of the United States, the Constitution of Georgia, and Charter, Ordinances and Regulations of the City of Doraville.

I am not the holder of any unaccounted for public money due this State or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state or any foreign state which I, by the laws of the State of Georgia, am prohibited from holding.

I am otherwise qualified to hold said office according to the Constitution and the laws of Georgia. I have been a resident of the city of Doraville for the time required by the Constitution and the laws of this State and by the Municipal Charter.

And I will perform the duties of my office in the best interests of the city of Doraville, to the best of my ability, without

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fear, favor, affection, reward or expectation thereof.

JUDGE CARTER: Congratulations, Mayor.

MAYOR PITTMAN: Thank you.

- - -

(Applause)

- - -

MAYOR PITTMAN: Thank you, Doraville. Thank you for your vote of confidence and support during my campaign. I am both humbled and honored to have been elected Mayor of our great city and now taken the oath of office.

I have dedicated my life to making a positive difference in our community. As your Mayor, you can count on me to work for the members of the Doraville City Council and Doraville City Government staff.

Today I call for unity and solidarity as one Doraville, to Doraville, to move our city forward.

As I campaigned, I listened to citizens from Northwoods to Winters Chapel, Oakcliff, Tilly Mill, and Carver. You told me you wanted city government that runs within budget, a city government that is transparent; a Doraville that supports public safety, a city government that respects everybody regardless

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of race, creed, sexual orientation or nationality.

I understand in order to regain our competitive edge, we have got to come together as one team to take Doraville to the top.

I believe in Doraville. I believe we can solve our current problems. I know that this city is bigger than one person. I know we are ready to meet our challenges head-on and win.

Join me, citizens of Doraville. Join me in setting a new course for our city. Join me in building a brighter future for our children and grandchildren.

Join me in creating a city that attracts good businesses and good-paying jobs. Join me in creating a city that welcomes new urban developers seeking to purchase their first homes.

Join me in creating a city government that is respected for its innovation, openness and teamwork. As your Mayor, I am ready. I am ready to get to work. Thank you.

- - -

(Applause)

- - -

MAYOR PITTMAN: I would like to thank all of you for coming out tonight. It's an honor to see

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everyone here.

We have some dignitaries here. We have Mr. Alvarez from the Dekalb County CEO's office. We have Sheriff Thomas Brown. We have many others.

We have the Consulate here and we have the Thai president, Varinee Sangmalee. Would you like to come in? Welcome.

Consul Standaert, welcome.

- - -

(Applause)

- - -

MAYOR PITTMAN: We need to proceed real quickly here. We have a resolution to be presented to the Consulate. We're going to do that and then we're going to take a 10-minute break before we resume the meeting.

MR. HOWE: Thank you, Mayor Pittman and Members of Council.

On behalf of the Mayor's office, it's an honor to introduce Consul-General Benoit Standaert of the Kingdom of Belgium.

On July 21st, 1831, King Leopold I swore oath to a provisional government, becoming the first monarch of Belgium. The coronation came on the heels of an 1830 Belgian revolution which led to Belgium's

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secession from the United Kingdom of the Netherlands and the nation's modern inception.

Although it is only about 12,000 square miles -- that's about the size of New Hampshire -- Belgium is an economic powerhouse. From advanced technology to petrochemicals to pharmaceuticals to industrial machine production, Belgian companies have over 39 billion invested in the U.S., supporting more than 180,000 jobs. Overall, Belgium ranks 15th in foreign investment and 7th in European investment.

At the state level, Belgium is among the top 10 foreign investors in Georgia, Ohio, Pennsylvania and South Carolina. In Georgia, 76 Belgian companies are present, employing more than 5,800 people.

Belgians have made significant contributions to the world from the invention of the saxophone to the scientific breakthroughs like the development of the internal combustion engine to the electrical engine to the modern plastics industry and the Worldwide Web.

So as a tribute to this staunch ally and for the many gifts Belgium has given to the U.S. and to the world, Mayor Pittman has declared this week, the week of July 25th, as Kingdom of Belgium Week in Doraville.

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So I'd like to introduce Consul-General Benoit Standaert.

- - -

(Applause)

- - -

CONSUL-GENERAL STANDAERT: I didn't prepare anything. I am very honored and pleased to speak before such a packed audience. I'll be very brief. I have just three remarks and maybe a fourth one.

First of all, Mayor, congratulations. I used to be posted in Africa. In Africa, when it's raining, it's a very good omen. And I believe that with the rain which we all need here today, it could be in my opinion a most beautiful day for Doraville and for yourself. Congratulations.

Second, thank you for the introduction. Just a couple of words about Belgium. I think we share a lot of things in common with Georgia. Let alone the size, we are much smaller, but we are blessed in having mountains and the shore. We have ports like you in Savannah. We have beautiful railways. We have a very diverse industry. We have a very diverse population just like you here, and I think I'm looking forward to have and to establish in the future more links between Doraville and Belgium.

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My third remark, very short one, is that Doraville is in my mind every day, since, as a good European, I take MARTA to go to the office, and living in Brookhaven, it's the Doraville line that I'm taking every day.

Finally, we live in turbulent times, and I don't want to make any political comments today; but again, congratulations on Mayor.

In Belgium, the place of mayor is the most coveted and sought after. As a matter of fact, most of our previous prime ministers tried to be elected afterwards as a mayor, and their comment is, "As a mayor, I have much more power and say than as prime minister."

So this is a nice program for you. Congratulations again.

- - -

(Applause)

- - -

MAYOR PITTMAN: Well, thank you, sir. It was an honor to have you here tonight.

Also, I meant to mention Captain Burgess from DEMA. It's an honor to have you here.

And I apologize. It's Joel Alvarado from the CEO's office.

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MR. ALVARADO: That's okay. I've been called worse.

MAYOR PITTMAN: We're honored and glad to have you here.

And again, I am just really touched and honored by all of you being here for this tonight, so thank you so much.

Sheriff Brown, thank you for being here.

My family. My family is here. How can I forget them? They've campaigned with me for the last three months. So I'm glad they're here. Thank you.

That's it. We'll take a 10-minute break.

- - -

(Recess)

- - -

MAYOR PITTMAN: Next on the agenda is going to be public comments. It's going to be public comments on agenda items only. If you could please limit your comments to three minutes and only on the items for the agenda.

Anyone have any comments? No comments?

- - -

(No response)

- - -

MAYOR PITTMAN: Thank you. Next is going to

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be old business.

We've got the second reading of the Failure to Appear Ordinance, Mr. McLendon.

ATTORNEY McLENDON: Yes, ma'am. And we've taken the comments at the last meetings in discussing this ordinance and provided a revised ordinance.

Two primary changes. One, we have added in the ability to serve by certified mail, return receipt requested.

The big change in this, however, is I think everyone was a little concerned that somebody could potentially be charged with failure to appear without having actually gotten notice of the charge.

So what we did is right at the first line of subsection (b), it included as an element of the crime that "It shall be unlawful, upon proof of actual notice of the summons by Defendant."

So what we have done with that phrase is said until I've proven that as part of the case of showing that the failure to appear is a valid charge, it will not fly.

So an element now requires proof of actual notice. So if the citation is either served personally, certified mail, or left at the residence, before you can successfully convict anybody, an

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element of proof will be they knew they were charged and they were supposed to be there.

I hope that resolves the concerns on that.

MAYOR PITTMAN: Thank you. Any questions from the table, Council?

COUNCILMEMBER ALEXANDER: Motion to approve the adoption of the Failure to Appear Ordinance as presented.

MAYOR PITTMAN: Do I get a second?

COUNCILMEMBER FLEMING: Second.

MAYOR PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

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COUNCILMEMBER ALEXANDER: Thank you. Motion carries.

Next on the agenda is the liability insurance update, J. Smith Lanier.

MR. WALKER: Chris Walker with J. Smith Lanier.

MR. WRIGHT: And Michael Wright with Public Risk Underwriters.

MR. WALKER: I believe you-all had a question regarding pollution liability from the last meeting.

We did get an optional pollution quote for you, which I believe was left for you-all this week. It would be, I think, $15,000 a year.

They do have a two-year option for $21,000 and a three-year option for $27,000, so you would save over time by doing that, but I understand with the budget crunch, you may not be able to do multi-year.

This coverage is actually a little bit broader than your current policy would be from the same carrier. And again it boils down to whether you feel you have enough of a risk or if $15,000 a year is worth warranting buying the pollution coverage.

COUNCILMEMBER BATES: Real quick question for you regarding that. The coverage cover sheet

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talks about coverages A through E, but I didn't see any definite or any detail on coverages D and E specifically, the crisis-response coverage.

So Ms. Alexander had raised the question regarding a meth lab. And if I'm reading the majority of this liability proposal correctly, it talks about property that's owned by us, being the insured.

But a meth lab or a house or a car that's in the city, certainly wouldn't -- I would hope it's not owned by us --

MR. WRIGHT: Yeah.

MR. WALKER: No. It would be off site.

COUNCILMEMBER BATES: So I just want to make sure that that is included --

MR. WALKER: Would be included? Okay.

COUNCILMEMBER BATES: -- in this policy.

MR. WRIGHT: You have on-site as well as off-site coverage. And on the crisis management, you also have --

MR. WALKER: The peer response, the pollution incident and environmental response. That is part of their coverage, which I'm not sure if y'all have this particular sheet.

COUNCILMEMBER ALEXANDER: The peer pollution is in environmental response?

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MR. WALKER: Right. You have access to those, those individuals.

MR. WRIGHT: And it is -- just for your knowledge, it is the same -- the same company, the same underwriting company providing the pollution coverage that you currently have. It's just one form of, actually, and it's a little broader.

MR. WALKER: It's improved coverage.

COUNCILMEMBER BATES: Okay. Thank you.

COUNCILMEMBER ALEXANDER: Additional questions?

COUNCILMEMBER ROCHE: Yeah. I just wanted to kind of clarify. I know we discussed this a little bit last time, but I want to set our expectations and make sure that everyone understands the process here.

In the back of the booklet here we have three separate letters from three different insurance companies that essentially say -- well, here's one I have to read. "Based on the loss history, this account appears to have both frequency and severity problems," so they're not going to bid on it.

The other ones, "We decline to offer a quotation," and, "After evaluating the loss runs, we must decline," et cetera, et cetera.

And we have another one. We have three

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1 people that basically say that we're such a big risk
2 that they won't insure us.
3 MR. WALKER: Correct.
4 COUNCILMEMBER ROCHE: And part of what I
5 heard you guys say, and maybe it is time to elaborate
6 on that a little more, is that you would be providing,
7 I assume, on-site risk-management consulting as part
8 of the deal, and I just want to know.
9 I mean does that mean you'll be here once a
10 week or five days a week or -- you know, could you
11 give us the outline of what that would look like?
12 MR. WALKER: I think in fact my loss control
13 person who was here, he was actually at the last
14 meeting.
15 COUNCILMEMBER ROCHE: Right.
16 MR. WALKER: He's developed a service plan,
17 just kind of a tentative service plan, and it really
18 just boils down to what y'all want.
19 A person can't be here every day. We
20 wouldn't be --
21 COUNCILMEMBER ROCHE: Right.
22 MR. WALKER: -- a full-time employee. But
23 we would give you definitely on -- on the front end of
24 service, I mean, it definitely is going to take some
25 handiwork from y'all's side from a management

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1 standpoint as well as our side.
2 We have three loss-control people in our
3 Columbus office -- there's more in the Atlanta
4 office -- that would come in to offer the training.
5 We basically -- you know, we've looked at
6 the claims, kind of have a general idea of where the
7 experience is coming from and then what we need to do.
8 So it's just a matter of getting involved.
9 And as much time as y'all want on the front
10 end, we can -- we'll definitely -- We're going to do
11 it to whatever gets the job done, because it's going
12 to make our job easier in the end where we can go back
13 to those markets and say, "Here's all the steps we've
14 taken," and you'll start seeing your claims hopefully
15 go down. And over time, we should have three or four
16 or five/six companies that may be interested in
17 quoting your account.
18 So I don't know if I gave you a definitive
19 answer, but we're committed to do whatever we need to
20 do to get things on the right track.
21 COUNCILMEMBER ROCHE: What I'd like to see
22 personally would be some sort of a punch list or
23 whatever that would say "This is an issue, this is an
24 issue" --
25 MR. WALKER: Okay. Right.

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1 COUNCILMEMBER ROCHE: -- and then maybe a
2 monthly status report of --
3 MR. WALKER: That's fine.
4 COUNCILMEMBER ROCHE: -- the identified
5 issues, progress.
6 Because the point is that if for some reason
7 you bring this to, say, some department head or
8 whatever and then nothing happens, then nothing's
9 going to happen, and we need to make sure that we
10 maximize your efforts and your consultants' abilities
11 to make certain that we actually make some progress
12 here.
13 MR. WALKER: And I think I said in the last
14 meeting, it comes from the top down. So if it's
15 important to y'all, it should be important to the
16 department heads, you know, and that it's a function
17 of their job to do those things correctly.
18 We do have the on-site training with our
19 people and we have online training for -- if you have
20 new hires and want to do some training, we have all
21 that available as well.
22 But you know, I think the primary focus is
23 to really isolate where we see repeat issues or
24 preventable issues and go after those first and just
25 try to get thing -- You know, a lot of that will be

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1 training and a lot of that will be procedures and will
2 just be a combination of it.
3 COUNCILMEMBER ROCHE: But could we expect
4 maybe a monthly status report --
5 MR. WALKER: Yes, sir.
6 MR. WRIGHT: Yes, sir. Actually, you should
7 have a monthly safety committee meeting. That would
8 be the first order on our process would be setting up
9 a safety committee meeting with your department
10 heads --
11 COUNCILMEMBER ROCHE: All right.
12 MR. WRIGHT: -- meeting with them once a
13 month and explain to them what they need to be
14 reporting back to us, which we would report back to
15 you-all.
16 And we would also set up your defensive
17 driving courses immediately. Those courses are 25
18 people per course. They come in and they get their
19 State certification.
20 So both of those items would go in
21 absolutely immediately. And then from the safety
22 committee meetings, we would build on the areas that
23 we see you have the most issues with.
24 COUNCILMEMBER ROCHE: All right, and I'm not
25 questioning. I mean you guys know what you're doing.

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I just want to make sure that the Council --
MR. WRIGHT: Absolutely.
MR. WALKER: Has to be.
COUNCILMEMBER ROCHE: -- is kept informed --
ATTORNEY McLENDON: Sure.
COUNCILMEMBER ROCHE: -- of where progress is happening and where progress may not be happening. So if we could get like a monthly status report --
MR. WALKER: We can commit to that.
COUNCILMEMBER ROCHE: -- to the Council --
MR. WALKER: Sure.
COUNCILMEMBER ROCHE: -- that would be great.
MR. WALKER: Okay.
MAYOR PITTMAN: Anything additional?
- - -
(No response)
- - -
MAYOR PITTMAN: Does this require a motion?
ATTORNEY McLENDON: If you're going to adopt.
MAYOR PITTMAN: Council?
COUNCILMEMBER FLEMING: If this is up for consideration this evening to make a motion, then I have further discussion that I want to add.

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Again, the price differential does not warrant me to vote for removing ourselves under the umbrella of GMA, so I would be opposed to changing from something tried and true and going to Travelers through Public Risk and J. Smith Lanier.
I am concerned about our liability insurance for the attorneys that we may be dealing with who may not have had municipal government training.
I have concerns about a second-year guarantee of increase. Is there any such that the second year --? Is there a guarantee for the second-year increase?
MR. WRIGHT: There's actually three points there.
The first point and your first concern relative to removing yourself from the GMA umbrella, the GMA is actually a pool of insureds here in Georgia, and the last estimate I had was they had roughly 30 million dollars of volume.
With Travelers, you're going to a multi-billion dollar company with those assets.
The attorneys you would be dealing with are specific to public entity. That's all they do.
The second question relative to your rate increase. An insurance company cannot increase more

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than 15 percent in any one year without notice. The GMA does not hold to that. They can exceed 15 percent. So your guarantee with an insurance company is actually better than that with the GMA.
COUNCILMEMBER FLEMING: Thank you.
MAYOR PITTMAN: Anyone else?
COUNCILMEMBER ROCHE: I'll be happy to make a motion to accept the bid from the Travelers.
MAYOR PITTMAN: Do I get a second?
COUNCILMEMBER PACHUTA: Second.
MAYOR PITTMAN: Discussion?
COUNCILMEMBER ROCHE: Yeah. Just that, you know, I have insurance on my car. And what really concerns me, though, is the safety issue. I mean if we're wrecking cars and people are getting hurt, that's what we need to solve.
I have insurance on my car. That doesn't mean I go around running over people all the time just because I have insurance. I still need to be a safe driver.
And that's the feature that I think I like about this, that hopefully the City of Doraville will respond to your direction as far as making Doraville a safer place to work and live. Thank you.
MR. WRIGHT: Thank you.

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MR. WALKER: Thank you very much.
MAYOR PITTMAN: We have a motion and a second.
COUNCILMEMBER BATES: I'd like to just make sure that we're using the July 21 proposal. The Travelers got the reduced rate based upon the --
MR. WALKER: Change in auto?
MR. WRIGHT: Change in auto?
MR. WALKER: Yeah. I think it should be $511,000.
COUNCILMEMBER ROCHE: I'll amend my motion to $511,000.
COUNCILMEMBER BATES: Mr. Roche, would you also be amenable to add in the one year pollution coverage?
COUNCILMEMBER ROCHE: And the pollution coverage.
COUNCILMEMBER BATES: Thank you.
COUNCILMEMBER PACHUTA: I'll amend the second.
MAYOR PITTMAN: Additional discussion?
COUNCILMEMBER FLEMING: Yes. We haven't discussed an effective date.
COUNCILMEMBER PACHUTA: How does that normally work?

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1 MR. WALKER: We can -- I don't know. If
2 it's from back-dating, they may have to have losses,
3 new loss experience.
4 I mean we can make it effective tomorrow,
5 8/1, whenever you would like to make it effective.
6 ATTORNEY McLENDON: Well, we will definitely
7 need to coordinate the transfer with our current
8 insurer.
9 MR. WALKER: Right.
10 ATTORNEY McLENDON: And basically, as far as
11 approving this, what we need to do is coordinate it
12 between the two insurers to make sure there is no
13 lapse in coverage.
14 MR. WALKER: Correct.
15 ATTORNEY McLENDON: And I'm sure you would
16 be amenable to that --
17 MR. WALKER: Oh, definitely.
18 MR. WRIGHT: Absolutely.
19 ATTORNEY McLENDON: -- as well; correct?
20 MR. WALKER: Yeah. You've satisfied the 90-
21 day requirement to them, so it's really just a matter
22 of when y'all wish to make a change.
23 MR. WRIGHT: Yeah. And you would notify
24 also the effective date. We would set the effective
25 date with the carrier at the same time you would

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1 notify the GMA of the removal, so there's no lapse in
2 coverage, no doubt.
3 COUNCILMEMBER FLEMING: I have a question
4 for Ms. Alexander on your cash balance review when you
5 were the Acting Mayor.
6 Could you tell me if you determined whether
7 we have paid GMA our insurance for this year?
8 COUNCILMEMBER ALEXANDER: No, we have not.
9 We are going to effect a 25 percent payment
10 because it was supposed to have been paid in May and
11 it was not.
12 COUNCILMEMBER FLEMING: So I mean --
13 MR. WALKER: You would owe from the
14 effective date to the date of cancellation, whatever
15 that prorated amount would be.
16 COUNCILMEMBER ROCHE: I didn't really get
17 into the effective date, because I've realized that
18 there was a 90-day thing, and with the transition and
19 everything, I didn't want to set a hard and fast date
20 and then have to come back later and change it.
21 But, you know, we could say as soon as
22 possible or whatever.
23 MR. WALKER: Yeah, we can make it effective
24 tomorrow. I mean that's --
25 MR. WRIGHT: Yeah, you --

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1 COUNCILMEMBER ROCHE: As long as there's --
2 MR. WALKER: -- as long as GMA --
3 COUNCILMEMBER ROCHE: I think we want an
4 orderly transition, obviously, with GMA.
5 COUNCILMEMBER PACHUTA: I think if you just
6 work with staff and the Mayor.
7 COUNCILMEMBER ROCHE: Right, exactly. That
8 is my vision or my hope on this.
9 COUNCILMEMBER FLEMING: My preference would
10 be to start a fresh year, to be very honest, because
11 if we're --
12 Though I know your opinion about us going
13 out for RFP was our 90-day notice to them, to me, that
14 wasn't a 90-day a notice. Okay. That's just how I
15 am. Okay.
16 So here we are, almost the first of August
17 with four more months -- you know, with four or five
18 more months left in the year. My preference would be
19 to complete this year with GMA, also giving us an
20 opportunity to do the transition of carriers and begin
21 with Travelers January 1.
22 That also gives you an opportunity to do
23 your pre-assessment of us.
24 MR. WALKER: Well, the only problem with
25 that is the quote is only valid for a 30-day time

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1 frame. So your quote's only good until August 1st, so
2 we would have to get new loss runs.
3 And whatever experience you have during that
4 time, if you had a lot of bad experience even now,
5 they may not be willing to honor that quote effective
6 January 1st, and that's, I believe, the reason we came
7 back tonight.
8 COUNCILMEMBER FLEMING: I would think if
9 they want our business bad enough, they would hold
10 firm for the balance of the year.
11 MR. WRIGHT: Unfortunately, that's not how
12 it works. The loss runs dictate your rates. And if
13 your losses went down the toilet -- and this would be
14 in general -- in the next three or four months, the
15 rates that were supplied from the original quote,
16 which is now going on 60 days, wouldn't hold.
17 That's just not how insurance works. It
18 would be that way for your personal homeowners or
19 auto. If you got a quote and three months later your
20 house burned down and then you wanted the quote that
21 you got three months ago, they're going to say no.
22 That's just the nature of the insurance product,
23 unfortunately.
24 COUNCILMEMBER FLEMING: Thank you.
25 COUNCILMEMBER ROCHE: I think I'm okay with

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1 the motion as it is.
2 ATTORNEY McLENDON: The motion basically is
3 to accept this insurance.
4 What we have agreed and I think everyone
5 agrees that we need to effect the orderly transition
6 if the motion is successful. And I think that is sort
7 of inherent in that motion that we would start at the
8 earliest effective date that works between the two
9 companies. And this is not a transition that either
10 company would be not familiar with making.
11 MAYOR PITTMAN: Anything in addition?
12 COUNCILMEMBER FLEMING: Yeah. I just wanted
13 to comment, one more comment.
14 Thought I do not do this -- I've stayed with
15 one insurance company for my 43 years of driving,
16 okay, and homeowners as well, not 43, stayed with one
17 company -- there are multiple companies out there now
18 that are on the television, and everybody just picks
19 up and gets a telephone quote, okay. And you see
20 people every day getting additional quotes and then
21 jumping from pillar to post to effectuate their best
22 rate.
23 I feel that that's what we're doing now.
24 And I'm taking the avenue of caution. So I apologize,
25 but I cannot approve -- I will be opposed to this

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1 motion. Thank you.
2 MAYOR PITTMAN: Anything in addition?
3 - - -
4 (No response)
5 - - -
6 MAYOR PITTMAN: Call the roll, please.
7 CLERK McCAIN: Councilmember Alexander?
8 COUNCILMEMBER ALEXANDER: Yes.
9 CLERK McCAIN: Councilmember Bates?
10 COUNCILMEMBER BATES: Yes.
11 CLERK McCAIN: Councilmember Fleming?
12 COUNCILMEMBER FLEMING: No.
13 CLERK McCAIN: Councilmember Pachuta?
14 COUNCILMEMBER PACHUTA: Yes.
15 CLERK McCAIN: Councilmember Roche?
16 COUNCILMEMBER ROCHE: Yes. Thank you.
17 MAYOR PITTMAN: Thank you. Motion carries.
18 Thank you.
19 MR. WALKER: Thank you very much.
20 MR. WRIGHT: Thank you.
21 MAYOR PITTMAN: Next is new business.
22 Appeal of administration decision at 6555 Peachtree
23 Industrial Road.
24 And Mr. Cooley, that is actually -- since
25 there seems to be some Winters Chapel residents here,

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1 that is actually the old NTB site --
2 MR. COOLEY: That's correct.
3 MAYOR PITTMAN: -- that we're going to be
4 speaking of.
5 MR. COOLEY: Good evening. You do have in
6 front of you -- it's an appeal of the administrative
7 decision that was made by the interim zoning
8 administrators. Basically, it was a denial of an
9 application for a tax certificate -- occupational tax
10 placard. Excuse me.
11 Request was for a body shop. This was on a
12 piece of property that had been rezoned to C-2 and
13 R-1. That's C-2 Conditional with the specific
14 conditional use of brake shop. A few other things are
15 listed in there but not a body shop. Body shop is not
16 allowed in the C-2 district to begin with.
17 So this was the appeal. We received it. We
18 put it on this agenda so we were responding in a
19 timely fashion.
20 The attorney for the appellant has come
21 forward and asked that this be deferred until
22 September meeting, and we would recommend the Tuesday
23 September 20th meeting [sic] as a firm date to defer
24 this. That way, we will not have to go into readver-
25 tising or notifications on it.

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1 That is acceptable to our counsel; it's
2 acceptable to their counsel. And they were looking
3 for additional time, I believe, to see what their
4 other options or use of the property.
5 So we would --
6 COUNCILMEMBER FLEMING: Okay. Do we have --
7 MR. COOLEY: -- recommend to defer.
8 COUNCILMEMBER FLEMING: -- a holiday on the
9 19th?
10 MR. COOLEY: My understanding is that y'all
11 have switched to the first and third Tuesdays.
12 COUNCILMEMBER BATES: Mondays.
13 MR. COOLEY: Mondays. Excuse me.
14 That should be the Monday. Thank you.
15 COUNCILMEMBER FLEMING: Okay. September
16 19th.
17 MR. COOLEY: 10th.
18 COUNCILMEMBER FLEMING: Unless it's a
19 holiday, and then we do do Tuesday.
20 MR. COOLEY: Okay. Fine. My mistake.
21 ATTORNEY McLENDON: I would ask for a motion
22 to defer it to the date certain for that meeting, and
23 that'll keep us from having to readvertise it under
24 the Zoning Procedures Act.
25 MAYOR PITTMAN: Do I get a motion?

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COUNCILMEMBER ALEXANDER: Motion to reset the appeal of the administrative decision regarding 6555 Peachtree Industrial Boulevard to the meeting of September 19, 2011.
COUNCILMEMBER PACHUTA: Second.
MAYOR PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PITTMAN: Thank you, Mr. Cooley.
MR. COOLEY: Thank you.
MAYOR PITTMAN: Okay. Do we have any department heads here with reports or boards with reports?

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- - -
(No response)
- - -
MAYOR PITTMAN: Okay. Public comments? Please limit your comments to three minutes.
MR. AMBROSE: James Ambrose, Redwood Street.
First, I'd like to commend both the parties that ran for Mayor in the clean and very nonpolitical and hate that has been going around in the city of Doraville up until this campaign. They dealt nothing with what the problems and what they thought they could do and what they hoped the city can do.
Second, I hope the City Council that was elected to work for the city and for the citizens will put away their qualms and work with the new Mayor to get all the good things done that could get done if they'll work together.
Thank you.
MAYOR PITTMAN: Anyone else? Steph?
MS. KOONTZ: Steph Koontz from Oakcliff.
I've talked to a few of y'all about the sign ordinance problem that our church has run into and I know that y'all have been real involved with the City budget and this election and all this stuff.
And I hope that sometime here before too

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long, y'all can maybe address the problems that I'm seeing with the sign ordinances that the City has that seemed real ambiguous.
And I don't think that they are effecting what the intent was when some of them were written. They seem to be stopping some which seemed to me things that are pretty benign signs and then they're not addressing some really ugly signs.
And so hopefully before too long, y'all can address this so our church can move forward with putting up our signage that we'd like to do.
Thank you.
MAYOR PITTMAN: Thank you.
Anyone else? Ms. Fraysse?
MS. FRAYSSE: I congratulate you.
I wanted to say I also very, very, very strongly appreciate the sentiments that you made in your opening statement upon being sworn in, and I look forward to everyone in the city living up to all the ideals as stated in that sentence. I think that will be a wonderful future for us.
And I want to start now nagging about planning meetings for Doraville Days so that we can have a very successful event this fall, maybe figure out ways to do it without spending so much money but

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have the benefit we all want to have from a positive Doraville Days.
Thanks.
MAYOR PITTMAN: Ms. Fleming, would you like to address that?
COUNCILMEMBER FLEMING: Ms. Fraysse, unfortunately, you weren't here for the budget meetings.
MS. FRAYSSE: Well, some of them, I was. It was still in last --
COUNCILMEMBER FLEMING: Well, you must have missed the one where we had to give up the $30,000 that was in the hotel/motel fund --
MS. FRAYSSE: Right.
COUNCILMEMBER FLEMING: -- because we were still so very short on our budget.
So as of right this second, we don't have funding in our city other than volunteer services or donated goods and services from businesses.
However, there is a presentation that will be made Wednesday evening that I will be attending at Dekalb County, and hopefully we can partner together to have some type of an international festival for that weekend here in Doraville.
MS. FRAYSSE: Excellent.

COUNCILMEMBER FLEMING: Thank you.
MAYOR PITTMAN: Anyone else?
COUNCILMEMBER ALEXANDER: Motion to adjourn.
MAYOR PITTMAN: Do I get a second?
COUNCILMEMBER PACHUTA: Second.
MAYOR PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Here.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PITTMAN: Meeting adjourned.

- - -

(Meeting adjourned at approximately 7:25 p.m.)

-o0o-

C E R T I F I C A T E

STATE OF GEORGIA]
COUNTY OF DEKALB]

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

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

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

This the 28th day of July, 2011.

_____

Theresa Bretch, CCR
Permit No. B-755
[SEAL]

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