In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

December 5, 2011

American Court Reporting Company, Inc.

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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 Civic Center, 3770 Central Avenue, Doraville, Georgia, Mayor Donna Pittman presiding, before Theresa Bretch, Certified Court Reporter, commencing at approximately 6:30 p.m. on Monday, December 5, 2011.

* * *

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APPEARANCES:

Doraville City Council:

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

Melissa McCain, City Clerk

Cecil G. McLendon, Jr., City Attorney
Leonid Felgin, Assistant City Attorney
Riley McLendon, LLC
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 PITTMAN: Meeting come to order. Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Here.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Here.

MAYOR PITTMAN: Thank you. Please rise for the Pledge.

- - -

(Pledge of Allegiance)

- - -

MAYOR PITTMAN: Thank you. Approval of minutes for November 21st, 2011. Can I get a motion, please?

COUNCILMEMBER ALEXANDER: So moved.

MAYOR PITTMAN: Second?

COUNCILMEMBER PACHUTA: Second.

MAYOR PITTMAN: Discussion?

- - -

(No response)

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- - -

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.

MAYOR PITTMAN: Okay. I believe there's no ceremonial presentations tonight.

Public Comments on Agenda Items. Public comments on agenda items only. Please limit your comments to three minutes and state your name for the court reporter, please. If you'd come to the podium.

- - -

(No response)

- - -

MAYOR PITTMAN: Okay. Thank you. Have any department head reports? Mr. Cooley?

MR. JOE COOLEY: Just real quickly, wanted to let you know there was -- I think it was back in March this year where Chapter 5, Article 12, the

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design guidelines, y'all passed a very quick kind of a catch-all real quick thing for the design standards.

I've been looking at that. It is so simple, it's to the point of being not really functional. So I just wanted to let you know I've been working on another standard which is rather long, but it's based upon one out of Orange County, Florida. I'll be taking it to the Planning Commission for their review and then I'd like to bring it back to y'all for your consideration.

And the other thing is when I was first hired, y'all requested that I receive AICP certification. Just wanted to let you know that I did take the test, I passed, so I am AICP-certified.

MAYOR PITTMAN: Okay. Thank you. Good job.

Captain Brinkley?

CAPTAIN BRINKLEY: Good evening. I'm here to have Council to move to have the new maintenance agreement with GeoConex approved to go ahead and have it renewed, and it is budgeted.

MAYOR PITTMAN: Okay. Any questions from the Council?

COUNCILMEMBER ALEXANDER: Do you happen to know what the amount of the agreement was last year?

CAPTAIN BRINKLEY: Not right off-hand. I

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believe it -- I don't think it's changed. I think it's --

COUNCILMEMBER ALEXANDER: You think it's the same amount?

CAPTAIN BRINKLEY: -- the exact same amount.

COUNCILMEMBER PACHUTA: I'm just curious. With the software upgrades and stuff, does our I.T. contractor also deal with that or they do it exclusively?

CAPTAIN BRINKLEY: This company does it exclusively.

COUNCILMEMBER FLEMING: Are there other vendors that are applicable to the services that could be rendered to the police department?

CAPTAIN BRINKLEY: There may be some other vendors that can do it, but this company is the sole provider of that product and it's their product that they're servicing.

MAYOR PITTMAN: Anyone else?

COUNCILMEMBER ALEXANDER: Has legal reviewed the contract?

ATTORNEY McLENDON: Yes, ma'am. We actually prepared this contract. It's on our standard format, which is generally what I'm looking for.

COUNCILMEMBER BATES: Motion to approve the

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contract with GeoContex.

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.

MAYOR PITTMAN: Thank you.

Thank you, Captain.

CAPTAIN BRINKLEY: Thank you.

MAYOR PITTMAN: Okay. Next is the Administrative Appeal Hearing. I believe that has been withdrawn. Mr. Cooley?

MR. COOLEY: Yes. I forwarded you all an e-mail from Matt Reeves, the attorney for the appellant, and he has asked -- or he's withdrawn the appeal. And I sent a copy to y'all, I believe, this

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morning. Everybody should have gotten it via e-mail. I just received it this morning. So they have withdrawn.

MAYOR PITTMAN: Thank you.

Next is old business. Mr. McLendon, I'm going to let you take it. I believe there were some adjustments to that ordinance.

ATTORNEY McLENDON: Mayor, I think the last conversation we had about the white goods pickup ordinance there was a discussion regarding the fees that would be suggested to be charged. And I think that additional conversation occurred with staff, and the recommendation based on the direction of Council as well was just that it would be a flat fee of $30.00 without trying to calculate some additional amount based on the number of items.

Other than that, I believe the ordinance remains the same as you saw it the last meeting.

MAYOR PITTMAN: Any questions from the Council?

COUNCILMEMBER ALEXANDER: So we're just striking the plus $5.00 per item collected?

ATTORNEY McLENDON: Yes, ma'am. And I think everyone -- There was a conversation with staff, and everyone felt that was appropriate.

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COUNCILMEMBER ALEXANDER: I wanted to question flexibility.

We've had an issue that has come up recently with our solid waste provider I guess enforcing their limitation on eight bags of yard waste pickup.

Would this restrict the City in any way if we decided to ask Public Works to handle that pickup or could we just on a special-case basis tell them to do it?

ATTORNEY McLENDON: That would be, in my opinion just off the top of my head, a separate issue from this ordinance. This ordinance is really geared toward just, you know, refrigerators/white goods, and if you wanted some ordinance that would authorize an ability for Public Works staff to go out and pick up excess of what the vendor would pick up, that would be a separate thing.

COUNCILMEMBER ALEXANDER: Would we have to do it by ordinance or could we just do it by executive order?

ATTORNEY McLENDON: What we would need to do, I think, would be to look to see if we already had some ordinance that would address use of staff time.

If we did, I think you would authorize -- we would probably want it somewhere in the ordinances

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that gave the authority to do that and at basically the rate of compensation to offset any costs.

COUNCILMEMBER FLEMING: Well, presently, piggy-backing on Ms. Alexander, though, our Public Works department is presently picking up tree limbs and so forth that are larger than four feet, so I don't see where we would need to have -- you know, if we have excess than eight bags of leaves, that it warrants an additional special call, because if they're already out there picking up the tree limbs or whatever, I would think that all we need to do is say, hey, pick up any other yard trash bags that you see.

ATTORNEY McLENDON: Yeah. And what I'd want to do is first look at our ordinances and see if it's already contemplated in there. If the language for tree limbs is narrow and focused on just tree limbs, we might want to put something in that just says there is an additional authority.

I don't think it would hurt anything. It would keep anyone from arguing there was some, you know, gratuity to one person versus another if you said staff can be authorized to pick this up.

Let me look at the ordinances on that. If the language is already there, I'm not a fan of drafting new ordinances on everything. But at the

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same time, if it was going to be something that we authorized in the structure of what we pick up, we probably need to make sure it's contemplated.

COUNCILMEMBER FLEMING: Well, personally, I was shocked because I did not recall the limit of eight bags per week. And as I e-mailed Mayor and Council, I personally just had 16 last week just out of my street and my driveway. So during the fall and winter season when the leaves are falling, I would think that we would allow more than eight bags.

MAYOR PITTMAN: And that was adjusted for this particular time to allow them to pick up during the heavy leaf season.

ATTORNEY McLENDON: What we'll do is if I can take a look at the ordinances, if it looks like it's already in there, I'll just let you know at the staff reports at the next meeting, and if there's some language, we can sort of try to work something up.

I'm not going to create language unless we need it, though.

COUNCILMEMBER FLEMING: Okay. And as far as this ordinance, have we decided on an effective date?

COUNCILMEMBER ALEXANDER: Councilman Bates was just mentioning perhaps February 1.

Ms. Fleming and I have been in discussion

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via e-mail, because of the leaf issue that came up, that we would really like, even if it's quarterly, to resurrect the City newsletter being mailed to the homeowners because we need some way to convey stuff like this. And even if we do it quarterly -- I think I calculated 2200 households -- that would be like $948.00 worth of postage or whatever.

But because we're not billing the sanitation now -- That was always an avenue for us to put an insert in their bill, and since we're not doing that now, we need to be able to communicate changes in procedures like this to the homeowners.

MAYOR PITTMAN: I agree. That's good. So we'll move forward with that.

COUNCILMEMBER FLEMING: So advertisement, I am thoroughly in agreement with Ms. Alexander. We need to be able to advertise to our residents no matter what ordinances that we have or special items that are coming up, so I'd like us to resurrect at least quarterly also.

And I was curious whether, Ms. McCain, have you already designed the forms for the special pickup?

CLERK McCAIN: We have not, because we weren't sure what the Council's final --

COUNCILMEMBER FLEMING: Okay.

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1 CLERK McCAIN: -- decision was --
2 COUNCILMEMBER FLEMING: All right.
3 CLERK McCAIN: -- going to be.
4 COUNCILMEMBER FLEMING: So that's something
5 that would still need to be done as well.
6 CLERK McCAIN: Yes, ma'am.
7 MAYOR PITTMAN: Anything additional?
8 COUNCILMEMBER BATES: Ms. Fleming, are you
9 okay with the February 1 start date?
10 COUNCILMEMBER FLEMING: As long as we've
11 advertised it.
12 COUNCILMEMBER BATES: I concur.
13 I'll make a motion to adopt --
14 Is this the first reading?
15 ATTORNEY McLENDON: This is the --
16 COUNCILMEMBER PACHUTA: Third.
17 COUNCILMEMBER BATES: Third? Fourth?
18 ATTORNEY FELGIN: Second.
19 MAYOR PITTMAN: Actually --
20 ATTORNEY McLENDON: Well, we read it last
21 week and we had it sent back to us to make the amend-
22 ment on the cost. This should be the second reading
23 if that's the case.
24 CLERK McCAIN: I did it. I wasn't here the
25 last meeting, but I did it because there was changes

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1 at the first reading. The changes --
2 MAYOR PITTMAN: It should be the second
3 reading, I believe.
4 COUNCILMEMBER BATES: Well, I'll make a
5 motion to waive first reading.
6 MAYOR PITTMAN: Do I get a second?
7 COUNCILMEMBER PACHUTA: Second.
8 MAYOR PITTMAN: Discussion?
9 - - -
10 (No response)
11 - - -
12 MAYOR PITTMAN: Call the roll, please.
13 CLERK McCAIN: Councilmember Alexander?
14 COUNCILMEMBER ALEXANDER: Yes.
15 CLERK McCAIN: Councilmember Bates?
16 COUNCILMEMBER BATES: Yes.
17 CLERK McCAIN: Councilmember Fleming?
18 COUNCILMEMBER FLEMING: Yes.
19 CLERK McCAIN: Councilmember Pachuta?
20 COUNCILMEMBER PACHUTA: Yes.
21 MAYOR PITTMAN: Thank you.
22 COUNCILMEMBER BATES: And I'll make a motion
23 to adopt Solid Waste Management Ordinance Section 15-
24 44 with an effective date of February 1, 2012.
25 COUNCILMEMBER PACHUTA: Second.

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1 MAYOR PITTMAN: Discussion?
2 - - -
3 (No response)
4 - - -
5 MAYOR PITTMAN: Call the roll, please.
6 CLERK McCAIN: Councilmember Alexander?
7 COUNCILMEMBER ALEXANDER: Yes.
8 CLERK McCAIN: Councilmember Bates?
9 COUNCILMEMBER BATES: Yes.
10 CLERK McCAIN: Councilmember Fleming?
11 COUNCILMEMBER FLEMING: Yes.
12 CLERK McCAIN: Councilmember Pachuta?
13 COUNCILMEMBER PACHUTA: Yes.
14 MAYOR PITTMAN: Thank you.
15 Next on the agenda is going to be the First
16 Reading - Fee Schedule, Mr. Cooley.
17 MR. COOLEY: These are revisions based upon
18 the last meeting that the Council had. I think
19 primarily the changes were in Administration and
20 Planning and Development. There was one minor one
21 under Park & Rec, and you will see that too.
22 I'll be glad to do this in whatever order
23 that you'd like, if you want me to go ahead and do the
24 Planning and Development or if you'd like mostly to
25 address the Administrative; at your desire.

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1 COUNCILMEMBER FLEMING: Or just take ques-
2 tions?
3 COUNCILMEMBER PACHUTA: Yes.
4 COUNCILMEMBER FLEMING: How about let's take
5 questions first. I mean let us question first.
6 MR. COOLEY: Fine, as long as it's, yeah,
7 Planning and Development. That's cool. I don't know
8 anything about the Administration.
9 COUNCILMEMBER FLEMING: Okay. Well, these
10 are for you --
11 MR. COOLEY: Good.
12 COUNCILMEMBER FLEMING: -- first of all, if
13 you guys don't mind me going first.
14 Under the signs --
15 MR. COOLEY: Yes.
16 COUNCILMEMBER FLEMING: -- monument ground
17 sign. To establish a monument ground sign -- and
18 obviously that's the way the City would prefer going
19 in our new architectural standards -- we're charging
20 $250.00 to create a monument sign but I notice that
21 the panel replacement is going to cost $250.00 also.
22 What I'd like to see instead of panel
23 replacement -- Mr. Bates and I were talking about if
24 it's an individual stand-alone replacement, I can
25 understand why it's $250.00, but when you normally

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have a monument ground sign, you have tenant panels --
MR. COOLEY: Right.
COUNCILMEMBER FLEMING: -- that are on them, and those are normally slide-in-and-mount-with-two-screws, generally speaking, and they just replace the tenant.
For instance, Pinetree and Northwoods, also Doraville Plaza presently have monument signs with tenant panels. I don't think those should be $250.00. I think Chamblee and Sandy Springs, and I'm not sure about Norcross, but they're like $25.00 or $40.00. They're not this $250.00 that we're charging.
MR. COOLEY: And I have no problem with that whatsoever.
I would suggest maybe a little bit higher because someone has to go out, take a look at it and inspect it, make sure that it's right. With a replacement, you don't have to get into looking at the footers, any of that stuff. so really it's just a one-trip-out.
Maybe fifty, because that's pretty much what we charge with other things where you have to go out and do the site inspection on it, because if it's an electrical, too, Mr. Pierce will have to go out and take a look at that, too, make sure there's not a

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problem. So it's --
COUNCILMEMBER FLEMING: I'd like --
MR. COOLEY: -- whatever y'all's pleasure is.
COUNCILMEMBER FLEMING: I'd like a second heading, though, because I can understand the panel replacement only being for instance on a pole sign --
MR. COOLEY: Right.
COUNCILMEMBER FLEMING: -- where they need to replace the panel.
MR. COOLEY: Right. That's the intent of this, I believe.
COUNCILMEMBER FLEMING: So under the monument ground sign, you may have a tenant replacement --
MR. COOLEY: Oh, yeah.
COUNCILMEMBER FLEMING: -- panel or --
MR. COOLEY: That's not going to require --
COUNCILMEMBER FLEMING: -- some type of --
MR. COOLEY: Excuse me.
COUNCILMEMBER FLEMING: So maybe a second heading or a second item under --
MR. COOLEY: Well, if that suits Council, what I'd like to do then is just go ahead and say under monument ground sign, for panel replacement, and

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have a charge of $40.00 if that's sufficient --
COUNCILMEMBER FLEMING: Okay.
MR. COOLEY: -- I mean, so we can go and would not have to come back again.
COUNCILMEMBER FLEMING: And then you're going to do panel replacement only --
MR. COOLEY: Yes, and that'll --
COUNCILMEMBER FLEMING: -- and leave --
MR. COOLEY: -- be under stanchion sign.
COUNCILMEMBER FLEMING: Correct.
MR. COOLEY: Just move it over.
COUNCILMEMBER BATES: Great.
MR. COOLEY: That's good.
COUNCILMEMBER BATES: I did notice that the fees changed a little bit from the original draft and that wall signs and projecting signs decreased and stanchion signs increased --
MR. COOLEY: Correct.
COUNCILMEMBER BATES: -- to try to encourage more of the former and fewer of the latter.
MR. COOLEY: Well, not just that. It gets into what amount of work is involved with doing the inspections on it.
Wall signs typically are not as -- take as much supervision and review. And we really have tried

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to work it on based upon the amount of time that's required. You know, that's what fees are supposed to be based upon, so that's what we've tried to do.
COUNCILMEMBER BATES: Okay.
MR. COOLEY: And one -- as you know, also one of the things we did, too, is simplified it. We have the set fee instead of based upon the price of the sign. You know, that doesn't have anything to do with the amount of work that it takes to do to inspect it.
COUNCILMEMBER FLEMING: The other item that I noticed, and then I'll be through, is I did not see, or maybe it's been taken out, demolition permit.
MR. COOLEY: No, demolition is in there. That's back under planning. Oh, it's item 121 if you have the printout that's on the left-hand sign, that's the numbering.
I'm sorry. No, that's the wrong one. Need better glasses. It is on there, though.
COUNCILMEMBER ALEXANDER: It's 170 --
MR. COOLEY: Thank you.
COUNCILMEMBER ALEXANDER: -- because that was one of my questions.
MR. COOLEY: Yes. Again as I discussed previously, right now the way our demolition permit is

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established is it's purely based upon a fee and then it's so much per thousand.

I cannot professionally justify an unlimited fee schedule demolition because, on a very large one we may have a maximum of 10 sheets. It's a very simple review. Most places have a flat fee of a hundred dollars, two hundred dollars or whatever the case may be.

I'm certainly amenable to whatever you-all want to go with, but just purely from a professional standard, if I had to try to justify that, I could not. I changed it to a cap of $2,500, contemplating that there may be something major. And again, probably the best example would be the GM site, but again, we are not doing the asbestos. All that information has to come to us, and we review it, and we're basically reviewing site plans, and that's the extent of a demolition-permit review.

So again, whatever y'all's pleasure is, however you-all want to go.

COUNCILMEMBER PACHUTA: On the outside consultant, would that be an actual cost of consultant, and then right above it, we have outside consultant/expedited plan check, and that just says 150 percent of normal fee.

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MR. COOLEY: What number are you on?

COUNCILMEMBER PACHUTA: 123 and 124.

MR. COOLEY: Thank you. Okay.

COUNCILMEMBER PACHUTA: I wasn't clear on the 150-percent-of-normal fee. Is that our normal fee and then on top of that they pay the actual cost of the consultant?

MR. COOLEY: The actual cost of the consultant plus the 50 percent I think is the way it's established.

Whatever comes in, they pay the bill from the consultant, but we have handling also involved in coordination with the consultant. So that's what the 50 percent is there is to cover our time.

COUNCILMEMBER PACHUTA: Okay. For your rush time.

MR. COOLEY: Rush --

COUNCILMEMBER PACHUTA: Okay.

MR. COOLEY: -- the review, the coordination back and forth between the consultant, about issues, and coordinating the code, things of that sort. It gets -- can get really involved.

COUNCILMEMBER FLEMING: So if the consultant charged a thousand dollars, we'd be charging five hundred for our service?

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MR. COOLEY: Fifteen hundred would be the total fee for it, yes, ma'am.

And again, you're talking about only ones that go out to consultants like that are large, complicated plans. You know, right now we do have a consultant that handles our commercial review. But everything we've had is so simple, Tony, Mr. Pierce, takes care of it so there's no need to go out there.

That's only when it's to the point where the complexity of the project is so big that we need the outside engineering consultants.

COUNCILMEMBER ALEXANDER: I guess it's a free-for-all.

On line item number 40, that is our sanitation and recycling fee, we do not have a line item here for the truck rental or now the white-goods pickup, and I thought that's something that we wanted to shoot for was to have everything in one place.

MR. COOLEY: I'm going to have to turn that over to Melissa.

CLERK McCAIN: Right.

MR. COOLEY: That's administration.

CLERK McCAIN: And I believe we didn't have that on there because we didn't know what the fee was going to be yet, but we'll put it on there as soon --

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COUNCILMEMBER ALEXANDER: So you'll add --

CLERK McCAIN: -- as we set one.

COUNCILMEMBER ALEXANDER: -- white goods and then the truck.

CLERK McCAIN: Yes, ma'am.

COUNCILMEMBER ALEXANDER: And then on line item 41, that late fee, I mean is that still applicable? because now we bill sanitation on the county tax bill.

CLERK McCAIN: There still is a percentage I know on the sanitation that they charge, but I don't believe the $20.00 is applicable any more for the sanitation, so we can remove that one.

COUNCILMEMBER ALEXANDER: Okay. And then what did 42 apply to? Temporary use permit for what?

MR. COOLEY: I'm sorry. I thought you were still talking to her.

COUNCILMEMBER ALEXANDER: No.

MR. COOLEY: Excuse me.

COUNCILMEMBER ALEXANDER: 42. It says temporary use permit.

MR. COOLEY: 42?

COUNCILMEMBER ALEXANDER: Uh-huh. What does that apply to?

MR. COOLEY: Again, that's administration, I

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1 believe, is it not? Yes, that's administration and
2 police.
3 CLERK McCAIN: Yeah, I'm looking to see.
4 MR. COOLEY: It's page 2.
5 CLERK McCAIN: Yeah, I saw that. I was
6 looking to see if we had one under the alcohol for the
7 catering for temporary use off site.
8 MR. COOLEY: Melissa, correct me if I'm
9 wrong. I believe that one that you're talking about,
10 it allows someone who has an existing alcohol license
11 and, you know, a situation in the city and wants to do
12 a temporary catering or something and be off site. Is
13 that not it?
14 CLERK McCAIN: No, because we have it under
15 80.
16 MR. COOLEY: Okay.
17 COUNCILMEMBER ALEXANDER: If you guys want
18 to get back to us on that one?
19 CLERK McCAIN: Yes, ma'am.
20 COUNCILMEMBER ALEXANDER: Okay. And then
21 the move a structure off site. I assume that's for
22 like moving a house or something?
23 MR. COOLEY: A building. It actually spells
24 it out in the code --
25 COUNCILMEMBER ALEXANDER: Okay.

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1 MR. COOLEY: -- the aspects of it.
2 One thing I do want to bring to y'all's
3 attention also under the sign ordinance, right now
4 we've got one item in here regarding the banners and
5 flags, etc. Currently -- and this is because the
6 ordinance was in review and change -- that it's still
7 within existing code under signs for that part of it.
8 So just so we don't get -- and Lenny, help
9 me with this if you could, just so we don't get a
10 situation where we have two conflicting things in the
11 code until that's taken out, maybe -- and we were
12 discussing this. Could you maybe address it a little
13 bit better?
14 ATTORNEY FELGIN: Yeah. When the flags and
15 banners amendment was going through the Planning
16 Commission, so long as we were doing these fee
17 schedules, I added a deletion of the fees from the
18 sign ordinance so we were placing them in the
19 resolution here. Since those have to go through the
20 Planning Commission, anyway, I figured it would just
21 be added at that time.
22 But, then, I'm not sure. It never came back
23 to Council after the Planning Commission so Council
24 has never voted on deleting those fees from the sign
25 ordinance. So until that happens or until whenever

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1 that ordinance is brought back to Council to take a
2 look at, which I believe it was Councilmember Roche
3 that was driving it at that point, whatever the fees
4 we pass here will be superseded by the sign ordinance
5 until the sign ordinance is deleted.
6 So we can either leave those with an
7 asterisk in there, and as soon as the sign ordinance
8 fees are deleted, they will automatically start
9 applying, or we leave them off the fee schedule right
10 now, and when the sign ordinance ones get deleted, we
11 can add them back in. Either way. It's just
12 whichever way is easiest for the Council to do so.
13 COUNCILMEMBER ALEXANDER: I had a question
14 regarding deposits, not for our facilities but
15 regarding tree permits and yard sales.
16 Now, I know previous finance was not crazy
17 about the City holding deposits.
18 CLERK McCAIN: Yes, ma'am.
19 COUNCILMEMBER ALEXANDER: I didn't know if
20 that attitude had changed or if we want to continue
21 taking deposits or --?
22 CLERK McCAIN: It's my understanding, and we
23 currently still are taking deposits, and they're being
24 held in the safe and then returned.
25 They come in Thursday/Friday. Tuesday,

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1 their money is returned to them as cash. It's just
2 been my understanding that they didn't want to do it
3 the other way because then people are waiting a week
4 or two to get their $25.00 check back for the yard
5 sales.
6 What we've proposed now would be to have a
7 $25.00 fee, $20.00 of that refundable and then $5.00
8 of that would be administration fee for the paperwork,
9 the stickers, the documentation.
10 COUNCILMEMBER ALEXANDER: I was more in your
11 area. I guess starting with 156, plan review fees-
12 residential. Would that apply to a renovation or is
13 that new construction only?
14 MR. COOLEY: 156 I've got as re-submittal.
15 But what we did do on the plan review fees,
16 we broke it into residential. This is 153. Plan
17 review-residential is 25% percent of the permit fee,
18 minimum of $100.00. We broke that out from the
19 commercial.
20 This is what we had before, but we didn't
21 have a definition, a very good definition regarding
22 what was major interior in commercial versus minor,
23 and we've clarified that in there. We're saying that
24 minor interior is one story and 3,000 square foot or
25 less. It would go into the major category if it was

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anything larger on that.
Again, this is information that, based upon Mr. Pierce's experience, he recommended that to be. You can see there's a fairly significant jump with a minimum fee from $250 to $650 on a major commercial renovation versus what would be considered a minor.
COUNCILMEMBER ALEXANDER: But on the --
MR. COOLEY: Residential is separate.
COUNCILMEMBER ALEXANDER: Yeah, but is that residential for a renovation or is it for a new construction?
MR. COOLEY: That's plan review fees, period.
And again, where it kind of picks that up is is in the percentage, you know, of the permit fee, because depending on the scale of the project, the permit fee will go up. It's based upon the number of outlets, all these different types of things. So it's kind of a moving scale that goes with something that is a remodel would -- all goes under the same thing.
But something that's a remodel is not going to be nearly the cost of something if you're coming into a major new construction. So the differential is picked up in there between a renovation and a full-blown new building or something like that, a new

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residence, based upon that percentage of the permit fee, and the permit fee's based upon the work that actually done.
COUNCILMEMBER ALEXANDER: Okay. So if I am enclosing or I'm adding an addition to my home, I'm going to have to pay the plan review fee --
MR. COOLEY: Correct.
COUNCILMEMBER ALEXANDER: -- and then what additional fee?
MR. COOLEY: You have the plan review fee. Once that comes through, it would make any corrections to the, you know, plans that are needed, then it would pull -- someone would pull a permit, a building permit. And at that point, they would -- it's been reviewed pretty much. There's going to be final review on that. And I'm speaking a little bit out of turn on this. This is really Mr. Pierce's expertise. But that's the process it goes through.
It's plan review, back and forth making changes to the plans, re-reviews or whatever. Then it goes to where they actually pull their building permit, and they would pay that.
And what we've done -- what we used to do is we'd have them pull a building permit, and then for each inspection they would have to come in and pay

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$75.00. So what we've done is change the percentage and rolled I think it was -- I don't remember if it was three or five inspections.
COUNCILMEMBER FLEMING: Three.
MR. COOLEY: -- three per trade in that.
So the biggest complaint we heard from people is, "Why in the world do I have to come back to town hall to give you a check to have an inspection? I'm all the way across town," you know, and I think it's a fairly legitimate complaint. So we tried to simplify it, still cover the cost but make it easier for everybody.
COUNCILMEMBER ALEXANDER: So the minimum for my plan review is going to be $100.00.
MR. COOLEY: That's correct.
COUNCILMEMBER ALEXANDER: And then my renovation is going to be charged at the same per-thousand rate as a commercial person.
MR. COOLEY: Where are you now? Under building --
COUNCILMEMBER ALEXANDER: I'm on --
MR. COOLEY: -- permits?
COUNCILMEMBER ALEXANDER: -- page 171.
MR. COOLEY: Item 171?
COUNCILMEMBER ALEXANDER: Because under

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building permit fees, there's no differentiation between . . . And one of the complaints we have heard is, "It's too expensive for us as homeowners to fix up our own homes." And when I'm looking at this, I see I'm paying a minimum of $100 for you to review my plan, and then over here I'm paying the same per-thousand-dollar rate that a commercial builder would be paying.
MR. COOLEY: Right. But you're talking about totally two different scales of buildings and work that's involved. That's why I say the percentage basis really works well with it because it's not a flat fee. A flat fee would be inequitable in my opinion.
COUNCILMEMBER FLEMING: But, then, as you mentioned earlier, you said something about the number of outlets because we charge for the number of outlets that are going to be there too --
MR. COOLEY: Right, and a --
COUNCILMEMBER FLEMING: -- you know, and --
MR. COOLEY: -- residential's not --
COUNCILMEMBER FLEMING: -- the electrical --
MR. COOLEY: -- going to have --
COUNCILMEMBER FLEMING: -- permit or their plumbing permit. If she puts on a 10 x 10 addition to

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her home, then she's got eight more outlets and she's decided to put a sink in there, and so all of a sudden we're --

MR. COOLEY: Well --

COUNCILMEMBER FLEMING: -- on top and on top and on top of.

MR. COOLEY: It's a function of what you're doing, and the idea is to cover the costs of the reviews and what needs to be done.

If someone built an 8 x 8 and -- 10 x 8 and was putting eight electricals, he's going to have to -- they're all going to have to be inspected, the whole thing. If they're putting plumbing in, that's all going to have to be inspected. Versus if you put on a screen porch or -- And that's why we really brought the cost of the residential down. That was an inequity in there, and we got specific, you know, about swimming pool, patio covers, decks. People were getting, in my opinion, gouged a little bit on having to do things like that because it was not a separate line item; it was based upon that percentage. You put a swimming pool in, that can be a lot of cost relative -- for the amount of inspections.

So in fact we even added the residential -- this was one of the discussions at the last meeting

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was the residential driveway or parking pad -- to make it clear, it's just a flat fee: $50.00. That was one we added since the last time. Same way with a garage, you know, the valuations. All these things were separated out differently. And the valuations basically are from the -- whatever the national standard is. I don't recall the acronym for it.

But we tried to develop something that was equitable. That was the thing. And keep the prices down for residential. You know, there were some things in here where people were getting hit with like a thousand dollars for a residential something, you know, and it was just absurd. The new, I think it's like a $600 difference less now in what we're proposing. I think -- I think that's correct.

COUNCILMEMBER BATES: And are these -- the eight-dollar-per-thousand, is that inclusive of electrical permits, plumbing permits, or is it exclusive of trade permits?

MR. COOLEY: No. That's inclusive with the three per trade.

COUNCILMEMBER BATES: So if, in Ms. Alexander's example, she's going to put an addition onto her home and it includes, as Ms. Fleming said, a new sink and new outlets, the total valuation of the

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construction including the electrical review, the plumbing review, is part of the eight-dollar-per-thousand or is that something that Mr. Pierce needs to answer?

MR. COOLEY: Mr. Pierce really needs to answer that. I'll be quite honest with you: I'm not real clear on that. That's a good point. We probably have him here to answer that.

COUNCILMEMBER BATES: Thank you.

MR. COOLEY: This was the portion that he went through and spent much time on.

COUNCILMEMBER PACHUTA: I don't know if this would be helpful before either Mr. Pierce or something comes back. If they could give us an example, like maybe some permits that have gone through -- we don't need the names of the people -- that have gone through some processes recently; like this was how much it would have cost them under our old system and this is the cost under what you're proposing --

MR. COOLEY: Yeah, and I know --

COUNCILMEMBER PACHUTA: -- and how that --

MR. COOLEY: -- he's done that. Might have been too far back.

But what he did, he actually did a comparison of what I think it was a 2,000-square-foot

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residence would cost versus a 2,000-square-foot commercial. And the sheets, I thought you-all may have gotten those, but that was probably way back to kind of do a reality check on it to see what it was like. I know we've got those, so I'll make sure that those are included for y'all, too. and I'll see what we can do.

The problem is right now we don't have a whole lot of things to compare, new houses or anything like that, unfortunately.

COUNCILMEMBER ALEXANDER: But if we could just do, you know, small renovation building permits on the houses and do a comparison --

MR. COOLEY: Okay.

COUNCILMEMBER ALEXANDER: -- it would just make it I think --

MR. COOLEY: Easier.

COUNCILMEMBER ALEXANDER: -- more clear for us to understand.

MR. COOLEY: Certainly.

COUNCILMEMBER BATES: Well, and the piece that is unclear to me is because it doesn't list electrical and plumbing and those other trades separately. Are those included in the fee or are those something that has not been --

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MR. COOLEY: No. All --
COUNCILMEMBER BATES: -- reviewed?
MR. COOLEY: All the fees are here --
COUNCILMEMBER BATES: Okay.
MR. COOLEY: -- or within it. This becomes the fee schedule. There's nothing left in the code or anything.
COUNCILMEMBER BATES: We just need -- and I can't speak for the rest of Council. I just need to get, as Ms. Alexander or Ms. Pachuta said, an example --
MR. COOLEY: Okay.
COUNCILMEMBER BATES: -- of they want to do this, and it's going to cost X and include --
MR. COOLEY: So how about kind of a total renovation for a residential and then maybe an addition also?
COUNCILMEMBER ALEXANDER: Well, just for example, I had an unfortunate occurrence at my house, and I had my entire house replumbed. Well, I pulled a plumbing permit --
MR. COOLEY: Right.
COUNCILMEMBER ALEXANDER: -- and that was X.
MR. COOLEY: Right.
COUNCILMEMBER ALEXANDER: So if I had to do

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that again, God forbid, where would that go on here? I mean would --
MR. COOLEY: That would be reflected in the cost of the permit under you would -- he would -- whoever would be pulling the plumbing permit, so you would not -- It's that dollar amount. Whatever that costs you to do that would be what the 25 percent is based upon as opposed to if you were doing a total renovation -- rewiring, plumbing, you know, structural whatever -- that, in effect, the cost goes up, and the percentage stays the same but the cost of the work goes up, and the inspections are relative to that. That's the theory, I believe.
COUNCILMEMBER BATES: Yeah. I think just for me to make sure that we all understand this, if we could get a couple working examples --
MR. COOLEY: Sure.
COUNCILMEMBER BATES: -- showing, you know, the cost of the plan review, the cost of the building permits, what that includes. I think that would be very helpful for us.
MR. COOLEY: Commercial and residential. Okay.
COUNCILMEMBER ALEXANDER: And I think that was all my notes.

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COUNCILMEMBER BATES: I only had one question, and this will be for Ms. McCain. I've got on my notes a notary fee. I did not see it on the new draft.
CLERK McCAIN: We have discussed dropping it.
COUNCILMEMBER BATES: I have my notes -- and y'all correct me if I'm wrong -- zero for a resident and $2.00 for a nonresident.
CLERK McCAIN: Okay. I wasn't sure if we decided that it would be $2.00 for a nonresident. I thought we were going to kibosh the whole thing. It's up to the Council. I will do whatever they like.
COUNCILMEMBER BATES: I just didn't have anything to contradict my notes here.
CLERK McCAIN: We pay $30.00 every four years, I think it is, for a notary.
COUNCILMEMBER ALEXANDER: I'm fine with the $2.00 nonresident.
MAYOR PITTMAN: Ms. Alexander, anything else?
COUNCILMEMBER ALEXANDER: No.
MAYOR PITTMAN: Mr. Bates?
COUNCILMEMBER ALEXANDER: Thank you.
COUNCILMEMBER BATES: I'm good.

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MAYOR PITTMAN: Ms. Fleming?
COUNCILMEMBER FLEMING: I'm fine. Are we putting this on --
MAYOR PITTMAN: Yes.
COUNCILMEMBER FLEMING: -- January 3rd?
MAYOR PITTMAN: Yes.
ATTORNEY McLENDON: And just to follow up sort of on the topic of the fees, as I'm looking through the code section, Section 15-53 seems to already authorize us to pick up pretty much yard waste from the side of the road. So it looks like we could travel under that code section to pick up anything in excess that was not picked up under the contract --
COUNCILMEMBER ALEXANDER: Thank you.
ATTORNEY McLENDON: -- without amending the code.
MAYOR PITTMAN: Mr. Cooley, thank you.
Next on the agenda is the Foot Reflexology. Do we have anyone here from 5187 Buford Highway? 5187 Buford Highway.

- - -

(No response)

- - -

MAYOR PITTMAN: Okay. That was carried over from last time.

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COUNCILMEMBER BATES: Motion to deny the application.
ATTORNEY McLENDON: Let me -- let me --
COUNCILMEMBER FLEMING: I need to ask a question first.
ATTORNEY McLENDON: Go ahead of me.
COUNCILMEMBER FLEMING: I wanted to ask Mr. Cooley if they were notified.
MR. COOLEY: Yes, ma'am. The next day after the last meeting, I called and left them a message. I could not get through to them, but the message was left that they -- it is critical that they be here at this meeting. I have not heard anything back.
COUNCILMEMBER FLEMING: Were they told that it was going to be at the Civic Center?
CLERK McCAIN: There are signs on the door if they did --
MR. COOLEY: Signs on the door.
COUNCILMEMBER FLEMING: Okay. All right.
CLERK McCAIN: -- go to City Hall.
COUNCILMEMBER FLEMING: Just wanted to be sure.
MR. COOLEY: At that point, I don't think that had been decided.
COUNCILMEMBER FLEMING: That's fine.

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I just wanted to be sure, Mr. Bates, before you made your motion.
COUNCILMEMBER PACHUTA: Well, we still have to have a public hearing.
ATTORNEY McLENDON: Tell you what I'd like to do on this is I think we've given lots of notice on this. I would like to go ahead and conduct the hearing. Let's let Joe present the evidence, let's have the hearing, public comment on it, and have a decision.
I think if no one has shown up to pursue the application, that's a relevant consideration for you to look at and the potential of abandonment, but I would like to go ahead and let's conduct that process.
And Joe, if you will go ahead and do that, I think that would be appropriate.
COUNCILMEMBER BATES: Even though we did conduct a public hearing the last time?
ATTORNEY McLENDON: I would say let's go ahead and follow the process through, utilize that information; and yes.
MR. COOLEY: Very well.
As you know, this is a application for a conditional use permit to allow the expansion of an existing, licensed massage parlor located at Pinetree

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Plaza Shopping Center. The address is 5187 Buford Highway. It is currently zoned C-2.
The application was properly advertised and signage posted, and additionally, the applicant was contacted by phone with message. This was deferred by Council to today.
The applicant currently is operating at 5189 Buford Highway as Foot Reflexology. It is approximately 1,000 square foot of gross floor space. They wish to expand into the adjacent suite in the shopping center, which is the address of 5187 Buford Highway. Again, this is about the same size; it's roughly 1,000 square foot that they wish to expand to.
As you may know, the conditional use permit is required for each property. They do have an existing license but they do not have a conditional use permit for this new location, only for the one they're at, which is required. An additional permit is not required [sic].
Basically, the package you got shows a copy of the floor plan sketch. Basically there was the existing and the new and how they plan to combine it. You received a copy of the staff report.
This was presented to the Planning Commission after discussion. The applicant was there.

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It was voted unanimously 3-0 to recommend approval.
Staff opinion based upon the eight criteria of review for a conditional use, it does meet those criteria in my opinion as per C-2, and our recommendation has been for approval.
And that, in a nutshell, is it, and I'll be glad to answer any questions.
MAYOR PITTMAN: Questions from the Council before I open the public hearing?
COUNCILMEMBER FLEMING: I have no questions. I just have comments at the end.
MAYOR PITTMAN: Okay. At this time, we're going to open the public hearing. Those wishing to speak for, please come forward and state your name. Those wishing to speak for.

- - -

(No response)

- - -

MAYOR PITTMAN: Okay. Those wishing to speak against, please come forward and state your name.
MS. TRUDY JONES DEAN: Hi. My name is Trudy Jones Dean. I am speaking against it because we have limited -- we have wanted to limit the number of foot massage establishments in the city. I think that this

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is just a way of going around that. I think expanding that kind of business is increasing that business in the city, and, for that reason, I am against it.

MAYOR PITTMAN: Thank you.

Anyone else wishing to speak against?

MR. JAMES AMBROSE: James Ambrose, Redwood Street.

The city has been fighting against these massage parlors I know for two or three years. And now you got someone wanting to come up and expand, and y'all have been wanting to get rid of them. To me, it's logic to disapprove of it; say "No, you can't do it."

If you tell them to get larger, you're going to have five or six more do the same thing, and you're going to have a whole mall full of them down there.

MAYOR PITTMAN: Thank you, Mr. Ambrose.

MS. SUSAN CRAWFORD: Susan Crawford.

Yeah, what they said, I agree. And yeah, this is a perfectly legitimate time for you to say no.

MAYOR PITTMAN: Thank you, Ms. Crawford.

Mr. Hart?

MR. TOM HART: I think this is a turning point for massage parlors in the city. You have an opportunity to turn this down, because I agree with

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what was said before about expanding each one of these properties. It's a conditional use. It's a perfect opportunity to turn it down, and I support that the Council take this action. Thank you.

MAYOR PITTMAN: Anyone else wishing to speak against?

- - -

(No response)

- - -

MAYOR PITTMAN: Okay. At this time, we're going to close the public hearing portion and bring it back to the Council.

COUNCILMEMBER FLEMING: The comments that I had on this particular item is, number one, combining the addresses would have been a way that they could have done this. I am not in favor of providing a second conditional use. Combining the addresses would give the owner of the property probably a better way to market 2,000 square feet rather than 1,000 square feet. But since they have not requested that nor have they paid the fees to combine the addresses, that's one of the reasons why I'm going to be opposed to this.

Also, presently their windows are completely blackened. Though we do not have an ordinance on the

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books, which I'm going to try to push for soon, we should have some type of ordinance that indicates no cover on windows. Blinds are fine. They can keep the sun out with blinds, but right now it's completely black.

The only way that you know what the business is is a neon foot. Okay? There's not even a name of the business on the door, nor is there a legible address. And as far as I'm concerned, for public safety, all businesses in Doraville should have the name of their business on the door as well as the street address.

So in those three instances, that's the reason why I'm opposed to permitting them for the CUP.

MAYOR PITTMAN: Thank you, Ms. Fleming.

Anyone else?

COUNCILMEMBER BATES: Based upon the apparent abandonment of the application by the applicants, I make a motion to deny.

COUNCILMEMBER FLEMING: Second.

MAYOR PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PITTMAN: Call the roll, please.

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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.

MAYOR PITTMAN: Okay. Thank you.

Next on the agenda is amending the speed limits, Chief King.

CHIEF KING: Mayor, Members of the Council, as we reviewed the speed limits on Buford Highway several years ago with the cooperation of the Georgia Department of Transportation and the Dekalb County Commission, Ms. Gannon, we went through a traffic study where we wanted to term Buford Highway consistently because the speed limits on Buford Highway went from 45 to 35 back to 45 all within the city, so it was a very complicated system of being able to regulate the speed on Buford Highway.

I know many of you-all remember that Buford Highway was then considered one of the most dangerous roads in the state of Georgia with almost 17 fatalities, you know, in Dekalb County, many of them

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in the city of Doraville. The Georgia Department of Transportation and Dekalb County conducted a traffic study and agreed to drop the speed limit to 35 miles an hour.

Dekalb County passed a resolution; the City of Doraville also passed a resolution. But unfortunately, the way that Municode updates our online ordinances, they will only update them if we have an ordinance passed.

So the efforts to change that resolution that was voted on by the Council, what we're asking is that not only Buford Highway but also Stewart Road. It was part of a discussion several months ago where the traffic study also was conducted authorizing us to drop the speed limit to, I think, 25 miles an hour, which is a standard inside the city streets, not arterial roads.

In an effort to update all these speed limits, we wanted to bring back to the Council, present a clean sheet of speed limits in the city of Doraville and have it passed as an ordinance instead of a resolution as it was passed before.

There's really no changes. We've been writing tickets, and they've successfully been prosecuted in our court. The only change would be to

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change it from a resolution to an ordinance so we can be in compliance with both the Department of Transportation and Dekalb County ordinances.

If you-all have any questions of me.

COUNCILMEMBER FLEMING: Yes. Do you have it there, the ordinance there?

CHIEF KING: Excuse me, ma'am?

COUNCILMEMBER FLEMING: Do you have the ordinance there?

CHIEF KING: Not in front of me, no, ma'am.

ATTORNEY FELGIN: (Presenting)

COUNCILMEMBER FLEMING: Okay. Page three, which is section -- I guess Section 2, Item B, it's fourth from the bottom. If I'm reading this correctly, the road is Winters Chapel Road from Longmire. From Winters Chapel --

CHIEF KING: Uh-huh.

COUNCILMEMBER FLEMING: -- from Longmire to Homeland is 40 miles an hour.

CHIEF KING: I'm trying to picture in my mind.

COUNCILMEMBER ALEXANDER: That's the under-pass.

COUNCILMEMBER BATES: That's Old Winters Chapel.

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CHIEF KING: Old Winters Chapel, yes, ma'am.

COUNCILMEMBER FLEMING: Well, that's going through the tank farm all the way to Homeland.

CHIEF KING: Yes, ma'am.

COUNCILMEMBER FLEMING: We don't need to be doing 40 miles an hour through the tank farm.

CHIEF KING: Ma'am, I don't disagree on a lot of it. The problem is is that the Georgia Department of Transportation will not allow us to --

We can change the speed limit to any speed that the city is, but I am not authorized to run radar or laser unless the Georgia Department of Transportation and the Department of Public Safety of the State of Georgia authorize us to run that.

Without a traffic study, it would be difficult to change it. We can do it, but clearly it would be a -- I will tell you, ma'am, the safeguards there for the trucks are the railroad tracks, railroad track crossings.

I know it's not a perfect solution, ma'am. And, you know, if the Council wishes for us to engage a company to do a traffic study to try to change that speed limit, then we can approach it.

COUNCILMEMBER FLEMING: But I believe it's posted 35 is the thing.

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CHIEF KING: Ma'am, we have some issues in the city with, you know, posting of signs that don't reflect this law. That's why we're trying to clean up this, because I have to have this for my officers to be able to prosecute cases, you know. And when we write a speeding ticket, we have to present this, the Georgia Department of Transportation and the Department of Public Safety certification that our streets are authorized for radar or laser use.

COUNCILMEMBER PACHUTA: So their traffic studies they previously have conducted --

CHIEF KING: Yes.

COUNCILMEMBER PACHUTA: -- how old are those?

CHIEF KING: Some of them are very old, ma'am, I mean some of them obviously way before this road was converted with the Oakcliff Connector.

But if we want a traffic study to be done, then we either have to pay for it to reduce that speed or, you know, try to get them to come and do it for free. But at that time, then we're asking DOT for a favor when we do that.

COUNCILMEMBER PACHUTA: Do we still have copies of some of those old reports or has this just been getting -- the number kept getting passed down

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that they said 40 miles per hour is okay?
CHIEF KING: This is the code, ma'am. I mean this is a living document. What we did is we copied the Georgia Department of Transportation traffic study authorizing what streets we can run radar and laser, and they rated each street.
Clearly, we were able -- for example, Stewart Road inside Northwoods subdivision, we knew that that was an error and so we brought in the engineer and said, "Hey, look. This is not accurate," so they agreed to change it.
And we can try to do that, ma'am, with this. We could try to bring the traffic engineer, see if we -- and then we can revisit this with the City Council once we get approval from them.
But we can't -- we had a real problem in the past with people just slapping signs on the side of a road and changing speed limits. And ma'am, that is a disaster in the making.
COUNCILMEMBER FLEMING: Well, that's the only one that -- as long as Homeland isn't -- I'm talking about from -- Now I'm changing gears here.
Homeland is a residential road and it goes through from Winters Chapel to the access road --
CHIEF KING: Yes, ma'am.

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COUNCILMEMBER FLEMING: -- and people are using that as a cut-through --
CHIEF KING: Yes, ma'am.
COUNCILMEMBER FLEMING: -- and I just want to be sure that that's not considered 40 miles an hour --
CHIEF KING: No, ma'am. Oh, no. That's --
COUNCILMEMBER FLEMING: -- because that's Winters Chapel.
CHIEF KING: That's a residential. That's 25 miles.
COUNCILMEMBER FLEMING: Okay.
CHIEF KING: And unfortunately, ma'am, because of the hills that you got on Homeland, I'm not authorized to run laser or radar. That road is not rated for that.
COUNCILMEMBER FLEMING: Okay. That was the only question I had in regards to the speed limit itself, and then --
CHIEF KING: What saves us there, ma'am, is the stop sign. My officers can write tickets all day long watching the stop sign.
COUNCILMEMBER FLEMING: And I believe there is a typo on page two.
COUNCILMEMBER ALEXANDER: There are two.

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Should be Cary Reynolds, C-a-r-y --
COUNCILMEMBER FLEMING: Yeah.
COUNCILMEMBER ALEXANDER: -- and it should be Sequoyah, the Native American, not the tree.
COUNCILMEMBER FLEMING: S-e-q-u-o-y-a-h.
COUNCILMEMBER BATES: Chief, I do have a couple of questions.
CHIEF KING: Yes.
COUNCILMEMBER BATES: Oakcliff Road, there is no note from Pin Oak Circle to Winters Chapel.
CHIEF KING: From Oakcliff Road?
COUNCILMEMBER BATES: Oakcliff. On Oakcliff Road, it just reads it from Pin Oak Circle to Pin Oak Circle.
CHIEF KING: Yes, sir.
COUNCILMEMBER BATES: Doesn't take it from the city border and it doesn't take it past Pin Oak Circle to Winters Chapel. Are there . . .
CHIEF KING: Well, the city limit -- the lower Pin Oak to the city limits is a matter of --
COUNCILMEMBER BATES: That's the County.
CHIEF KING: -- it's a matter of feet, I mean --
COUNCILMEMBER BATES: Right.
CHIEF KING: -- as you know. And so you

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have to give it a standard, you know, 500-feet visibility and notice that you're going to run speed detection.
COUNCILMEMBER ALEXANDER: But I guess this goes back to the question I had before.
CHIEF KING: The updated bridge.
COUNCILMEMBER ALEXANDER: Yes.
CHIEF KING: Yeah.
COUNCILMEMBER ALEXANDER: This doesn't include the bridge, just like --
CHIEF KING: It has not -- the traffic study has not been done to include that into the speed detection.
COUNCILMEMBER BATES: Well, I'm concerned, and I'm glad that Ms. Fleming brought up Winters Chapel Road because from Homeland Drive to Oakcliff or to Old Winters Chapel, that's a residential area. You've got apartment complexes on one side and you've got Winters Chapel residences on the other side. That is not a 40-mile-an-hour --
CHIEF KING: But, sir, that --
COUNCILMEMBER BATES: I understand.
CHIEF KING: That street is in the county; it's not in the city.
COUNCILMEMBER ALEXANDER: It's split

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1 jurisdiction.
2 COUNCILMEMBER BATES: Half of it is.
3 CHIEF KING: Sir?
4 COUNCILMEMBER BATES: Half of it is.
5 CHIEF KING: And sir, that is what gets us
6 in trouble. That's why we've always advocated --
7 that's one of the reasons why we wanted to do the
8 annexation: because enforcement is horrible to try to
9 do, not only DUI enforcement but speed detection.
10 Buford Highway is the same thing, sir. It is an
11 absolute mess.
12 COUNCILMEMBER BATES: Yeah, but at least
13 it's consistent.
14 CHIEF KING: Consistently a mess, yes, sir.
15 But yes, sir.
16 MAYOR PITTMAN: Any more questions?
17 - - -
18 (No response)
19 - - -
20 MAYOR PITTMAN: This is a first reading.
21 Does the Council wish to waive that or do you want to
22 come back to the drawing board?
23 COUNCILMEMBER ALEXANDER: I think I'd like
24 for us to get the changes and have it appear unless
25 there's a --

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1 Chief, unless there's an immediate need that
2 we need to have this done tonight.
3 CHIEF KING: (Gesturing)
4 COUNCILMEMBER FLEMING: Is there any way
5 that we can possibly find out what the engineering
6 cost would be to do the traffic studies on Winters
7 Chapel and also to do the bridge, I mean to do that?
8 CHIEF KING: The average traffic study,
9 ma'am, costs $5,000.
10 COUNCILMEMBER FLEMING: No, sir. Thank you
11 very much.
12 MAYOR PITTMAN: Thank you, Chief.
13 Okay. So we're going to put this on the
14 next agenda. All right. Thank you.
15 And next is new business. Ms. Pachuta,
16 Amend the Alcohol Ordinance --
17 COUNCILMEMBER PACHUTA: Yes.
18 MAYOR PITTMAN: -- to Allow for Hearing
19 Officer.
20 COUNCILMEMBER PACHUTA: Yes. Recently,
21 we've been changing some of our ordinances to allow
22 for a hearing officer. Historically in the past,
23 anything from employee appeals to zoning appeals,
24 everything has come before Council, and Council
25 primarily -- I mean our role is to set policy and to

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1 draft the ordinances. And hearing all these appeals,
2 we've ended up being in a situation of not just
3 legislating but also being the judicial body, and I
4 think -- And what's much more common is to have those
5 roles separated, and we've done that recently with
6 some of our other ordinances for appeals.
7 We recently had one for an employee appeal.
8 Since I've been up here, we've only done one alcohol-
9 revocation appeal. And again, that was before City
10 Council. You know, being a judicial body, we couldn't
11 even really ask questions, anyway, and I think we need
12 to stay neutral and also keep politics out of it.
13 So I think it is advantageous to have a
14 hearing officer to conduct those hearings, so I would
15 like to amend the Alcohol Ordinance to allow for
16 hearing officers with alcohol revocations. And again,
17 if they do not like the decision, they can appeal to
18 the Superior Court of Dekalb County.
19 MAYOR PITTMAN: Thank you.
20 Council, questions?
21 COUNCILMEMBER BATES: I'm in favor. I don't
22 like ruling on our own legislation. I think that's
23 bad policy.
24 MAYOR PITTMAN: Ms. Alexander?
25 COUNCILMEMBER ALEXANDER: I'm in favor of

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1 this also. I mentioned this I think last year, and I
2 thank Councilmember Pachuta for putting it on.
3 And if you've been watching the news, they
4 have actually been televising part of the hearings
5 that are going on I believe in the city of Forest Park
6 right now with various establishments that are
7 violating that city's laws. And I think it's very
8 important that we have a professional that's up there
9 evaluating the infractions of the law and has a
10 completely objective stance.
11 MAYOR PITTMAN: Thank you.
12 Ms. Fleming?
13 COUNCILMEMBER FLEMING: I'm not in favor of
14 it because it's going to cost us $150.00 to have an
15 attorney -- I believe that was per hour -- and so I'm
16 not in favor of it.
17 MAYOR PITTMAN: Thank you.
18 COUNCILMEMBER PACHUTA: I would like to make
19 a motion to direct the City Attorney to draft a
20 revised Alcohol Ordinance that includes us being able
21 to use a hearing officer for revocations.
22 MAYOR PITTMAN: Do I get a second?
23 COUNCILMEMBER BATES: Second.
24 MAYOR PITTMAN: Discussion?
25 - - -

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(No response)
- - -
ATTORNEY FELGIN: Can we make that as denials and revocations as well just so it's more --
COUNCILMEMBER PACHUTA: I'll amend my motion to include a hearing officer for denials and revocations; if the City Attorney could draft that.
COUNCILMEMBER BATES: And I'll amend my second.
MAYOR PITTMAN: Any 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: No.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
MAYOR PITTMAN: Okay. Thank you.
I want to discuss next with the Council meeting dates. January 2nd is a holiday. We've done

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both ways. We've moved to the Tuesday. In this case, it would be January 3rd. Or we can move it to the following Monday; whatever your wishes would be on this.
COUNCILMEMBER BATES: I'm fine with the 3rd.
COUNCILMEMBER PACHUTA: Yes.
COUNCILMEMBER BATES: That's consistent with what we normally do.
MAYOR PITTMAN: Do we need a motion for that or just --
ATTORNEY McLENDON: If you're amending an advertised -- the advertised meeting schedule.
MAYOR PITTMAN: Okay. Then, the next meeting in January will be January 3rd.
We have also done it both ways. We have canceled the December 19th meeting because of the holidays or I think a couple years ago we also went ahead and had the meeting. So it's whatever the wishes of the Council would like to be.
COUNCILMEMBER PACHUTA: I will not be here so it doesn't matter.
MAYOR PITTMAN: Okay. Anyone else?
COUNCILMEMBER FLEMING: I wanted to ask Mr. Cooley whether there is any pending planning issues that we would need to hear before January.

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MR. COOLEY: I made everybody that's been asking for anything aware of the option that it may be the Council's desire to postpone until January, so everyone is okay with it and knows of it.
MAYOR PITTMAN: Okay. Mr. Bates?
COUNCILMEMBER BATES: I'm fine either way.
MAYOR PITTMAN: Okay. Ms. Alexander?
COUNCILMEMBER ALEXANDER: I'm fine either way also.
MAYOR PITTMAN: Okay. All right. Thank you. There will be no meeting on December 19th.
Next on the agenda is going to be the first reading of the Ordinance - Call for Special Election, Ms. McCain.
CLERK McCAIN: Thank you, Mayor.
At our last meeting, Council had approved and waived the first reading for this. Upon speaking to Dekalb County, because it's a primary for them, they had to have their ballot information in as of last Thursday, so of course we couldn't meet that deadline because our qualification is not until January.
So this would be a change in the ordinance to change that for us because we're not running in conjunction with the presidential-preference primary;

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we're going to be separate on our election.
And also just to clarify, we are changing the -- Our contract has Dekalb County as running our elections, which they are, but we want to clarify that the city clerk is the qualifying officer so people can continue to qualify at City Hall.
COUNCILMEMBER FLEMING: So in this particular case, the way that the State reads -- and I'm sorry I don't have the OCGA number -- it says that we are supposed to do in conjunction with, or, if it's not, it would be the third Tuesday in March. Are we able to have our special election, then, the third week in March?
CLERK McCAIN: No. We are required to have it on March 6th. We just will not be on the same ballot.
COUNCILMEMBER FLEMING: I see.
CLERK McCAIN: So the Dekalb County, reviewing it in conjunction made it sound like we were going to be on the same ballot as theirs, and, unfortunately, we're not.
We'll be on a separate ballot. People will have to vote at two places --
COUNCILMEMBER PACHUTA: Oh. That's my question. So they --

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CLERK McCAIN: -- for this election.
COUNCILMEMBER PACHUTA: -- cannot vote at the school. I assume the primary is at the schools; correct?
CLERK McCAIN: Correct. Primary will be at the schools; city election will be at City Hall.
COUNCILMEMBER PACHUTA: But then they have to go to City Hall.
CLERK McCAIN: And there's no way to avoid that.
COUNCILMEMBER ALEXANDER: Is there any regulation prohibiting them from putting a sign up informing voters that go?
CLERK McCAIN: There is not. And I believe they have done -- other places I've worked have done that in the past: they put that a reminder, "Please vote for your city council at city hall."
COUNCILMEMBER ALEXANDER: Okay.
CLERK McCAIN: And we'll advertise that on the Web site and at the counters and ask Dekalb County to do that also.
COUNCILMEMBER PACHUTA: If people go in for advance voting, they need to make sure to ask --
CLERK McCAIN: For both ballots.
COUNCILMEMBER PACHUTA: -- for both ballots.

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CLERK McCAIN: Their advance voting will be earlier than ours because ours isn't going to be ready till closer to the election date, but we'll make sure that that's publicized.
COUNCILMEMBER ALEXANDER: So do we need to make a motion to waive first reading of this?
CLERK McCAIN: If the Council would, that would be good.
COUNCILMEMBER ALEXANDER: I make a motion we waive the first reading.
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: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.

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MAYOR PITTMAN: Thank you.
COUNCILMEMBER ALEXANDER: I make a motion that we approve the ordinance revising the language regarding having the special election for District 1 Council on the same day as the primary.
COUNCILMEMBER PACHUTA: Second.
MAYOR PITTMAN: Discussion?
- - -
(No response)
- - -
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.
MAYOR PITTMAN: Thank you.
Next on the agenda, Ms. McCain, Amendment to the City's Defined Benefit Plan.
CLERK McCAIN: Yes, ma'am.
I received notification from our Defined Benefit Plan. And in your package, you received our current and the one that they sent me for revision.

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There's also a extensive summary sheet in there from them indicating what the IRS requirements were.
I've done a little summary sheet also on stuff that we need to consider between working with our attorney and our human resource consultant. Some of the things that we needed to consider is in our current documentation, it indicates that it's optional for Council to participate in the benefit plan. And my understanding has been since I started that you're automatically in that retirement plan and it's not an option. So they just wanted to update the wording on that to show that it is automatically participates.
The second thing they'd like us to consider is we do not have a minimum monthly disability benefit. And upon reviewing this with our HR consultant, Phil Davis, he stated that the norm is $140.00 as a minimum. But the Council can set that at whatever they'd like to; it can be zero to whatever number they choose.
The third thing is our pension committee. In the past, we have not assigned a pension committee. They have done that for us. The only thing that is for sure is that the city clerk and the Mayor are on the pension committee, with the city clerk being the secretary. If we'd like to assign it, it would be the

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1 clerk, the city manager or Mayor, and we need to
2 appoint two employees chosen by the City and three
3 appointed numbers, which is normally department heads.
4 And the last thing is if you look throughout
5 the document, it refers to a resolution and an
6 ordinance. We were going to have them change all the
7 verbiage that said "resolution" to "ordinance" because
8 we have to pass it by ordinance.
9 MAYOR PITTMAN: Okay. Thank you.
10 Questions from the Council?
11 COUNCILMEMBER PACHUTA: On page 20, we do
12 already have a minimum for disability amount of 20
13 percent of the participant's average monthly earnings
14 for the 12-calendar-month period. So even if someone
15 is just earning minimum wage full time, they would be
16 getting over -- about $250.00 minimum, so I don't see
17 any reason.
18 CLERK McCAIN: To do a flat amount for sure?
19 COUNCILMEMBER PACHUTA: Well, that would be
20 someone earning minimum wage only working about 20
21 hours a week. So I mean if you're full-time earning
22 minimum wage, you're going to get over two hundred
23 dollars.
24 MAYOR PITTMAN: Okay.
25 COUNCILMEMBER BATES: On the Council

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1 participation in the benefits program, the discussion
2 that we started to have several months ago was to not
3 have Council vest instantly and to require Council to
4 vest in the same manner as regular employees.
5 Would that affect this mandatory partici-
6 pation?
7 CLERK McCAIN: I would have to ask them for
8 sure because I'm not totally familiar with the
9 retirement program. Excuse me for not being an expert
10 in this portion of it.
11 My understanding is we're already practicing
12 it that you're automatic, and this just clears up the
13 verbiage because the IRS wants us to redo to clear up
14 the way we are doing it.
15 COUNCILMEMBER PACHUTA: See, I thought --
16 CLERK McCAIN: This would not change our
17 plan --
18 COUNCILMEMBER PACHUTA: I thought --
19 CLERK McCAIN: -- if we --
20 COUNCILMEMBER PACHUTA: -- it was mandatory,
21 and I think it's kind of silly that Council members
22 are included.
23 CLERK McCAIN: If we want to revise our
24 pension --
25 COUNCILMEMBER PACHUTA: Well, we need --

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1 CLERK McCAIN: -- plan --
2 COUNCILMEMBER PACHUTA: -- to do a lot of
3 revisions to the pension plan.
4 CLERK McCAIN: And it is going to be coming
5 up on one of our next agendas, but --
6 ATTORNEY McLENDON: I was just going to say
7 the language that says -- you know, if the mandatory
8 participation is in practice what we do, I think what
9 they're just saying is if that's what you actually do,
10 don't put an election in there that you're actually
11 not making, which is saying "Mayor and Council may
12 participate," because there's nothing out there that
13 says, "I elected to participate," since apparently we
14 do it automatically.
15 That would not affect the substance of the
16 plan. I think that would be a different conversation,
17 which is --
18 COUNCILMEMBER PACHUTA: Yeah. I mean I just
19 think it's part of -- Well, we need to do a massive
20 overhaul to our pension plan. We're offering almost
21 double the benefits that -- about double the benefits
22 that the other 90 percent of the Georgia Municipal
23 Association cities are offering. I mean out of what?
24 265 cities in the plan, only seven of us offer a
25 benefit as high as we do. It's ridiculous.

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1 So we need to do such a major overhaul, and
2 I think that's more of a discussion whether Council
3 should be included or not. I mean personally, I don't
4 think we should be, but that seems more of a discus-
5 sion for the major overhaul.
6 COUNCILMEMBER BATES: I wasn't given a
7 choice. It just happened.
8 COUNCILMEMBER PACHUTA: Yeah. It just
9 happened.
10 COUNCILMEMBER BATES: So I'm not comfortable
11 with changing the language to have it be a mandatory
12 participation. I'm with Ms. Pachuta. There's a lot
13 of discussion that we need to have regarding our
14 pension program, excluding us, but certainly
15 including, you know, how the Council is a beneficiary
16 of the program, so I'm not in favor of the mandatory
17 piece.
18 CLERK McCAIN: And I think this was just to
19 get the language to what we are currently doing.
20 COUNCILMEMBER PACHUTA: But I think that's
21 something we need -- and we've been talking about this
22 for months --
23 CLERK McCAIN: Right.
24 COUNCILMEMBER PACHUTA: -- a major overhaul
25 because --

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1 CLERK McCAIN: I just didn't know if this
2 was the time to do it because this is just restating
3 what we currently have but it's putting it in the
4 proper verbiage.
5 COUNCILMEMBER FLEMING: But presently it
6 says optional, and you're --
7 CLERK McCAIN: Correct.
8 COUNCILMEMBER FLEMING: -- trying to get rid
9 of the word "optional."
10 CLERK McCAIN: Because it's not optional.
11 You guys are automatically entered into it.
12 COUNCILMEMBER BATES: But do we have an
13 option?
14 COUNCILMEMBER PACHUTA: Yeah. I didn't -- I
15 thought it was -- I didn't realize the language was
16 that it was optional. I mean if it was optional, I
17 wouldn't have.
18 ATTORNEY McLENDON: It says "eligible to
19 participate" is the current language, which would
20 suggest that if you're eligible to participate, you
21 have to make some election, which was happening sounds
22 like automatically in the past is what I gathered.
23 CLERK McCAIN: And they're trying to clear
24 up the verbiage so that there is not that misunder-
25 standing that it is optional.

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1 COUNCILMEMBER PACHUTA: And I guess I'm not
2 comfortable affirming what is happening, because we
3 need to have such a much larger pension discussion,
4 and I don't think that that's something that we should
5 keep, so I'm not comfortable affirming it.
6 ATTORNEY McLENDON: One of the issues I see
7 on this is that there are several compliance issues
8 with the IRS that reading this appears to be -- the
9 plan operator is saying you need to readopt this just
10 for compliance with the IRS.
11 What we might want to do -- and Melissa, I
12 want your feedback on this -- we might want to talk to
13 them about those two particular issues, because what
14 I'm hearing is when I move this to something that is
15 potentially contrary to what we're about to decide we
16 want to do --
17 And I'm not sure that is one of the core
18 requirements that the plan needs. That's one where
19 they're saying "Let's clean some language up," as
20 opposed to "Let's readopt and make sure we're all
21 squared up with the IRS rules."
22 Melissa, I don't know your thoughts on this,
23 but is there the potential that we could communicate
24 with the plan, put together an ordinance between now
25 and I don't know if we have another meeting that would

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1 potentially get this done according to their timeline.
2 But we can solve those issues and then put in the ones
3 that are basically noncontroversial, which is let's
4 say put "ordinance" throughout it, and then if y'all
5 want, to establish who the committee would be.
6 We can circle back around on these other
7 issues and put it in an ordinance and be prepared to
8 talk to you about what the plan had to say on those
9 issues at the time we present the ordinance.
10 COUNCILMEMBER FLEMING: What is the date due
11 on this?
12 CLERK McCAIN: January 6th. And I apologize
13 I didn't have it on a sooner meeting because I didn't
14 know we didn't do the second meeting in December and I
15 was unfortunately not here at the last meeting.
16 COUNCILMEMBER FLEMING: Would you be able to
17 ask the questions and us put it on the 12th meeting
18 that we have planned already?
19 ATTORNEY McLENDON: I would think that we
20 could get that done.
21 MAYOR PITTMAN: I think that that should
22 be --
23 COUNCILMEMBER ALEXANDER: I mean what are
24 the IRS-required changes?
25 ATTORNEY McLENDON: When I was reading --

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1 Go ahead. I'm sorry.
2 COUNCILMEMBER ALEXANDER: Are they on a
3 separate sheet or --
4 CLERK McCAIN: Yeah. There should be a
5 summary sheet that they submitted. After the current
6 agreement, which goes up to page 27, and then I
7 believe there's two pages after that, there is a
8 memorandum from GMA with those IRS requirements. It
9 looks like this (indicating).
10 COUNCILMEMBER FLEMING: No, I don't think I
11 have that.
12 CLERK McCAIN: You have 27, and then turn
13 two pages after 27.
14 COUNCILMEMBER FLEMING: I have the addendum.
15 Do you guys have this?
16 COUNCILMEMBER BATES: Yes.
17 COUNCILMEMBER ALEXANDER: No.
18 We do? What page? Where is it?
19 COUNCILMEMBER BATES: It's not numbered.
20 COUNCILMEMBER PACHUTA: It's about halfway
21 through.
22 COUNCILMEMBER BATES: After 28, turn.
23 COUNCILMEMBER PACHUTA: Yeah. Go to page 28
24 and then and go forward a few more pages.
25 COUNCILMEMBER BATES: Old 28, not new 28.

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COUNCILMEMBER ALEXANDER: Well, I don't know which is old and which is new. Okay.
COUNCILMEMBER BATES: A little more.
COUNCILMEMBER FLEMING: I have it.
COUNCILMEMBER BATES: Well, we have a meeting on the 7th and the 12th.
CLERK McCAIN: According to them, we can let them know what our desires are and they'll change it to what we would like.
MAYOR PITTMAN: So would the Council like to put this on the 12th's agenda, try and find out the additional information? Okay.
CLERK McCAIN: Thank you.
MAYOR PITTMAN: All right. Thank you.
COUNCILMEMBER BATES: Thank you.
MAYOR PITTMAN: I don't believe we have any reports - committees, commissions, boards.
Chief, did you have anything additional?
CHIEF KING: No, ma'am.
MAYOR PITTMAN: Thank you.
All right. Public Comments. Please limit your public comments to three minutes and state your name for the court reporter.
MS. CRAWFORD: Susan Crawford, Oakcliff.
First I'd like to offer my condolences to

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the police department for their loss recently.
And I commend you for denying the expansion of the foot massage place. I'm a little confused as to why the new Planning Commission passed it through unanimously. Strange.
I would also like to say when you're looking at the fees, please keep in mind that times are tough and that what we want as a city is to have the neighborhoods improve, and let's make -- as much as you can, make an incentive for people to fix up their property because it's hard enough to do that now without putting fees on people.
If I don't see you again, happy holidays.
MAYOR PITTMAN: Thank you, Ms. Crawford.
Additional public comment?
MR. STUART ANDERSON: Stuart Anderson. Couple of things.
Banners and flags were mentioned on the sign ordinance thing. Are we going to change those fees for the banners and flags soon? Because I know that Steffi Koontz has been bugging about that.
The other thing is just a quick about the picking up the extra bags of leaves and stuff. Maybe the Public Works can have a small packet of the ordinance about the plastic bags and paper bags,

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because on Pontiac Circle they could just pick up those plastic bags and maybe put a copy of the ordinance for the people on their door, just say, circle "no plastic" or circle "paper" and just say "please," and put those on their door, and pick up the plastic bags and let them know that plastic isn't appropriate. Thank you.
MAYOR PITTMAN: Thank you, Mr. Anderson.
Additional public comments?
MR. AMBROSE: James Ambrose, Redwood Street.
We've got a very important election coming up tomorrow, and I have yet to figure out why three times before primary I got calls from Hagerstown, Maryland, telling me who to vote for and who not to vote for. I got one yesterday and one today from Hagerstown, Maryland, telling me who to vote for and who not to vote for.
Now, I know you-all can't answer it but I know there's people that can. And to me, that's the most ridiculous thing I've ever heard: a town 500 miles from here telling me how to vote when there's only 10,000 people.
MAYOR PITTMAN: Thank you, Mr. Ambrose.
Additional public comments?
- - -

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(No response)
- - -
MAYOR PITTMAN: Motion to adjourn?
COUNCILMEMBER PACHUTA: So moved.
MAYOR PITTMAN: Second?
COUNCILMEMBER ALEXANDER: 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.
MAYOR PITTMAN: Thank you. Meeting adjourned.
- - -
(Meeting adjourned at approximately 7:45 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 15th day of December 2011.

_____

Theresa Bretch, CCR
Permit No. B-755

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39:9,11,19
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24:12;28:7
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$250.00 (6)
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$5,000 (1)
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11:24;13:9;14:24;67:4
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