In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

January 17, 2012

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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 Tuesday, January 17, 2012.

* * *

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APPEARANCES:

Doraville City Council:

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

Deputy City Clerk Sandra Bryant

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: I would like to welcome everyone and I would especially like to welcome two special guests, Alex and Elise Hammett.

I had the pleasure of them coming into my office the other day for an interview, and they had some absolutely wonderfully brilliant questions, and I was very excited to be able to talk to them. And they're home-schooled, I believe, so we actually invite different schools, and home school is very, very important in our community.

And I've asked them if they would come tonight and say the Pledge. So if everyone could please ridge for the Pledge.

- - -

(Pledge of Allegiance)

- - -

MAYOR PITTMAN: And as a token of our appreciation for you coming tonight, we would like to give you, Alex, an Outstanding Citizen Award (presenting), and thank you so much. And Elise, we'd also like to give you an outstanding citizen award (presenting), and you look beautiful, by the way.

- - -

(Applause)

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- - -

MAYOR PITTMAN: Again, we love our kids and our schools, and we know that these are going to be great future leaders. Some of the questions he asked me were just fantastic.

So thank you very much for being here.

We're also very honored to have tonight, Elena Parent.

And if you don't mind, I was going to go ahead and let you go ahead and speak.

REPRESENTATIVE ELENA PARENT: Sure.

MAYOR PITTMAN: So thank you so much for taking the time to come.

REPRESENTATIVE PARENT: Thank you, Ms. Mayor.

Happy New Year, everybody. As a lot of you know, my name is Elena Parent and I'm State Representative at the Georgia House of Representatives for the City of Doraville.

And so I really just wanted to come and very briefly say Happy New Year and to congratulate everyone who has recently been elected to office and say that I know that all of you will perform your duties with the best of your ability and that I know the city is very excited to have all of you. And a

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lot of you have shown your mettle over the years and with all the things that you've done for Doraville, and of course we're delighted to have Trudy Jones Dean as a newcomer to the City Council. So I'm thrilled to be working with all of you and to be working with all of our fine citizens here.

And finally just want to say that we do have one piece of legislation, local legislation that the City Council has already given to me. And that's going to be a small change to the City Charter that will permit a Special Election to be called when there is one vacant seat on the Council as opposed to having to wait for there to be two vacant seats, which is sort of how it had been structured previously.

So I think that'll be a positive change from the viewpoint of representative government, to make sure that we've got the seats filled, and, therefore, all the citizens are represented the way that they are supposed to be according to the law and to the Charter. So that's the one change that we're going to be making so far.

And just want to say that I stand ready to work with the Council and any of you for anything that you bring to my attention. And my Web site is ElenaParent.com. You can find all my contact

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information there. Also I'm on the Georgia General Assembly, the House of Representatives Web site.

I do hold town hall meetings. I have one next Monday evening at 6:30 over at the Doraville Library. So if any of you can attend, I'll be giving sort of a preview of the legislative session and some of the important legislation that we anticipate will be moving that affects our area during this 40-day General Assembly session. So please feel free to attend that. I also send out a periodic newsletter. You can sign up for that on my Web site.

So I just want you to know that I'm accessible and here to serve you guys, and please feel to reach out to me with anything that should require my attention or my service.

So thanks for all that you guys do, and thanks to all the citizens for being here.

- - -

(Applause)

- - -

MAYOR PITTMAN: Again, thank you very much for taking your time out from your busy schedule. I know it's very busy, so we appreciate you being here.

Next we're going to have a Proclamation presentation to the Georgia Planning Association,

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Laura Keys.

MS. KEYS: I also have Gary Cornell --

MAYOR PITTMAN: Okay.

MS. KEYS: -- who is on the Georgia Planning Association Board as well.

MAYOR PITTMAN: Tonight we are presenting a Proclamation to the Georgia Planning Association declaring this week as Georgia Planning Association Week in Doraville.

The presiding Ms. Laura Keys has been kind enough to join us here tonight to accept this proclamation as a token of our appreciation for all her organization does on behalf of Georgia communities.

This year will mark the 30th anniversary of the merger between the Georgia Chapter of the American Planning Association and the Georgia Planning Association. Since then, Georgia Planning Association has been instrumental in providing professional development to the state's professional community planners.

In addition to her work with GPA, Laura is also a principal planner with the Atlanta Regional Commission where she oversees their Lifelong Communities program which is aimed at creating communities for all ages and all abilities through

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urban design and policy.

Lifelong Community concepts are going to be very important as we prepare for future growth. So before we get started, I would like to give her the opportunity to speak but also to present her with this proclamation (presenting).

MS. KEYS: Thank you very much.

MAYOR PITTMAN: Thank you.

- - -

(Applause)

- - -

MS. KEYS: Well, thank you very much, and the Georgia Planning Association was very excited to also give the City of Doraville an award in 2011 for your 2010 Downtown LCI Master Plan. And I wanted to make sure that you knew and that Luke had shared with you that the actual awards were decided upon and determined by planners, peer planners from the state of Michigan. And so we thought that that was very distinguished for all of the communities that received those awards, that there was no bias because the Michiganders didn't know. So we congratulate on that.

But the Life-Long Communities Initiative is something that we've taken on at the Atlanta Regional Commission and started that work really before 2008

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when we started looking at forecasts and saying we are going to need to understand what it takes to accommodate a demographic trend that is going from one in 10 over the age of 65 to one in five over the age of 65. And most of our communities within the Atlanta region are going to start to feel that impact by 2015, 2016, all the way through 2040 as the boomer demographic shifts and gets older.

And to help with that, we have created an entire program looking at how to help communities prepare for this change, and we call this our Lifelong Communities initiative. And the good news is is that in polling and survey work, it's not just what boomers are saying that they want to thrive and be happy and free in their communities; it is exactly what the millenials are looking for as well. And that's walkable communities, healthy communities, the ability to have pedestrian access to retail and goods and services, and a diversity of housing options.

To help communities do that, we have created a two-tiered approach working both with local governments in helping them to assess their zoning codes, their policies, their comprehensive land use plans, and how to build the concepts of Life-Long Communities into those documents and also assess their zoning

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codes as well. We've worked on form-base codes with communities, we've worked with the Livable Centers initiative plans. We've also created a citizen-led approach where we work directly with civic associations and business groups to create farmers markets, to create community gardens.

I heard some talk about the community garden here in Doraville, and it's very exciting because the community garden in and of itself offers a wonderful opportunity for exercise and health and nutrition and access to foods for many older adults and teaches younger children that carrots actually come from the ground and not a plastic bag and they're not this small (gesturing).

So I want to share that information with you, extend our arm that we can be of service to your community. We look forward to coming back and hoping to be asked to help you as you may continue to think about how to integrate the Lifelong Communities initiative into your planning process and your future decision-making and share our tools and resources with you.

We are working currently with civic associations from the Peachtree Hills neighborhood and the Tucker Civic Association to determine a

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methodology that they may actually use the Lifelong Communities logo for branding and developing opportunities to attract different types of housing and businesses and services to their community.

So if there are any opportunities, I hope Luke will give us a call, and you are always free to contact us as well.

I also want to let Gary, if you have just a second, introduce himself because he has a new role in Dekalb County --

MR. CORNELL: Thanks.

MS. KEYS: -- that may be of interest.

MR. CORNELL: I don't have a speech to make but I did want to say as Professional Development Officer on the Board of Georgia Planning Association how much we appreciate your mark of excellence in this LCI study, and we want you to continue in pursuit of excellence.

I'm the new Interim Director of Planning and Sustainability for Dekalb County and hope to work cooperatively with Luke Howe, your Mayor and City Council on some planning and economic development ventures that will build stronger communities for all of us. Thank you.

MAYOR PITTMAN: Thank you.

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MS. KEYS: Thank you.

MAYOR PITTMAN: Thank you so much.

And again, thank all of our guests for being here tonight.

Call the roll, please.

DEPUTY CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

DEPUTY CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Here.

DEPUTY CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

DEPUTY CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Here.

DEPUTY CLERK BRYANT: Councilmember Dean?

COUNCILMEMBER DEAN: Here.

MAYOR PITTMAN: Thank you.

Next is going to be approval of minutes. At this time, we do not have the minutes. They will be here I believe in the next couple of days and we will approve them at the next meeting.

I also would like to get a motion to amend the agenda. We're going to remove the contract from the agenda under Mayor's Comments, the Melissa McCain contract. We're going to take that off.

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1 COUNCILMEMBER FLEMING: Motion to amend the
2 agenda to removing contract for clerk services.
3 MAYOR PITTMAN: Do I get a second?
4 COUNCILMEMBER ALEXANDER: Second.
5 MAYOR PITTMAN: Discussion?
6 - - -
7 (No response)
8 - - -
9 MAYOR PITTMAN: Call the roll, please.
10 DEPUTY CLERK BRYANT: Councilmember
11 Alexander?
12 COUNCILMEMBER ALEXANDER: Yes.
13 DEPUTY CLERK BRYANT: Councilmember Bates?
14 COUNCILMEMBER BATES: Yes.
15 DEPUTY CLERK BRYANT: Councilmember Fleming?
16 COUNCILMEMBER FLEMING: Yes.
17 DEPUTY CLERK BRYANT: Councilmember Pachuta?
18 COUNCILMEMBER PACHUTA: Yes.
19 DEPUTY CLERK BRYANT: Councilmember Dean?
20 COUNCILMEMBER DEAN: Yes.
21 MAYOR PITTMAN: Thank you.
22 Next on the agenda is public comments. If
23 you could please come to the podium and state your
24 name. Comment on agenda items only; please limit your
25 comments to three minutes. Public comments.

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1 MR. JOE O'CONNOR: Joe O'Connor, Northwoods.
2 I want to congratulate everybody starting a
3 new year, 2012. And some of the ideas that I just
4 read online about what you-all are talking about doing
5 to improve the city I think are really terrific and
6 especially the idea of starting committees with
7 seniors -- with citizens, citizens being the
8 operative. Let the people of Doraville try to help
9 you-all because you've got full-time job even though
10 it's only a few times a week.
11 So I wanted to just say thank you for every-
12 thing, and good luck this year.
13 MAYOR PITTMAN: Thank you. Thank you very
14 much.
15 Additional citizen comments?
16 Okay. We're going to --
17 COUNCILMEMBER DEAN: Whoops.
18 MAYOR PITTMAN: Oh, I'm sorry, Ms. Gilman.
19 MS. GILMAN: That's all right.
20 Carol Gilman, Chestnut Woods Circle,
21 Doraville.
22 Happy New Year to you-all, and I wish you
23 much success. You certainly have a full plate.
24 One of the reasons I came out this evening
25 was because of the agenda item that is going to be

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1 presented by Brian Bates, citizens volunteer
2 committees. It's something we've been talking about
3 for awhile now.
4 We have a wealth of talent in the city and
5 even some of the surrounding areas. Smart city,
6 Doraville, and we're anxious to pitch in and help. We
7 have quite a variety of educational backgrounds,
8 business experience.
9 And I am delighted, Mr. Bates, that you have
10 that on the agenda this evening. Thank you.
11 MAYOR PITTMAN: Thank you, Ms. Gilman.
12 Okay. Anyone else?
13 - - -
14 (No response)
15 - - -
16 MAYOR PITTMAN: Next is going to be depart-
17 ment reports.
18 Major Atkinson?
19 MAJOR ATKINSON: (Shakes head)
20 MAYOR PITTMAN: No? Okay.
21 Ms. Henry?
22 MS. HENRY: No.
23 MAYOR PITTMAN: All right. Scott?
24 MR. SCOTT RODGERS: Hi, Mayor and Council.
25 I'm going to start with the baseball field

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1 renovation. Heath Hunnicutt is with us today, but I'm
2 going to read this to you real briefly.
3 (Reading) Council Members, Ninth Inning
4 Baseball, which is the baseball organization that we
5 have the field usage agreement with, has requested
6 that we make some upgrades to the large baseball
7 field. Because of the top quality level of play that
8 will be on that field, they have requested that a
9 significant amount of work be done to the infield.
10 The upgrades would benefit both their program as well
11 as our Doraville Recreation Department program.
12 The Northside Athletes Foundation, of which
13 Heath Honeycutt, who is the general manager and owner
14 of Ninth Inning Baseball is a member of, is prepared
15 to make a donation to the City for all of the work
16 that will be required for the upgrades. The donation
17 will be made once the upgrades and a quote for the
18 work has been approved.
19 A timely decision must be made because
20 baseball practices begin in March. The work must be
21 started no later than the fourth week in January for
22 the grass to grow in for practices that will begin in
23 March.
24 Because of the time restraints, I asked
25 Cecil, City Attorney, if we could get three quotes for

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the work, and he said that he felt like that would be okay because of the time restraints.

We then found three companies that specialize in top quality baseball field renovations and sent them specs for the work. I've also included the e-mail for the quotes.

And anyway, at this point, I would like to recommend that we award the work to Mike Westmoreland Contracting based on their low bid, and from what we understand, really good quality of work.

And I'm here to answer any questions and so is he.

MAYOR PITTMAN: Questions from the Council?

COUNCILMEMBER ALEXANDER: So you have checked references for Westmoreland?

MR. ROGERS: We have -- we have not checked the references yet. However, Heath has called all of them, and I've talked to Mike Westmoreland as well and also sent the e-mail.

COUNCILMEMBER DEAN: And this isn't going to cost the City anything?

MR. ROGERS: Not a dime, no.

Once this is approved, then we would call the person with the lowest bid and ask them to come out and give an exact quote, and then the foundation

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of which Heath is a part of will cut the City a check for that exact amount, and the work won't be started until that check is received within the City Finance Department.

COUNCILMEMBER PACHUTA: Do you have any concerns or questions, Cecil?

ATTORNEY McLENDON: Scott and I have discussed this issue, and we talked about the procurement process and the issues that appeared relevant that sort of brought me to the conclusion that this might be appropriate. It is, one, the timeline that we have to be prepared in time for the baseball season which is upcoming, and that this was -- and Scott, dive in on this -- my understanding that this was something that there was a level of quality of work and expectation that not every company that does landscaping would be available.

So I talked to Scott and said if you developed a list of the groups that would be qualified to do this type of work and who did this on a regular basis, I felt getting the quotes from those would meet the spirit of our ordinance but also allow us to have this done in a timely fashion so we are not delaying the use of the field by their travel team.

COUNCILMEMBER DEAN: You said that you

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thought that this might be appropriate. Do you have any concerns?

ATTORNEY McLENDON: I feel like it is appropriate. I'm an attorney. Under this situation, yes, I believe it is appropriate.

COUNCILMEMBER ALEXANDER: I guess from my recollection of the contract, I thought one of the things that made the contract attractive to us was that it was in the contract that Ninth Inning Baseball would do the renovating of the fields.

MR. ROGERS: Yeah. They would request for renovations to be made and then -- and then make sure that they were renovated upon our -- as long as we felt, you know, it was appropriate.

COUNCILMEMBER ALEXANDER: Okay. I guess that's not how I understood the wording of the contract.

In your verbiage, you said that the donation will be made once the upgrades and a quote for the work is approved. I guess my concern is with our strenuous cash flow right now, I'm not receptive to us going ahead and starting to have work done without money in hand. And I would like an agreement drawn up that either this money is held in escrow or we go ahead and we are in receipt of this money with some

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kind of contingency that it's paid out right away.

I don't want us to get into we expend money and we're waiting to be reimbursed kind of --

MR. ROGERS: Right.

COUNCILMEMBER ALEXANDER: -- scenario.

MR. ROGERS: Absolutely.

Well, and in talking to Heath, he said that when this is passed or if this is passed, that he could have the check here the next day.

And we would not, you know, contact Mike Westmoreland until the money was received.

ATTORNEY McLENDON: And you could put it in the form of a motion that it is approved for award so long as the funds are held in-house pursuant to this agreement.

COUNCILMEMBER ALEXANDER: Did any of these people physically come out and look at the field?

MR. ROGERS: None of the three.

Well, actually one of them did. Mike Westmoreland did --

COUNCILMEMBER ALEXANDER: Okay.

MR. ROGERS: -- but the other two did not.

COUNCILMEMBER BATES: For the record, the three bids are Mike Westmoreland Contracting, $15,800; W.E. Contracting, $21,234; and Traditions Turf

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1 Management at $22,000 even.
2 MS. SABRINA CAPE: Mayor and Council, even
3 though this will not cost the City any money, we will
4 need to come back with a budget amendment because in
5 governmental funds you need to show the inflow and the
6 outflow. So we will just need to follow up with a
7 budget amendment.
8 MAYOR PITTMAN: Thank you.
9 COUNCILMEMBER PACHUTA: I make a motion to
10 approve the lowest bid from Mike Westmoreland contin-
11 gent on us having the funds in hand before work
12 commences.
13 MAYOR PITTMAN: Do I get a second?
14 COUNCILMEMBER BATES: Second.
15 MAYOR PITTMAN: Discussion?
16 - - -
17 (No response)
18 - - -
19 MAYOR PITTMAN: Call the roll, please.
20 DEPUTY CLERK BRYANT: Councilmember
21 Alexander?
22 COUNCILMEMBER ALEXANDER: Yes.
23 DEPUTY CLERK BRYANT: Councilmember Bates?
24 COUNCILMEMBER BATES: Yes.
25 DEPUTY CLERK BRYANT: Councilmember Fleming?

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1 COUNCILMEMBER FLEMING: Yes.
2 DEPUTY CLERK BRYANT: Councilmember Pachuta?
3 COUNCILMEMBER PACHUTA: Yes.
4 DEPUTY CLERK BRYANT: Councilmember Dean?
5 COUNCILMEMBER DEAN: Yes.
6 MAYOR PITTMAN: Thank you.
7 Next item is the Community Garden Policy,
8 discussion only.
9 MR. ROGERS: Yes, and I'm going to read this
10 as well. Good evening, Mayor and Council. What you
11 have in front of you tonight --
12 Well, before I start, let me say that Jackie
13 Ingram from the Dekalb County Board of Health is here
14 tonight, and she can answer -- answer some questions
15 at some point as long as they're the right questions.
16 She's restricted, I think, in what she can say based
17 on the grant.
18 (To Ms. Ingram) So if I say any -- or speak
19 out of turn, let me know, because I don't want to get
20 you in any trouble.
21 What you have in front of you tonight is an
22 opportunity where the City could possibly receive
23 funds from the Dekalb Department of Health for up to
24 $10,000 to formalize and expand our community gardens.
25 This opportunity is being brought to us by the group

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1 DUG who currently maintains our community gardens.
2 The funds from the Dekalb Department of
3 Health were acquired from a grant from the CDC. As a
4 part of the grant, it requires the County to partner
5 with local governments to achieve the purposes the
6 grant broadly described as improvement of community
7 health, and, in this case, by a community garden
8 program.
9 (To Ms. Ingram) So far so good?
10 Jackie Ingram from the Dekalb Board of
11 Health is here tonight and she's willing to answer
12 questions about the grant.
13 Basically the way the program would work as
14 far as I've been told is that the City would need to
15 pass a community garden policy, the broad scope of
16 which I included in your packet as a proposed policy
17 drafted by the members of DUG.
18 If the City chooses to proceed in adopting
19 such a policy, the next step would be to execute a
20 memorandum of understanding or agreement with the
21 Dekalb County Health Department which could result in
22 the transfer of $10,000 to the City to administer and
23 pursuant to the adopted community garden policy.
24 (To Ms. Ingram) Still good?
25 I have enclosed in your packet such an

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1 M.O.U. crafted for the City which gives you some
2 expectation of what the City's responsibility and
3 requirements will be to administer this $10,000.
4 The City would contract with a nonprofit
5 entity to run the Community Gardens in accordance with
6 the policy, and that entity would get use of the funds
7 to do so through a reimbursement mechanism to pay for
8 their expenses.
9 I've included documentation about this
10 program in your packet, and like I said earlier,
11 Jackie is here to answer any questions.
12 The purpose of this agenda item is to get
13 direction from Council as to how you wish to proceed
14 and to determine if Council is interested in
15 implementing this program.
16 In talking to Cecil, I've consulted with
17 him, and he says that it's usually best -- And he gave
18 me permission to say this before the meeting. I have
19 consulted with Cecil, and it's usually best in these
20 types of scenarios, when the City is responsible for
21 the proper administration of grant funds, that the
22 City partner with a cohesive and organized third party
23 which can be held easily accountable for expenditure
24 and use of the funds.
25 ATTORNEY McLENDON: Generally, this would be

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1 something that it would be the City would be the
2 sponsor of the grant and you would enter into a
3 sub-agreement with a 501(c)(3) to administer the grant
4 funds. That would be the typical methodology you'd
5 see on that.
6 COUNCILMEMBER BATES: And if there wasn't a
7 501(c)(3)?
8 ATTORNEY McLENDON: That makes it more
9 difficult because you end up with a -- you don't have
10 an entity you're dealing with. You are dealing with
11 more of a group of individuals, which is -- don't get
12 me wrong -- is not a bad thing. I understand that.
13 But in the context of grant moneys where we
14 are agreeing to certain methods that this will be used
15 and a certain level of accountability, by having an
16 organized entity 501(c)(3), that lets us carry that
17 accountability down and know that the terms of this
18 are being followed, because ultimately if you don't,
19 the requirements of it are fully going to fall on the
20 City staff to administer this.
21 COUNCILMEMBER DEAN: So for example, would
22 DUG, the members of DUG -- and I'm not sure they feel
23 about it, but would they want to become a 501(c)(3)?
24 Would that work, or would they rather not?
25 MAYOR PITTMAN: If one of you would like to

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1 come forward as a spokesperson, that would be great.
2 MS. HEATHER ISAACSON: I'm Heather Isaacson
3 and I am one of the members of DUG, along with Susan
4 Fraysse and Yajaida Weiner. And our preference would
5 be not to become a 501(c)(3). We feel like that
6 would, number one, be costly, and, number two,
7 obviously the time and the commitment it would take
8 for us to do that; and our primary interest is in
9 gardening, not administering a 501(c)(3).
10 I guess we thought of ourselves, because we
11 were given status as DUG, as a committee under the
12 City, that that would be the entity that we would
13 function as to take in the money. So that would be
14 our preference at this point.
15 COUNCILMEMBER DEAN: So does a third party -
16 - Do you have any suggestions for a third-party
17 501(c)(3) entity or --
18 ATTORNEY McLENDON: What type of sugges-
19 tions?
20 You know, that would be how I would
21 typically do this, because the issue is going to be --
22 COUNCILMEMBER DEAN: Right.
23 ATTORNEY McLENDON: -- you know, there are
24 certain requirements in the grant agreement, and the
25 issue becomes where are those activities going to take

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1 place -- for instance, setting up the policies, sort
2 of meeting the benchmarks as set out in the agreement.
3 My concern -- well, my thought is that with
4 an entity that's out there and operating, that is
5 something where you can enter into a sub-agreement
6 that basically says: "These are all your benchmarks,
7 and, entity, you need to meet all these for us,"
8 because if not, you would basically be saying City
9 staff will be taking this on themselves to do all
10 these things -- which is okay; I mean that can be
11 done, but.
12 MS. ISAACSON: I think we don't want the
13 City to have to take that on. We feel pretty strongly
14 that that would be our responsibility.
15 I guess we're trying to understand, can we
16 not have that same agreement as a club within the city
17 as opposed to being its own entity separate of it?
18 ATTORNEY McLENDON: A club is not an entity
19 which can contract. That's really my concern is that,
20 you know, an entity has to be able to contract. And
21 you know, when you have grant funds that are being
22 involved, when you have commitments as to how you're
23 going to expend them, my strong preference would be to
24 have an entity recognized under the State which you
25 contract with.

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1 COUNCILMEMBER DEAN: If there was a
2 501(c)(3) set up for example under the Department of
3 Recreation or something similar wherein DUG and maybe
4 some other programs might be able to operate under,
5 would that work?
6 ATTORNEY McLENDON: I'm trying to make sure
7 I follow the question on that.
8 COUNCILMEMBER DEAN: If there's a 501(c)(3),
9 the City sets up a program or a group or an entity.
10 But the City can't do that?
11 ATTORNEY McLENDON: Yeah. The City would
12 not really set up a 501(c)(3).
13 COUNCILMEMBER DEAN: Okay.
14 ATTORNEY McLENDON: Then it just becomes a
15 branch of the City.
16 COUNCILMEMBER FLEMING: A 501(c)(3) is
17 limited to just the source who applies for that
18 particular exemption and not, okay, well, let's throw
19 basketball under it or, you know, an athletic club or
20 something like that. It needs to be specific to the
21 application.
22 COUNCILMEMBER BATES: I have a question for
23 Jackie --
24 MS. JACKIE INGRAM: Okay.
25 COUNCILMEMBER BATES: -- if you'd come up.

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MS. ISAACSON: Can I bait you with a question? Can you ask her how the City of Clarkston is handling it?

COUNCILMEMBER BATES: Sure.

I've got a couple. And I understand some restrictions that you may be under regarding the distribution of money, so if I ask a question that you can't answer, I understand.

Do you work with government entities solely or do you also work with 501(c)(3)s that are not affiliated with government entities?

MS. INGRAM: We work with both. However, if we work with a nongovernmental entity, we have to do a bid which takes four to six months for us to actually enter into a contract, which our grant funds end in September, so that means the project wouldn't be able to be done in time.

COUNCILMEMBER BATES: And how many other municipalities locally are you guys working with on a similar type program?

MS. INGRAM: With this Gardens in the Parks, we're working with three: The City of Clarkston which passed January 3rd; City of Chamblee, which --

Brandy, do you know the status of theirs?

MS. BRANDY WHITNEY: They're drafting their

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contract.

MS. INGRAM: Yeah. They're currently drafting their contract; and we're also talking with the County. Dekalb County is also working to pass this policy.

COUNCILMEMBER BATES: Okay. Thank you.

MS. INGRAM: You're welcome.

COUNCILMEMBER PACHUTA: And I guess that's an issue if we want to shift that burden to our staff.

COUNCILMEMBER BATES: Yes.

MS. INGRAM: Oh, and just a side point. City of Clarkston, under their agreement, they are hiring an intern or part-time employee to fulfill all the grant requirements or all the M.O.U. deliverables.

COUNCILMEMBER BATES: I have a question for Scott. And Ms. Fleming, you may know this question. Is North Dekalb Youth Association a 501(c)(3)?

MR. ROGERS: It was. It no longer is.

COUNCILMEMBER BATES: Okay. Thank you.

My preference when we went through this iteration two years ago with getting DUG up and running was for you guys to look at doing a 501(c)(3) for a number of reasons: A., it would allow you to look for funding outside of the City. As a nonprofit tax-exempt entity, you would be open up to have

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donations come in that were tax deductible from the donors, additional grants that were available outside of City of Doraville or Dekalb County.

So my preference still is for y'all to entertain and look at that as a viable option. I understand you-all want to garden, and that's the focus. There may be some other residents in the community who would be willing to take on the administrative piece of operating the (c)(3) and let y'all focus on the mission and the gardening aspect. So that continues to be my preference is for DUG to look at evaluating and forming the (c)(3) status, period.

COUNCILMEMBER FLEMING: I tend to agree at this point because though Clarkston may be able to hire a full-time or a part-time person, we're struggling, you know, within the city, and we've already reduced staff at the Parks & Rec. to two, and I can't see you guys taking on another responsibility.

COUNCILMEMBER BATES: Jackie, I'm sorry. I have one more question for you.

What restrictions are tied to the grant funds that may be distributed to an entity? Hypothetically, this happens and the City gets the full ten. What is that $10,000 or any dollar amount

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restricted to?

MS. INGRAM: Basically, you can't use it for purchase of food products other than meals; no permanent construction and no equipment that costs over $5,000. So the City of Clarkston is using part of their $10,000 funding to hire this person temporarily to do the deliverables during the grant cycle, which is through September.

COUNCILMEMBER DEAN: Is the problem -- is the issue the cost of filing the 501(c)(3) and then paying the fees? Is it getting it started? Is that the issue?

MS. ISAACSON: Yeah. I mean it's that and it's just the whole administration of, the paperwork that would be required to have to go through to create this.

ATTORNEY McLENDON: It's a process to actually do that. The incorporation of it is relatively simple. It's the 5-0 --

COUNCILMEMBER DEAN: Right; the 501(c)(3).

ATTORNEY McLENDON: -- the (c)(3) application that is relatively time consuming.

COUNCILMEMBER BATES: And then the annual filing and so on. Yeah, I understand it's an onerous process.

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1 MAYOR PITTMAN: Okay. This was for discus-
2 sion only.
3 MR. ROGERS: Right.
4 MAYOR PITTMAN: So --
5 COUNCILMEMBER BATES: Scott, from a staffing
6 standpoint, you know, administering and working with
7 the community group on managing the distribution and
8 management and tracking of the funds, yea? nay? good?
9 bad?
10 MR. ROGERS: Well --
11 COUNCILMEMBER BATES: And be candid and
12 honest.
13 MR. ROGERS: Right. Sure; absolutely.
14 We met with Jackie. Luke actually met with
15 Jackie about a little over a week ago, and I stopped
16 by briefly. And this very topic was brought up, and
17 Luke -- you know, Luke said, you know, if there's
18 grant funds that are coming to the City, he said --
19 and I don't want to speak for him, but I think he
20 pretty much said that, "I need to be the one who's
21 doing those things," because Luke knows the federal
22 guidelines and everything that's involved with -- you
23 know, with accepting money from a grant, you know, and
24 protect the City and all that sort of stuff.
25 So you know, I don't want to speak for Luke.

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1 MAYOR PITTMAN: Well, this evening, he did
2 say that he believed the Council did not have a
3 problem or he did not mind taking that task on.
4 MR. ROGERS: Right.
5 COUNCILMEMBER FLEMING: But that was for
6 application of the grant, is that not correct? and
7 distribution of funds. Correct?
8 MAYOR PITTMAN: Yes.
9 COUNCILMEMBER DEAN: Well, if that's the
10 case, then I could help with the 501(c)(3). I've
11 started the process before for another organization.
12 And so if it's just a question of getting it started,
13 I'll be more than happy to help you guys with that.
14 MS. ISAACSON: Well, the other thing Jackie
15 is telling us is that we actually can pay someone
16 using the grant funds to help us create the 501(c)(3).
17 The problem would be the order.
18 So we have the cart-before-the-horse
19 problem, and we'd have the grant -- we wouldn't have
20 the grant necessarily before we had the 501(c)(3).
21 COUNCILMEMBER BATES: Got you.
22 COUNCILMEMBER PACHUTA: I just have more
23 questions, and I'd probably want to talk to Cecil
24 later, but I don't want to put the burden on staff.
25 That's my biggest concern.

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1 ATTORNEY McLENDON: The contract, it appears
2 there are deliverables which would be -- Part of the
3 funding is for deliverables that would have to be
4 prepared and have to meet the review before the grant
5 funds would be distributed, from what I can see.
6 And I think that might be something that
7 would be a discussion that would need to be had, is,
8 you know, who has which responsibilities in the
9 relationship? Asking Scott to create all the
10 deliverables would have to be something I think we'd
11 have to talk to staff and talk about the resources
12 they have available, etc., and otherwise, it would be
13 something that you would need to discuss with DUG and
14 say, you know, "Do you have those resources? Would
15 you be able to meet this criteria?" and understanding
16 that it appears the reimbursement is back-loaded:
17 When you bring the deliverable with an invoice and it
18 meets the criteria, at that time, the funds are paid
19 out. Correct?
20 COUNCILMEMBER DEAN: Well, I think it's a
21 fantastic program, and I love gardening and I think
22 it's great for the community. So even if it's
23 something that -- And I don't think it would be a huge
24 burden because once the system gets going I think that
25 it's a matter of just filing a couple of forms. And I

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1 think the benefit that the community would get out of
2 gardening, because I've seen kids go to the garden,
3 just seeing, you know, exactly what was said, you
4 know, seeing that carrots come out of the ground
5 rather than plastic bags.
6 And we have a garden every year, and our son
7 absolutely loves it. And I think that it's a -- I
8 think it's a really important program and especially
9 at this time when, you know, nutrition and all of
10 these things are so relevant. So I would love -- I
11 would absolutely love to see this program happen.
12 And I can talk to Luke as well or we can
13 talk to Luke and to DUG. And maybe if we all sat down
14 and talked about it, then we would get a better idea
15 of, you know, what it would take and just find out,
16 you know, what we can do to make it work, because I
17 think that a lot of people will benefit from it, and
18 the more people -- I mean the more successful it is,
19 the more people will join it.
20 MAYOR PITTMAN: So -- I'm sorry. What?
21 MS. WHITNEY: I am Brandy Whitney. I'm also
22 with Dekalb County Board of Health, and I'd just like
23 to speak on behalf of DUG because I've been working
24 with them for a couple months and talking about the
25 benefits of this.

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This has been a very, very responsive, responsible group. They are extremely responsible in returning calls, e-mails; having their meetings. So despite the fact that they are not a 501(c)(3) and organized in a legal structure that we may recognize in the state of Georgia, they are outstanding in their work and their commitment.

And so I've been talking with them and talking about this project since late summer, August, and there have not been more than 24 or 48 hours that I have not received a prompt response, if not from one, more than one, on questions and discussions.

So I just want to assure you that you're working with a great group. They're really representing the city of Doraville well in its efforts. They've asked us some tough questions, have done quite a bit of due diligence with us in our presenting this public health program to them. So I just wanted to make sure that you guys were aware of that.

MAYOR PITTMAN: Thank you.

COUNCILMEMBER DEAN: Thank you.

COUNCILMEMBER FLEMING: Thank you.

MAYOR PITTMAN: And -- Go ahead, Mr. Bates.

COUNCILMEMBER BATES: I've got another

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question for DUG. Heather, Yajaida, whoever wants to answer; Susan.

You guys have seen the Memorandum of Agreement between -- the proposed between the County and the City? And there's eight deliverables or eight action items that are there as far as establishing a plan and timelines and maps and things like that. Have you guys looked at that and have a plan devised to address those, or is that --? Walk me through.

MS. SUSAN FRAYSSE: Is this what you're talking about? The Gardens in the Park goals?

COUNCILMEMBER BATES: No, it's the --

COUNCILMEMBER ALEXANDER: Contract.

COUNCILMEMBER BATES: -- Phase I Policy Initiation and Adoption from the Memorandum of Agreement.

MS. FRAYSSE: Of the M.O.A., it's page one and two.

COUNCILMEMBER BATES: Yeah.

So I'm just trying to get a sense of from a work standpoint, because I agree with Councilwoman Pachuta: What we don't want to do is put more work on staff.

So the more that can be shifted and done from the volunteer corps, certainly the more receptive

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I'm going to become on making this happen and then take Councilwoman Dean's offer up and working with y'all and utilizing some of the funds to move in that incorporation/(c)(3) process.

So kind of walk me through what you guys have already put in place to address some of these items.

MS. ISAACSON: I think one of the things I would say is in the very beginning when the --

MAYOR PITTMAN: I'm sorry. Would you mind coming up?

MS. ISAACSON: (Complying) I think one of the things that happened from the very beginning was, because we're a volunteer group, we didn't have any interest in taking on more than we could handle ourselves and we also had no interest in putting a greater burden on the City because we are very aware of the financial strain and the limitation of personnel, and even in talking with Scott, trying to make him understand that we didn't have any interest in making them have more responsibilities as far as what care had to be given to the properties.

So all along it's been we've approached this as long as we felt that the garden group could handle it, then we kept pursuing it. You know, that was why

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we had so many discussions with Brandy was because if at any point we felt that it was beyond what we could handle as a group, we weren't going to keep pursuing it because we knew that there wasn't resources to kind of tap into. So from that standpoint, as the policy has been unfolded, we felt that strongly.

Now, as the memorandum or Memorandum of Agreement or Memorandum of -- I guess M.O.U. has been drafted, the next thing would be to go through and look at that and figure out how those things would be, how we'd hit those marks. So we wouldn't pursue it any more if we couldn't pull that off ourselves. We wouldn't put that on Parks and Rec. We've really assured Scott that that is not our wish for him, or Bobby, for that matter.

COUNCILMEMBER DEAN: Well, and with the produce, too, you guys, I know that it's not just for your -- I mean you also donate the produce to various groups, which is a benefit, and to schools. The small pumpkins went to the schools last year, so that's -- I mean that's nice.

MS. ISAACSON: Yeah. I mean we really feel strongly -- If I could just speak generally about the garden program, we really feel strongly that if Doraville wants to be a strong city, a community

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1 garden program is something that's almost essential.
2 If you look at the successful communities
3 around us that attract families, that attract kind of
4 a community sense, they have established community
5 gardens now. And so from that standpoint, we really
6 feel like that this is a "win" for the city if we can
7 get this working. But we also understand and we don't
8 want to put a burden onto the City staff. So we
9 really would like to come to a solution that allows us
10 to pursue this because we really think it's a great
11 opportunity for the city.
12 COUNCILMEMBER PACHUTA: So have you-all
13 looked at the M.O.U.?
14 MS. ISAACSON: Briefly. I have not
15 personally, but Susan has read it and she can probably
16 answer some of those questions.
17 MS. FRAYSSE: Yeah. Let me say this: Those
18 eight elements are all things we're already doing to
19 some degree and we'd be willing to get tighter about
20 it. We feel like there are good things there, you
21 know, the P.R., the communication, the following up
22 with Dekalb.
23 I think because of my experience with the
24 Library 501(3)(c), I'm aware of what's involved there,
25 and I'm concerned that we don't have the level of

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1 expertise and the timeline. I mean we can't become a
2 501(3)(c) [sic] probably before the grant money goes
3 away, so it's kind of going to be a moot point if we
4 have to meet that level, that criteria, to work with
5 the City.
6 Clarkston has found a way to work with their
7 -- you know, to pass a garden policy without it
8 becoming a 501(3)(c). I would hope to explore any
9 possibility that we could do something short of that
10 level. We're willing to keep more organized lists of
11 who are members are, keep track of their dues, you
12 know. But what our proposal --
13 Did you-all get a chance to look at or think
14 about the merits of the policy itself? because that
15 really grows out of what we've been doing for the last
16 three years.
17 And you'll notice we have mention of one
18 dollar a year. We're not like Dunwoody and, you know,
19 all these other places that have plots that they rent
20 out for $50.00 a year or $100.00 a year. We're not in
21 that category. We're a very low-scale, very
22 democratically ground-up organization, and I would
23 hope that we could explore ways without having to
24 become incorporated and have an attorney and a bank
25 account and, you know, all of that.

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1 We want to just maybe pursue goals that
2 are -- that are -- grow out of the grant funding goals
3 that meet our needs with a minimum of bureaucracy and
4 administration and just, you know, buy some stuff and
5 submit our receipts and get reimbursed. So very,
6 very, very simple.
7 MAYOR PITTMAN: Thank you, Ms. Fraysse.
8 I think we do need to move on, but I think
9 this is very important. Is it possible that we
10 could --
11 - - -
12 (Brief inaudible conversation)
13 - - -
14 MAYOR PITTMAN: Oh, I'm sorry.
15 MS. KEYS: I don't want to interrupt your
16 meeting, but we, through the Atlanta Regional
17 Commission, have helped other communities start food
18 banks. And one opportunity that may exist without
19 having to start another nonprofit could potentially be
20 a sub-grant agreement with the Atlanta Community Food
21 Bank, and probably in return they would want to help
22 you increase your food production for your local
23 shelters and pantries, and I'm sure their goals
24 probably align.
25 I have no idea if they would do it, but we

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1 have used them to come out and till gardens in
2 exchange for rows. And we have local AARP chapter
3 volunteers; actually, that is their goal. They don't
4 have their own plots. They come out and work and
5 plant a row for the hungry, and we donated 500 pounds
6 of food last summer to a Cobb County shelter.
7 So it could save you the energy, and I'm
8 sure Bill Bolling would welcome an opportunity for an
9 innovative idea.
10 MAYOR PITTMAN: Thank you so much.
11 And this isn't for today. I think that
12 February -- If we put it back on the agenda for the
13 next meeting, everybody could kind of get together and
14 brainstorm and see what else, because this is
15 important. I'd like to see it succeed. And if the
16 Council's okay, we can put it on the next agenda?
17 COUNCILMEMBER FLEMING: I agree. February
18 6th.
19 MR. ROGERS: Yeah, I think that's great.
20 Just for clarification, though, are we going
21 to draft a memorandum of understanding and plug in --
22 ATTORNEY McLENDON: What I'm hearing is that
23 we need to explore the methods that we could put in
24 place to make this happen and come back with a sort of
25 we-vetted-this and give you some ideas on it.

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1 I think a lot of that revolves around Scott
2 having the conversation about the different duties
3 that would be involved, and we will need to address,
4 you know, what is it. Once we take grant money, we
5 tie it up. That means somebody else can't get it.
6 And at that point, you need to have -- again, that's
7 where the accountability is moving down to, you know,
8 we've tied this up.
9 We have to have a process where there's a
10 commitment to meet these benchmarks. And I think the
11 conversation can continue and maybe come back with
12 some thoughts on that.
13 COUNCILMEMBER FLEMING: But on top of that,
14 both Clarkston and Chamblee first did their garden
15 policy, and that's where I think, as a city, if we are
16 going to create a garden policy, you have to do that
17 before we can even say we're going to receive or apply
18 for funding, so --
19 ATTORNEY McLENDON: I think that was one of
20 the benchmarks even in the grant is to come through
21 and do those --
22 COUNCILMEMBER FLEMING: Okay. So --
23 ATTORNEY McLENDON: -- type of activities.
24 COUNCILMEMBER FLEMING: -- you know, I think
25 this is a very worthwhile cause, and providing or

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1 drafting a garden policy is necessary as well.
2 COUNCILMEMBER ALEXANDER: I believe that we
3 did. When we first started the community garden
4 thing, I believe we did have some sort of policies in
5 place, and those possibly need to be reviewed.
6 Further in these policies there was mention
7 of physically-challenged accessibility. So we are
8 talking that ramps would need to be constructed and
9 things of that nature to comply with ADA requirements.
10 MAYOR PITTMAN: Okay. We'll put this back
11 on the agenda.
12 COUNCILMEMBER PACHUTA: Yeah. And I'll
13 brainstorm too and speak to the Mayor and Cecil and,
14 you know, members of DUG, but I don't think like I
15 have clean enough info right now.
16 MAYOR PITTMAN: Okay. All right. Thank you
17 so much.
18 And thank all of you for being here tonight.
19 MS. ISAACSON: Thank you.
20 MAYOR PITTMAN: It's an important project
21 and we want it to happen, so let's all get together
22 and see what we can do. Thank you.
23 Okay. Next on the agenda there is no public
24 hearings.
25 Question?

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1 COUNCILMEMBER ALEXANDER: I was just
2 wondering if DUG got her information to call about the
3 Community Food Bank possibly helping them.
4 COUNCILMEMBER FRAYSSE: I know how to get in
5 touch with them.
6 COUNCILMEMBER ALEXANDER: Okay.
7 MAYOR PITTMAN: Okay. Under old business,
8 Second Reading of Personnel Policy Revision -
9 Amendment to PTO Accrual; Mr. McLendon.
10 ATTORNEY McLENDON: Mayor and Council, this
11 is an ordinance that we looked at at the last meeting.
12 It's actually an amendment to the Employee Manual
13 regarding the PTO hours. It deleted an example that
14 was in the policy that didn't quite match up.
15 And based upon the instruction we had in the
16 last meeting, we also tightened up the language to
17 make it very clear under Section -- or trying to make
18 it very clear under Section 5.2.4 that no more than
19 -- year to year, it was limited to five days; that's
20 it. And that is on page three under Section 5.2.4.
21 We tried to tighten that up.
22 In addition, it did come up in speaking with
23 Ms. Fleming -- and I think it had been brought up in
24 the last meeting -- that we never really defined "day"
25 particularly well in here, and the version you have

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1 also does not have that. And I think it would be wise
2 to, potentially, in adopting this amendment.
3 And what I've looked at that issue: under
4 Section 5.2.3 where it talks about the PTO days
5 carried forward, at the end, we could add in a
6 sentence that says, "For the purposes of this section,
7 one day of PTO shall be equivalent to eight paid
8 hours." And then you've defined it throughout this
9 section, and that resolves that issue, and I think
10 that's a good suggestion.
11 With that, I believe, if this is the policy
12 of the Mayor and Council, this ordinance would effect
13 that or -- Yes.
14 COUNCILMEMBER ALEXANDER: I guess my
15 question to that is if your work-day is not eight
16 hours.
17 ATTORNEY McLENDON: That's the question, and
18 that's the question that was sort of being addressed
19 in that. So there is inherent policy in saying one
20 day equals eight hours.
21 The other way you could write it is say one
22 day equals your normally-scheduled shift, and that's
23 the policy question that would be answered.
24 COUNCILMEMBER PACHUTA: But what do we pay
25 people? Do we just automatically pay people eight

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1 hours when they take a PTO day? Is there any --
2 ATTORNEY McLENDON: How is it being done
3 now?
4 MS. CAPE: Eight hours.
5 ATTORNEY McLENDON: Right now it's under an
6 eight-hour day.
7 COUNCILMEMBER ALEXANDER: No matter if they
8 have a 12-hour shift or not?
9 ATTORNEY McLENDON: I don't know the answer
10 to that.
11 MAYOR PITTMAN: Major is shaking is head
12 yes.
13 MS. CAPE: Could you not find basically
14 instead of going with a day and defining the day, an
15 hour limit as opposed to days; have it basically as
16 the uniform standard? I don't know.
17 ATTORNEY McLENDON: And without rewriting
18 the entire --
19 MS. CAPE: The whole thing? Okay.
20 ATTORNEY McLENDON: -- section, that's a way
21 that by tying the term day to the eight hours, I'm
22 trying to do that. But that's a good suggestion.
23 MAYOR PITTMAN: Okay. Additional questions?
24 Ms. Fleming?
25 COUNCILMEMBER FLEMING: No. I'm fine with

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1 this second reading as long as we put in a definition
2 of what a day -- the equivalent of a day equals eight
3 hours.
4 MAYOR PITTMAN: Ms. Dean?
5 COUNCILMEMBER DEAN: Uh-uh.
6 COUNCILMEMBER ALEXANDER: Have you
7 considered putting an example in as far as your
8 verbiage?
9 ATTORNEY McLENDON: We had an example.
10 COUNCILMEMBER ALEXANDER: But it conflicted
11 to the verbiage.
12 ATTORNEY McLENDON: Right. And really --
13 and I thought about it and I thought that it was clear
14 enough that it didn't warrant an example, which is why
15 I was taking it out. But I'm open to suggestions.
16 MAYOR PITTMAN: Mr. Bates?
17 COUNCILMEMBER BATES: I'm fine.
18 MAYOR PITTMAN: Ms. Pachuta?
19 COUNCILMEMBER PACHUTA: I'm fine.
20 MAYOR PITTMAN: Okay.
21 COUNCILMEMBER FLEMING: Well, the only other
22 thing with that, Mr. McLendon, would be like Ms. Cape
23 indicated and what I mentioned to you before is no
24 greater than 40 hours will be accrued at any one given
25 time or will be allowed to be banked at any one time

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1 or --
2 COUNCILMEMBER ALEXANDER: Or just say --
3 COUNCILMEMBER FLEMING: -- whatever the
4 term.
5 COUNCILMEMBER ALEXANDER: -- a day is eight
6 hours.
7 COUNCILMEMBER FLEMING: I'm sorry?
8 COUNCILMEMBER ALEXANDER: A day is eight
9 hours.
10 MAYOR PITTMAN: Okay.
11 ATTORNEY McLENDON: Yeah. And by doing this
12 in Section 5.2.4, what we've said -- and there are
13 probably different ways we could word it, and I'm open
14 to if you want me to go back to the drawing board, we
15 can do it.
16 We've said employees may carry over a
17 maximum of five unused PTO days from one year to the
18 next so that the maximum available PTO days at the
19 beginning of any calendar year shall not exceed the
20 amount of PTO days designated by Section 5.2.3, which
21 is your prorated based upon your length of time, that
22 number plus five days. That's it.
23 So that defines it. And maybe we could do
24 it more artfully, and if you'd like, we could go back
25 to do that.

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1 And then we go with the final sentence and
2 say, "Any unused accrued PTO days not carried over
3 pursuant to this section shall be lost by December
4 31st of the year." I should say "on December 31st."
5 MAYOR PITTMAN: So Council, do we want to go
6 back to the drawing board or do we want to go ahead
7 and move forward with this?
8 COUNCILMEMBER DEAN: I think that's pretty
9 clear. I mean you cover it from both sides.
10 COUNCILMEMBER ALEXANDER: So we're just
11 going to add language that one day equals eight hours?
12 ATTORNEY McLENDON: And I can -- I've read
13 it one time. That would be the language I intend to
14 put in, which would be, at the end of Section 5.2.3
15 where we talked about the hours accrued based upon
16 your years of experience, at the end, we add in, "For
17 the purposes of this section, one day of PTO shall be
18 equivalent to eight paid hours."
19 COUNCILMEMBER PACHUTA: I make a motion to
20 approve the PTO ordinance with the suggested amendment
21 by Mr. McLendon.
22 MAYOR PITTMAN: Okay. Do I get a second?
23 COUNCILMEMBER DEAN: Second.
24 MAYOR PITTMAN: Discussion?
25 - - -

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(No response)
- - -
MAYOR PITTMAN: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
DEPUTY CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
DEPUTY CLERK BRYANT: Councilmember Dean?
COUNCILMEMBER DEAN: Yes.
MAYOR PITTMAN: Okay. Thank you.
Next on the agenda is the Second Reading to Amend the Alcohol Ordinance to Allow for Hearing Officer; Mr. McLendon.
ATTORNEY McLENDON: And this is another ordinance which we have prepared based upon the discussions of Council.
The basic gist of this ordinance is that any decisions made by the City Clerk or the Mayor as to the issuance, revocation or denial of any alcohol permit, the appeal of the decision would go to a

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hearing officer.
And if you'll recall, we created our Section 1 where we had two different appellate processes. One is Appeal to the Mayor and Council; one is Section 1-15 or 1-15(b) which is Appeal to a Hearing Officer.
In this ordinance, we've taken our existing ordinance, we've made it consistent that the Clerk is the deciding person throughout. But then in each area where someone has the right of appeal, we have referred them to Section 1-15(b), which is the hearing officer section. Very simple.
If you wanted to go the other way, we would just change that to Section 1-15(a), and that's a pure policy decision whichever way you-all would like to go with that.
COUNCILMEMBER PACHUTA: The hearing officers, the names that we've gathered already like when we changed the employee manual, were they specific to employee personnel matters or were they also -- it's more of a government appellate --
ATTORNEY McLENDON: The officers that --
COUNCILMEMBER PACHUTA: -- experience?
ATTORNEY McLENDON: -- are currently on the list are attorneys who are very familiar with administrative/governmental type of law.

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But I think that is open. Someone can be put on that list. And again, we are taking the hearing officers on a rotation when an issue comes up.
COUNCILMEMBER DEAN: How many are there and how were they chosen initially?
ATTORNEY McLENDON: Five. And the selection process is I think we had gone out, we had made some recommendations of people we knew were familiar in that process, So that list is available, but I don't know it off the top of my head.
COUNCILMEMBER DEAN: Right.
ATTORNEY McLENDON: A lot of them are the folks you see at the city and county attorneys, because they're usually ones who understand these issues and deal with these on a regular basis.
COUNCILMEMBER DEAN: This is one of those issues that I was unsure of so I asked a lot of people to see what their thoughts were just because I am representing a lot of people, and I heard both sides, pros and cons for both.
One of the concerns for doing that is that we've had some issues in the past where an establishment was operating illegally; that is, acting as a bar instead of a restaurant, for example. And a lot of time passed before it actually came to hearing, and

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it's perceived, correctly or incorrectly, that that happened -- that is, the hearing happened as a result of pressure from the community.
COUNCILMEMBER PACHUTA: Well, in both situations, the initial determination is made by staff and the Clerk. Whether it goes to City Council for appeal or whether it goes to a hearing officer for appeal, neither of those can take place until staff essentially gives notice of revocation of the license.
So as far as time frame, and correct me if I'm wrong, neither can occur until staff does that revocation.
COUNCILMEMBER DEAN: And when you say "staff," who are you talking about exactly?
COUNCILMEMBER PACHUTA: The Clerk.
ATTORNEY McLENDON: The Clerk, the City Clerk. For the purposes of alcohol licensing, the Clerk is your sort of designee who handles it, but --
COUNCILMEMBER PACHUTA: But it is a collaboration, though, with staff, because, you know, the Clerk's not necessarily going to know of violations that occur. You know, that information comes from the Police Department, the courts. And that's one of the things I think we've been working on is better collaboration between all the different

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1 departments so that each one knows what's going on.
2 COUNCILMEMBER DEAN: Right.
3 ATTORNEY McLENDON: Under the actual terms
4 of this, once a decision has been made, a determi-
5 nation -- and usually that's in the form of an
6 official letter of determination; you know, "Please be
7 advised" -- then it moves forward relatively swiftly,
8 because if someone does not appeal that determination
9 in 30 days, they lose the right to that appeal.
10 And under our ordinances, if they move into
11 this process, there is a timeline at which the hearing
12 is held as it moves forward.
13 That is a different thing from a period
14 where, as Councilwoman Pachuta was speaking about, you
15 wouldn't move forward with a denial -- well, not a
16 denial -- a revocation or suspension of a business
17 license or alcohol permit until you had the sufficient
18 basis to do it.
19 COUNCILMEMBER DEAN: Right.
20 ATTORNEY McLENDON: So there could be a
21 period of time that, you know, if that evidence does
22 not exist at that time, there's no basis to make a
23 determination.
24 COUNCILMEMBER DEAN: Right.
25 ATTORNEY McLENDON: And once the evidence

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1 exists, what happens is on an administrative level,
2 your Clerk reviews the information, reviews the
3 ordinance and the terms of what is valid for a denial
4 or suspension or revocation and then makes an
5 administrative determination. That's when the letter
6 goes out.
7 But you know, whereas someone may back here
8 be saying, "This should happen and this should
9 happen," and it may not happen here because you have
10 to develop the evidence --
11 COUNCILMEMBER DEAN: Right.
12 ATTORNEY McLENDON: -- and you know, that's
13 part of it.
14 But once the administrative determination
15 has been made, the process moves forward relatively
16 quickly because if somebody fails to appeal, it is
17 done.
18 COUNCILMEMBER FLEMING: And if they have
19 indeed been cited and their review is pending over in
20 our courts, I would think that -- and correct me if
21 I'm wrong, legally -- that we, as administrative,
22 whether it be a hearing officer or an administrative
23 review, we're not doing anything at that point until
24 their process is complete. Is that not correct?
25 MAYOR PITTMAN: Not necessarily.

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1 ATTORNEY McLENDON: It would depend on the
2 circumstances. You know, it would depend on the
3 history of a location. There could be different
4 factors that came to bear on it.
5 If you ended up with something in court and
6 you, you know, had no real other evidence that a
7 suspension would be appropriate, you might need to
8 wait until that process was through, because until
9 then, you did not have a determination that would be
10 sufficient.
11 That being said, there may be circumstances
12 whether other evidence was sufficient for the
13 administrator to say, "No, I really don't need to wait
14 because I have sufficient information now to go ahead
15 and act." And especially in situations where, you
16 know, it might really become a public-safety concern
17 or some sort of health-and-welfare concern, you may,
18 you know, take those kind of factors into
19 consideration as you moved forward with it.
20 COUNCILMEMBER PACHUTA: And I think in the
21 past, I think we have been lax in moving these toward.
22 We may not be lax in going out and giving citations,
23 but I think we have been lax in then taking it to the
24 next step, because a lot of businesses may consider
25 paying a citation a cost of doing business.

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1 But I think, you know, within at least even
2 the past six months to a year, this Council has really
3 indicated and given direction to staff maybe that
4 didn't occur before where we said, "This is important
5 to us. If businesses are violating our ordinances,
6 they need to be held accountable." So I think there
7 has been a lot more emphasis on that and a lot more
8 coordination with staff that maybe did not occur
9 before.
10 COUNCILMEMBER DEAN: Okay. Are they
11 noticed? If it goes before a hearing officer, is the
12 public noticed that this event will happen?
13 ATTORNEY McLENDON: That, because it is,
14 again -- and we discussed it a little bit last time --
15 since it is an administrative hearing and is not a
16 hearing with a quorum of the Mayor and Council, it's
17 not an open meeting.
18 COUNCILMEMBER DEAN: Okay.
19 ATTORNEY McLENDON: It is not something
20 required to be open to the public.
21 COUNCILMEMBER DEAN: Okay.
22 COUNCILMEMBER FLEMING: I believe that there
23 was a hearing this week? Yesterday? Today?
24 MAYOR PITTMAN: It was today.
25 ATTORNEY McLENDON: Actually, we had an

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1 administrative hearing today.
2 COUNCILMEMBER FLEMING: And how many hours
3 did that take?
4 ATTORNEY FELGIN: It took an hour and a
5 half.
6 COUNCILMEMBER FLEMING: And we have -- and
7 are we going to also be requiring a court reporter for
8 these appeals and the hearing officers?
9 ATTORNEY FELGIN: Usually it would be
10 preferable because most of the time at least -- the
11 other party has an attorney most of the time and they
12 will want one there because, you know, they will
13 probably appeal it.
14 So in many respects, we usually do, but it's
15 it's not required because we record them anyway, and
16 if they do appeal, we could always hire a court
17 reporter on the back end to transcribe the record.
18 ATTORNEY McLENDON: A lot of times when
19 there is pending litigation and you can -- sometimes
20 in these situations, you can know litigation is likely
21 forthcoming. It's good to have the court reporter
22 because the review of any of these kind of cases is a
23 record review, and that's one of the reasons -- one of
24 the arguments that you do use a hearing officer
25 sometimes is because when it goes to the superior

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1 court, if somebody says, "No, I disagree with the
2 hearing officer. I'm going to appeal this by writ of
3 certiorari to the superior court," it is appealed on a
4 record review, which means the court will actually
5 require the hearing officer to prepare the record,
6 present the record to the court so the court has all
7 the documents that were considered in making the
8 determination and it will be solely based upon whether
9 that record is sufficient to justify the decision.
10 So in some cases, you will use it. If it is
11 one that I would look at and say it is highly unlikely
12 we would have litigation resulting, that might be one
13 you went ahead and relied on the recording and said,
14 "Well, you know, if something happens later, I would
15 go ahead and transcribe the --"
16 COUNCILMEMBER PACHUTA: And just from my
17 experience, usually, especially if there's a lot of
18 money involved like in a popular, profitable business,
19 their attorney will usually hire their own court
20 reporter to be there because they know they need that
21 on the record.
22 COUNCILMEMBER FLEMING: I want to go back to
23 the question of is it a public meeting?
24 It's not a public meeting. Is it an open
25 meeting?

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1 ATTORNEY McLENDON: The Mayor -- It's not
2 necessarily. And I don't know of any reason that you
3 would say let's close the doors and bar the doors --
4 COUNCILMEMBER FLEMING: Okay. Well --
5 ATTORNEY McLENDON: -- and exclude everyone.
6 COUNCILMEMBER FLEMING: -- now my next
7 question would be how do we go about finding out who
8 had the hearing today and what the determination was?
9 ATTORNEY McLENDON: I'm happy to give you.
10 We can --
11 COUNCILMEMBER FLEMING: But we wouldn't --
12 ATTORNEY McLENDON: -- talk any time.
13 COUNCILMEMBER FLEMING: -- have known it
14 until -- We wouldn't have known it is my issue, you
15 know. So if we are dealing with --
16 First of all, everybody knows that I'm
17 opposed to a public -- for a hearing officer, okay,
18 because we first were told it was only going to be
19 $150.00 an hour and now we're -- I love Terri to
20 death, but now we've got her cost involved as well,
21 okay. So I'm opposed to this and will always be for
22 all of them.
23 So we would not know, because it's not going
24 to be provided to us that you're having a hearing; so
25 therefore, we don't know what business you're talking

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1 about and we don't know what the outcome is.
2 ATTORNEY McLENDON: What would typically be
3 the structure of that would be that -- And this could
4 be something that maybe I should have done better to
5 let everybody know what's going on. But typically for
6 administrative actions occurring within the city, the
7 administrator keeps the Mayor and Council informed of
8 what is occurring on this.
9 So to the extent if you were saying, "Oh, I
10 didn't know any of this was occurring," I'd look at
11 you and say, "That's my mistake because I should keep
12 the Mayor and Council informed."
13 COUNCILMEMBER FLEMING: Because our resi-
14 dents are very active, when they see a business doing
15 illegal things, and if we don't know that they've come
16 before the public hearing or the hearing officer, then
17 we still and they still think that it's still pending,
18 that it's still an illegal business and why haven't we
19 shut them down. And we would have no recourse but to
20 say we don't know, and that's a terrible feeling.
21 ATTORNEY McLENDON: And to me, that's a
22 communication issue that I can do better on --
23 COUNCILMEMBER FLEMING: Okay. That sounds
24 great.
25 ATTORNEY McLENDON: -- in keeping you

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informed on that.
COUNCILMEMBER FLEMING: That sounds great. Thank you.
MAYOR PITTMAN: Additional questions from the Council?
- - -
(No response)
- - -
MAYOR PITTMAN: This is a second reading.
COUNCILMEMBER PACHUTA: I make a motion to amend the Alcohol Ordinance to allow for a hearing officer.
MAYOR PITTMAN: Do I get a second?
COUNCILMEMBER BATES: Second.
MAYOR PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PITTMAN: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
DEPUTY CLERK BRYANT: Councilmember Fleming?

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COUNCILMEMBER FLEMING: No.
DEPUTY CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
DEPUTY CLERK BRYANT: Councilmember Dean?
COUNCILMEMBER DEAN: No.
MAYOR PITTMAN: Thank you. Motion carries.
Next on the agenda is Commercial Window Tinting. I believe this was also on the agenda also last time and there's more research being done. Councilman Bates?
COUNCILMEMBER BATES: Yeah. We're going to carry this over to the February 6th agenda.
MAYOR PITTMAN: Okay. Thank you.
Okay. Next on the agenda is you were presented awhile back a stabilization plan, and I thank all of you for your feedback. I've spoken to most of you, and the best way I know to do this is just go down the list. Some of it requires conversation and some of it does not.
Number one on the plan was to continue with the previous budget plans as outlined in June 2011. I believe everyone was in agreement with that.
Number two was to eliminate the part-time position in the Library, which at the last time that we presented this, we did have a part-time position

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but we no longer have that. We do not have a part-time position at all there.
And part of this was to reduce the hours of operation of the Library, and I believe Ms. Henry is here.
If you would like to come forward and answer any questions anybody might have on that. And I believe you had originally said that the less busiest day is on Monday, but I think now the stats are Friday?
MS. HENRY: No, no. The less busiest day is Friday. But I was thinking Monday would be a good day to close because a Sunday and a Monday, but that's our busiest day, Monday. So Friday is the less busiest day.
COUNCILMEMBER DEAN: Have we considered or thought about implementing a system using volunteers from the community to work the hours? A lot of communities are doing that now. And I think because we have a lot of seniors in the neighborhood as well as other people who are unemployed, people who I think would enjoy the interaction with other people and just the service to the community.
MS. HENRY: Trudy, we are an affiliate of Dekalb County -- Councilwoman Dean. I'm sorry.

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We are an affiliate of Dekalb County Public Library System, so it is in their policies and procedures that we must accept volunteers. So currently we are utilizing seven volunteers a month. Without the volunteers, we wouldn't be able to operate. So we do have volunteers; we just cannot accept court-appointed volunteers because Dekalb County has told us we can't, but we do have volunteers.
My only concern is right now we have lost three people: one due to retirement, two due to they have interest in other things so they resigned.
And in order to operate the Library at optimum level, we're going to have to change our hours and close a day. Since we can't hire anyone else, we really need to really look at the hours that we're open and how we'll better serve the community. And since Friday will have the least impact, that's kind of the best day, because I hate to close it on a day that we circulate the most items or on the night that we're open.
MAYOR PITTMAN: Okay. Thank you.
COUNCILMEMBER FLEMING: So you would be going Monday through Thursday and Saturday.
MS. HENRY: Monday through Thursday and

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Saturday, yes, ma'am.
MAYOR PITTMAN: Ms. Pachuta?
COUNCILMEMBER PACHUTA: I don't have any questions.
MAYOR PITTMAN: Mr. Bates?
COUNCILMEMBER BATES: (Shakes head)
MAYOR PITTMAN: Ms. Alexander?
COUNCILMEMBER ALEXANDER: (Shakes head)
MS. HENRY: And we will have to change the hours.
COUNCILMEMBER DEAN: What would the hours be?
I've spoken to a lot of people who love the Library, and they were disappointed that apparently they were reduced, the evening hours were reduced, because, for example, after school, some people take their children to the Library and they were disappointed that that time was reduced.
MS. HENRY: We still have Tuesday nights it's open to 8:00.
COUNCILMEMBER DEAN: Okay.
MS. HENRY: Dekalb County tracks everything for us. From 7:00 to 8:00, very few people come in.
COUNCILMEMBER DEAN: Right.
MS. HENRY: And the only reason we have a

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lot of people that come in on Tuesday is because we have story time Tuesday Night.
COUNCILMEMBER DEAN: Right.
MS. HENRY: So I am proposing that Monday -- Monday, Wednesday, Thursday and Saturday from 10:00 to 6:00, Tuesday from 12:00 to 8:00, so that the four full-time people that we have working now, we will work together as a group just in case we have to accommodate PTOs. If someone is sick, I just do not want to leave two people in the branch because someone has to take a lunch. So I would prefer us to all come together and leave together.
So it will reduce it 14 hours. Right now, we're open 54 hours, and I'm proposing 40 hours so that we all can come together, leave together, and the four of us, if someone gets sick or if someone has a car accident or someone's child gets sick, that it will not put us under at all.
MAYOR PITTMAN: And Ms. Cape, what was the amount of that part-time employee?
MS. CAPE: $11,200. That includes payroll taxes as well.
MAYOR PITTMAN: Thank you.
COUNCILMEMBER FLEMING: I appreciate everything you're trying to do to help reduce your

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budget. The only thing I'm concerned about on Tuesdays is opening at 12:00. With court taking place right at 1 o'clock or whatever, with people coming in before 1:00, are you going to have any parking spaces for the library or for yourself? I mean for you and your employees? because, you know, when I've gone through that parking lot, I mean they're flowing over into the Civic Center to park, and I'm just concerned about our Library patrons as well as yourself.
MS. HENRY: I guess I'm really not concerned about us parking because we could park over in the police parking lot.
COUNCILMEMBER FLEMING: Okay. All right.
MS. HENRY: I mean, you know, I'm not -- I'm not really concerned. Most people in the morning between 10:00 and 12:00 right now are people that use the computers.
COUNCILMEMBER FLEMING: Okay.
MS. HENRY: So the traffic is computer people in the morning.
COUNCILMEMBER FLEMING: Okay.
MS. HENRY: And then some of the court people come over to waste time until court starts.
COUNCILMEMBER FLEMING: Okay.
MAYOR PITTMAN: Okay. Thank you very much.

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So Council, are you ready to make a motion on this?
MS. HENRY: Oh, one last . . . Dekalb, it came out the hours, I have to give Dekalb County a three-month notice. So if you agree, it won't happen until three months later because Dekalb County has to put it on their stationery and the forms. So it cannot happen until three months later because of the Dekalb County Library System.
COUNCILMEMBER ALEXANDER: So we could make it basically effective May 1st?
MS. HENRY: Yes, ma'am. Yes, ma'am.
COUNCILMEMBER ALEXANDER: But we have to adjust the calculation of our savings, Ms. Cape.
MS. CAPE: The calculation of savings is just based on part-time, not necessarily hours of operation.
COUNCILMEMBER ALEXANDER: Okay.
MAYOR PITTMAN: Okay. Anyone like to make a motion to make this effective May 1st?
COUNCILMEMBER PACHUTA: So moved.
MAYOR PITTMAN: Second?
COUNCILMEMBER BATES: Second.
MAYOR PITTMAN: Discussion?
- - -

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(No response)
- - -
MAYOR PITTMAN: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
DEPUTY CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
DEPUTY CLERK BRYANT: Councilmember Dean?
COUNCILMEMBER DEAN: Yes.
MAYOR PITTMAN: Thank you.
Number three was to prepare summary Council meeting minutes as required by State law and to eliminate court reporter services. We know this is a huge expense for us, although we love Terri.
Mr. Bates, would you like to share your idea?
COUNCILMEMBER BATES: We know that the sound system in Council chambers doesn't work, and we've talked about that for a long time.
There are several firms out there that

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specialize in providing new sound systems and electronic voting for Council members or Council chambers. It certainly would be a one-time capital investment, but the savings -- again, no offense to Terri -- would be significant in that we would have a very clear audio transcript and an electronic summary of the meeting -- of the motions and the votes that were taken during that meeting. So that would facilitate the Clerk in providing open records requests with a clear audio recording along with a printed transcript of the actual votes that were taken.
So it's certainly something that would be an initial investment but it would be long-term significant savings.
MAYOR PITTMAN: Thank you.
COUNCILMEMBER DEAN: I really feel more comfortable with a court reporter, I mean just because in the past I know that there have been times when our system was in place, it hasn't worked as effectively as it should have; that is, machines were turned off or whatever or just didn't function properly.
I feel very comfortable with a court reporter, and she's paid to do this, and I think that this is -- And again, with the agenda items, I tried

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to talk to as many people as I can since I'm, you know, a voice for a lot of people, and I got a very strong reaction from a lot of people on this issue, and the court reporter is very popular in this room.
COUNCILMEMBER FLEMING: I would like to investigate Mr. Bates' idea but I am in favor of having the transcription services verbatim in written form. So my preference for both of these would be for RFP for court reporter services on site and then also to inquire of Mr. Bates' suggestion of services so we can make a better evaluation of which direction we want to go.
MAYOR PITTMAN: So is that a motion?
COUNCILMEMBER ALEXANDER: We had already done an RFP for court reporting services, and the only other two people that responded to the RFP basically wanted to, as they called it, I think trans- -- they wanted to take our video and transcribe from the tape. They did not want to come on site. So we've tried.
I mean we can issue the RFP again and see if we get additional responses, but we only got those two.
COUNCILMEMBER PACHUTA: And this is -- I mean it's a large expense. What is it? About sixty thousand?

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MAYOR PITTMAN: How much is it, Ms. Cape?
MS. CAPE: For fiscal year 2011, it was $58,000 approximately.
COUNCILMEMBER PACHUTA: So it is not a cheap service. And there are many, many times that I love to be able to go back to the verbatim minutes, but at the same time, it's not required. It's a huge expense. But I would not want to move forward without having a court reporter until we upgraded our sound or video equipment because that doesn't pick up on everything.
COUNCILMEMBER DEAN: Well, the other thing is that we're going through and we have gone through a transitional period for some time, a lot of bumps, and now we're going to experience another one with the loss of Melissa. And I think the timing here -- I mean it's going to cost something, but this is one thing that is currently working and we know it's working.
And we're paying a lot of money for, you know, outsourcing some of the services that we are now getting -- for example, even the hundred-dollar-an-hour item that was taken off the agenda tonight. I mean that was costly.
And these are things -- if we consider

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1 things like that, then I think the things that we have
2 in this city that are working, we should keep until we
3 kind of stabilize a bit.
4 MAYOR PITTMAN: Okay. So we can either
5 remove this, or does someone wish to make a motion?
6 COUNCILMEMBER FLEMING: How long ago, Ms.
7 Alexander, did we go out for RFP?
8 COUNCILMEMBER ALEXANDER: It was in 2011.
9 COUNCILMEMBER PACHUTA: Within six months, I
10 think.
11 COUNCILMEMBER FLEMING: Summer or fall of
12 2011?
13 COUNCILMEMBER BATES: Uh-huh.
14 COUNCILMEMBER PACHUTA: Uh-huh.
15 COUNCILMEMBER FLEMING: Oh, it wasn't?
16 MAYOR PITTMAN: Huh-uh.
17 COUNCILMEMBER ALEXANDER: I was Acting
18 Mayor --
19 COUNCILMEMBER PACHUTA: Yeah.
20 COUNCILMEMBER ALEXANDER: -- and I couldn't
21 believe we only got two respondents and they didn't
22 want to come on site. That just really surprised me.
23 MAYOR PITTMAN: And we can certainly do that
24 again.
25 COUNCILMEMBER ALEXANDER: We can send it out

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1 again.
2 MAYOR PITTMAN: It never hurts to go out for
3 an RFP to see what we come up with this time.
4 COUNCILMEMBER FLEMING: Truly, I'd like to
5 go out for RFP.
6 I do want Mr. Bates to do the audio
7 recording or the process that you were speaking of as
8 well so we can have that as a secondary, but I --
9 COUNCILMEMBER BATES: That would be an
10 alternate RFP because we would need to --
11 COUNCILMEMBER FLEMING: Correct, please.
12 MAYOR PITTMAN: Yeah.
13 COUNCILMEMBER PACHUTA: And I would like to
14 do both. I mean I want to keep it the way it is until
15 we do have a new --
16 MAYOR PITTMAN: Absolutely.
17 COUNCILMEMBER PACHUTA: -- full-time clerk
18 in place, but I think in the meantime let's go ahead
19 and get some other quotes.
20 COUNCILMEMBER FLEMING: I agree. I agree,
21 because with a new development director on hand and
22 new city attorney that we have on hand, if we hadn't
23 had verbatim minutes, I think -- and also Ms. Cape,
24 for that matter -- if we hadn't had verbatim minutes,
25 we would have been in a world of problems.

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1 MAYOR PITTMAN: Would you like to make that
2 into a motion?
3 COUNCILMEMBER FLEMING: I'd like to make a
4 motion to go out for RFP for on-site court reporter
5 services and --
6 Mr. Bates, finish it, please.
7 COUNCILMEMBER BATES: Audiovisual recording
8 services for Council chambers.
9 MAYOR PITTMAN: Thank you.
10 COUNCILMEMBER PACHUTA: And I'll second
11 that.
12 MAYOR PITTMAN: Discussion?
13 - - -
14 (No response)
15 - - -
16 MAYOR PITTMAN: Call the roll, please.
17 DEPUTY CLERK BRYANT: Councilmember
18 Alexander?
19 COUNCILMEMBER ALEXANDER: Yes.
20 DEPUTY CLERK BRYANT: Councilmember Bates?
21 COUNCILMEMBER BATES: Yes.
22 DEPUTY CLERK BRYANT: Councilmember Fleming?
23 COUNCILMEMBER FLEMING: Yes.
24 DEPUTY CLERK BRYANT: Councilmember Pachuta?
25 COUNCILMEMBER PACHUTA: Yes.

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1 DEPUTY CLERK BRYANT: Councilmember Dean?
2 COUNCILMEMBER DEAN: Yes.
3 MAYOR PITTMAN: Okay. And we have a request
4 to take a break so we're going to take a five-minute
5 break.
6 - - -
7 (Brief recess)
8 - - -
9 MAYOR PITTMAN: All right. We're going to
10 move right along. Next on the agenda is number four.
11 And I just want to make the statement that
12 this is a group of ideas that has been shared by
13 Council, by Ms. Cape, myself, a variety of people, and
14 it's for discussion to vote.
15 And again, I appreciate very much so the
16 feedback that I received from the Council. It was
17 very helpful, so thank you very much.
18 Number four was the suggestion of to shift
19 the salaries and benefits of Public Works staff
20 responsible for cleaning catch basins and street
21 sweeping to Stormwater Enterprise Fund.
22 We have discussed that with Mr. McLendon,
23 and this can be done. We do have one employee that
24 that's what they do is they sweep the streets, and
25 that actually can be shifted and put under Stormwater.

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Now, I believe today in speaking to some of the Council members, there was a question of whether that employee would go under Stormwater, which is Ms. Strickland.

And that is not a requirement. It can be done or it cannot be done. So that would actually be a decision that the Council, if they wanted to do this, that they would have to vote on and decide.

COUNCILMEMBER DEAN: Why would this be -- And I was not here when this was discussed, so excuse my question. But why? What would be the point in this? I mean if you're just moving it from one place to another, why?

ATTORNEY McLENDON: With the Stormwater --

MAYOR PITTMAN: Sssh. I'm sorry. It makes it very difficult for her to hear. I need everyone to please --

ATTORNEY McLENDON: With the Stormwater --

MAYOR PITTMAN: -- be real quiet for a minute.

ATTORNEY McLENDON: -- the City receives substantial funds from the Stormwater utility in Dekalb County which come to the City but they have to be expended for the purposes of improving stormwater within the city.

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And the street-sweeping programs are far and wide considered a function of insuring that less debris goes into the stormwater system, and, therefore, that's really a very standard thing to have under that pot of money.

And this is a restricted set of funds, that this means the salary is coming out of the stormwater funds from the County as opposed to the general fund of the city. Make sense?

COUNCILMEMBER DEAN: How do --

MAYOR PITTMAN: Ms. Cape --

COUNCILMEMBER DEAN: -- other cities do this?

MAYOR PITTMAN: Ms. Cape, would you like to --

MS. CAPE: It is very common for other cities to pay for direct stormwater services out of Stormwater, but basically here you have historically been paying the position out of the general fund, which is unusual, actually, with respect to many cities in Georgia.

So basically, any dedicated staff that you can actually see that belongs to --

COUNCILMEMBER PACHUTA: I'm having a hard time hearing. So if you need to discuss something, if

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you could go outside, because I'm having a hard time hearing Sabrina.

MS. CAPE: The Stormwater, basically this is one avenue to shift funding from basically the general fund to the Stormwater, which is a dedicated revenue stream for that specific expenditure.

And historically, y'all have just been paying it out of the general fund. And I'm not sure exactly how it started, why it started; it's just always been that way, and it was an avenue to look for stabilization.

COUNCILMEMBER DEAN: Okay. So it should be shifted. Is that what you're saying?

MS. CAPE: In my opinion. But that's a policy decision. But in my opinion, it is a legitimate source of funding from your revenue stream, from your Stormwater.

COUNCILMEMBER ALEXANDER: Okay. I guess I was the one that, in my opinion, if this person is going to be paid a hundred percent out of Stormwater funds, then the Stormwater supervisor should be his supervisor, and every bit of his duties have to be stormwater-related.

It's my experience in discussing this funding with another city, that they partially fund

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employees' salaries based on the percentage of work they do for stormwater. For example, this employee, 20 percent of his hourly work is for Stormwater so only 20 percent of his salary is subsidized.

If we're going to do this a hundred percent, then a hundred percent of his time needs to be directed by Mr. Strickland.

MS. CAPE: The reason we chose this particular function and this particular activity is because Public Works assured us that they were a hundred percent doing this activity, so that is why. Because from the administrative standpoint, you can do all the percentages and those different things, but it's oftentimes much cleaner if you can find a dedicated revenue and a dedicated person to do a specific task, that they're a one-to-one relationship, and that's why we chose that particular one.

COUNCILMEMBER ALEXANDER: So this street sweeper is supposed to be on the city streets every single day of every single week.

MS. CAPE: That's my understanding.

ATTORNEY McLENDON: It is a specific -- if you are dedicating a hundred percent of that salary to this fund, it is an assumption of that: that it is a hundred percent being used for this purpose. Whether

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they're sweeping a hundred times or doing something else related to sweeping a hundred percent of the time, it has to be an appropriate activity they're doing a hundred percent of the time; absolutely.

MS. CAPE: But the discussion with Public Works was that it was street sweeping and cleaning the catch basins together.

MAYOR PITTMAN: So even if we wanted to pay just a percentage and if he was going to be utilized for other things at Public Works, we could designate a percentage of that to his salary. Is that correct?

ATTORNEY McLENDON: The only thing I would say on that is yes, it is correct, but you would need to maintain real documentation --

MS. CAPE: Time record.

MAYOR PITTMAN: Right.

ATTORNEY McLENDON: -- that shows so when somebody came to audit, we could say, "Here it is and we can prove it."

MAYOR PITTMAN: Yes.

ATTORNEY McLENDON: And that would be a big deal.

COUNCILMEMBER DEAN: But we're supposed to keep those anyway; right?

ATTORNEY McLENDON: If you did not -- if you

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did not pay this out of the Stormwater fund, there would be no reason to document the appropriateness of it to be out of the Stormwater fund, yes.

COUNCILMEMBER PACHUTA: Well, my preference is if it's going to be a hundred percent stormwater, then the employee should be under the Stormwater department and supervisor to direct stormwater activities.

COUNCILMEMBER DEAN: Well, this -- and this goes back. I would really, really, really feel more comfortable writing a list of jobs and responsibilities and job descriptions and what each department does, because it's hard for me, for example, to make a decision like this not knowing what people's responsibilities are.

COUNCILMEMBER BATES: I don't disagree with you. And my concern with the statement of it's being used a hundred percent of the time is I don't know that I've seen the street sweeper in Northwoods yet this year.

UNIDENTIFIED SPEAKER: Last week.

COUNCILMEMBER BATES: Last week. Thank you.

UNIDENTIFIED SPEAKER: You're welcome. Monday at 7:00 a.m. I can tell you what time. I could hear them.

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COUNCILMEMBER BATES: Not that I am doubting the veracity of the statement that it's a hundred percent, but based upon the cleanliness of our streets or lack thereof, I don't have that sense of comfort that it's a hundred percent dedicated there.

So A., I'm not willing to partially dedicate staff and pay it out of Stormwater because I don't know if there's a good tracking mechanism to actually track the number of hours. And if we are going to migrate it a hundred percent, I do agree that it should fall under Mr. Strickland because that is his area of expertise and he could redirect, you know, the employee, "No, we need to focus on the catch basins here because they're really plugged," or whatever.

But I agree with Councilwoman Dean that it would be nice to get more of an accounting of job descriptions and responsibilities and . . .

COUNCILMEMBER PACHUTA: Well, I make a motion to move the street sweeper to be paid 100 percent of the Stormwater funds and to move him under the supervision of Mr. Strickland.

MAYOR PITTMAN: Okay. Do I get a second?

COUNCILMEMBER ALEXANDER: Second.

MAYOR PITTMAN: Discussion?

COUNCILMEMBER FLEMING: Yes, please. I

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needed to ask Mr. Strickland.

MR. STRICKLAND: Yeah.

COUNCILMEMBER FLEMING: I wanted to ask you a couple questions before you make any comments.

MR. STRICKLAND: Yeah. We're just -- Mayor, I can just tell you, no, we are kind of -- I mean we're kind of always we're going to change things. I think there's a lot of things that we would have to look at.

I would just like to say that I think Public Works kind of works and operates right now, and I don't want another -- I guess I don't want to fix something that's not broken. I don't want to change something that's working, basically.

If the supervision of the individual stayed under Bobby with Public Works and if we're going to do this, then I think all that I would really have to look at is, you know, maybe keep up with let's have a program as to where this street sweeper goes.

I mean we do. There's a schedule. You know, we try to get that street sweeper in there. It really comes -- I mean it's the fall of the year is when we really need it. Once all the fall leaves get picked up, you know, it starts to kind of wane. It's very seasonal, the leaves on the streets, pine straw.

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It's very seasonal. A lot of times, we run it more.
We've also got -- I do believe that the individual is our only CDL driver at this point, which means that he either has -- he has to also run the clam truck. If we want to continue to run the clam truck, then we would probably have to get another CDL driver because, you know, we let one go and we lost another. So we had three and now we're down to one, and the street sweeper, both require a CDL driver.
COUNCILMEMBER BATES: So then --
MR. STRICKLAND: So keep in mind that --
COUNCILMEMBER PACHUTA: So, then, the statement that it was a hundred percent is not correct?
COUNCILMEMBER ALEXANDER: Not true.
MR. STRICKLAND: Well --
MAYOR PITTMAN: Well, that was --
MR. STRICKLAND: -- we had --
MAYOR PITTMAN: Go ahead.
MR. STRICKLAND: Yes. When we had three CDL drivers, I believe it was, but we're now down to one.
MAYOR PITTMAN: We just recently lost the last one.
MR. STRICKLAND: So we -- you know, we're immediately looking at not running the clam truck.
Again I'd just like to emphasize that I

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think that Public Works as a group, the director, the supervisor, you know, they have it all worked out as to who takes over if somebody's not there, and you know, changing that . . .
I don't mind saying, "Okay. Here's the schedule for the street sweeper. Let's keep up with the hours or the streets."
I do keep up. We get tickets from the transfer station that tells us the pounds. That's what the State is interested in: how many miles, how many pounds did we actually pick up.
I have no problem, you know, keeping up with that, but I think that we do have to look into, you know, do we need another CDL driver? Who's going to run the clam truck? I don't know if the dump truck requires a CDL, but we are down to one driver.
MAYOR PITTMAN: I --
COUNCILMEMBER PACHUTA: I thought the mechanic is also CDL.
MAYOR PITTMAN: He is. I was just going to say we do have a mechanic that has a CDL.
MR. STRICKLAND: And so --
MAYOR PITTMAN: Also there was another employee according to Mr. Pittman that is working toward getting his CDL.

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MR. STRICKLAND: Right. So before, now -- So I guess my suggestion would be that if we want to pay the salary or pay for the hours that are dedicated to the street sweeper, that's a good idea. But possibly changing, you know, job descriptions, who people work for, supervision, singling somebody out from Public Works which is kind of a cohesive group -- There's a difference in work hours. They get started a lot earlier.
And then just being a one-person department, the days that I'm not there, you know, the days that I have to go to Dekalb County or the engineer's office; or you know, when I'm not there, that the supervision would continue to be with Public Works, and I could maybe work with Bobby and do some more of that -- you know, the admin or keeping up with it.
COUNCILMEMBER ALEXANDER: I rescind my second because I'm not comfortable with this employee's time being a hundred percent for the purposes intended. So I rescind my second.
I am curious. If we have receipts that definitely show when that street sweeper is emptied at Advanced Disposal, we should, then, be able to pay for that sanitation expense out of Stormwater.
MR. STRICKLAND: Yeah. I think if you

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have --
COUNCILMEMBER ALEXANDER: And I would like to make sure that is happening, because that would offset our deficit in the Sanitation Enterprise Fund. But it would have to be specific, saying that this is this date and the refuse came out of the street sweeper.
MR. STRICKLAND: Yeah. The street sweeper gets a dump ticket --
MAYOR PITTMAN: Okay.
MR. STRICKLAND: -- for when it does.
COUNCILMEMBER PACHUTA: Well, if you could clarify specifically his job responsibilities. And my concern is that Public Works right now does not keep good records of when people are doing what.
MAYOR PITTMAN: Well --
COUNCILMEMBER PACHUTA: And if it's going to be split, there's going to have to be some changes.
MAYOR PITTMAN: -- as of today, he will be reporting what everyone is doing on a daily basis. They will be keeping a log.
ATTORNEY McLENDON: And Steven, would you be comfortable in the role of being able to certify that -- you know, by interacting with that department, be able to come in and say, you know, "I can tell you

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that this much time was spent," and those things will be correct? because my concern is the bookkeeping of it all.

If we're spending Stormwater funds on it, we need a lock-tight document trail when anybody comes asking, that we show, "Yeah, here's why." And it's pretty; it's in a binder.

COUNCILMEMBER PACHUTA: And that's my concern. My concern is if we make it 100 percent Stormwater and then keep the employee under Public Works, then it's going to be very easy one day for someone to say "Oh, so-and-so's out," or "So-and-so is not feeling good. Can you go and," whatever, "fix the thermostat at City Hall?" and that not be covered and us running into problems. So that's my concern.

MAYOR PITTMAN: Okay. So you rescind your motion?

COUNCILMEMBER PACHUTA: I'll rescind it, but I want more information on exactly if he is going to be driving the clam truck, I mean what -- It sounds like those aren't matching it.

MR. STRICKLAND: Right.

MAYOR PITTMAN: Okay. All right. Thank you very much.

MR. STRICKLAND: All right.

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MAYOR PITTMAN: We can also if you don't mind move down to number eight.

COUNCILMEMBER DEAN: Actually, I have a question about number six.

COUNCILMEMBER FLEMING: We're going to go with eight first.

MAYOR PITTMAN: We're going to go to number six, but we're going -- because this ties into this.

I'm not sure that we were striving to find out if the equipment that was originally supposed to be paid -- the street sweeper was supposed to originally be paid out of Stormwater. It was paid out of general budget, and we --

MS. CAPE: The files have been requested from the auditor because he keeps your detailed capital asset listings --

MAYOR PITTMAN: Yes.

MS. CAPE: -- so I've requested those files.

MAYOR PITTMAN: Okay. All right. So we'll wait on number eight.

Number five, determine if any unused --

COUNCILMEMBER FLEMING: Thank you, Steven.

MAYOR PITTMAN: Thank you, Steven. I'm sorry.

Determine if any unused property not needed

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for future development or redevelopment exists.

I know that Mr. Cooley put together -- he mapped out and did some site visits. He said he would be providing a spread sheet to the Council. It does not look particularly real hopeful. He is going to do the spread sheet and then we can discuss it, but some of the properties are not marketable and --

COUNCILMEMBER BATES: Well, some of the properties are also encumbered --

MAYOR PITTMAN: Correct.

COUNCILMEMBER BATES: -- by agreements.

MAYOR PITTMAN: I was just going to say part of the park agreement, that covers that. So that kind of has to come off for right now.

Number six is going to come off.

COUNCILMEMBER DEAN: I have a question --

MAYOR PITTMAN: Sure. I'm sorry.

COUNCILMEMBER DEAN: -- though, about the furlough days.

MAYOR PITTMAN: Well, that's what I was getting to.

COUNCILMEMBER DEAN: Okay. Well, are salaried employees still getting furlough days?

MAYOR PITTMAN: Yes.

COUNCILMEMBER ALEXANDER: Yes.

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MS. CAPE: Yes, they do.

COUNCILMEMBER DEAN: Well, and how does that work? because if they're --

COUNCILMEMBER PACHUTA: Government employees are different than private.

ATTORNEY McLENDON: And there is actually an exception for government that allows you to ascribe a certain amount of a salary and take it as a furlough day. It's unusual.

COUNCILMEMBER DEAN: Okay. So --

ATTORNEY McLENDON: I had to look that up.

COUNCILMEMBER DEAN: Okay. So you're taking away part of their salary, a day's salary. Is it a day's salary?

ATTORNEY McLENDON: There's a methodology, and Sabrina's probably more familiar with that than I.

MS. CAPE: You take the salary and divide by 2,080 hours and then multiply by eight hours, and that's what you take away from your salary.

COUNCILMEMBER PACHUTA: Yeah. And private employers are not allowed to do that but governments are.

MAYOR PITTMAN: That's right.

COUNCILMEMBER DEAN: Okay.

MAYOR PITTMAN: And my understanding from at

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1 least the majority of the Council, that we did not
2 want to implement any further furlough days at least
3 at this time.
4 Okay. Number seven, eliminate salary
5 payments to employees for employee lunch time. I
6 believe all of you received something today.
7 COUNCILMEMBER PACHUTA: I mean, to me, this
8 is a no-brainer. I don't know why we're paying
9 employees when they're on lunch break.
10 Now, there are times I sit there and I'm
11 working and I'm eating my sandwich at my desk, and I
12 can -- to me, that's working. But I've seen employees
13 at restaurants in Chamblee and everything, and, to me,
14 if you are not working, you are not paid --
15 MAYOR PITTMAN: Which --
16 COUNCILMEMBER PACHUTA: -- and I don't know
17 why we do that.
18 MAYOR PITTMAN: -- ties into the memo today.
19 If they are going to -- if they're going to --
20 We are not going to pay them when they do
21 not need to sitting at their desk eating. And that is
22 going to be a department issue: that they make sure
23 that they go out or they eat in here or they eat
24 wherever they eat.
25 And I'm not sure how that would work with

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1 Public Safety because Public Safety does not normally
2 get to eat lunch and many times they start to eat
3 lunch and they get interrupted.
4 ATTORNEY McLENDON: There is actually a good
5 bit of already-established FLSA law on how this is
6 implemented between groups of employees, And there is
7 a Public Safety issue, an exception that if someone is
8 on call, that it's treated differently than
9 administrative staff.
10 And if this was something we chose to go
11 forward with, we would want to consult the
12 appropriate, you know, HR, different parts to make
13 sure we implement it according to all the rules, regs
14 at the FLSA.
15 MAYOR PITTMAN: I guess the question is if
16 they're working eight hours, is it going to be seven-
17 and-a-half or eight-and-a-half?
18 MS. HENRY: No.
19 COUNCILMEMBER PACHUTA: No.
20 MAYOR PITTMAN: Or nine-and-a-half and then
21 take --
22 MS. HENRY: If you work nine hours and
23 take --
24 MAYOR PITTMAN: -- take one hour.
25 MS. HENRY: -- a one-hour lunch.

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1 COUNCILMEMBER PACHUTA: Well, however -- to
2 me, it's however long the employees take. If they
3 still want to get their eight hours, then they're here
4 eight-and-a-half hours or they're here nine hours --
5 MAYOR PITTMAN: Right.
6 COUNCILMEMBER PACHUTA: -- depending.
7 And to me, that's a great time, because I
8 know City Hall is what? 8:30 to 4:30?
9 MAYOR PITTMAN: Yes.
10 COUNCILMEMBER PACHUTA: Yeah. If they take
11 an hour lunch and then they're staying, you know, an
12 hour past City Hall's open, that's a great time to get
13 work done when you don't have people coming --
14 MAYOR PITTMAN: Right.
15 COUNCILMEMBER PACHUTA: -- knocking on the
16 door.
17 MAYOR PITTMAN: And that's what she was
18 saying to do. It just -- it has to make sure that the
19 department heads are making sure that those things
20 happen. And I think that's great task for Sherry and
21 all of us to get together and make happen.
22 COUNCILMEMBER PACHUTA: But one of my
23 concerns, the way we've been doing it -- And this came
24 up. The issue with overtime is we've technically been
25 paying people overtime when they hadn't actually

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1 worked 40 hours, because their lunch hours are
2 included in there. So they may have only worked 35 to
3 thirty -- actual work, 35 to 37 but they were kicking
4 into overtime.
5 So to me, I don't know why this has gone on,
6 and it needed to be stopped a long time ago.
7 COUNCILMEMBER ALEXANDER: One of the issues
8 that I brought up regarding this policy when we were
9 doing the employee manual was my corporation stopped
10 it because if you leave that building, you've got to
11 be off the clock --
12 COUNCILMEMBER PACHUTA: Yes.
13 COUNCILMEMBER ALEXANDER: -- because of
14 workman's compensation liability.
15 MAYOR PITTMAN: That's right. That's right.
16 COUNCILMEMBER PACHUTA: Exactly.
17 MAYOR PITTMAN: That's right.
18 COUNCILMEMBER ALEXANDER: And that was one
19 of my concerns I brought up, because, you know,
20 technically, you know, they would still be on the
21 clock.
22 MAYOR PITTMAN: Okay. Would someone like to
23 make a motion for us to move forward in making this
24 happen?
25 COUNCILMEMBER PACHUTA: So moved.

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1 MAYOR PITTMAN: Second?
2 COUNCILMEMBER BATES: Second.
3 MAYOR PITTMAN: Discussion?
4 COUNCILMEMBER FLEMING: I'm not so sure that
5 it isn't already in the personnel policy.
6 COUNCILMEMBER BATES: Well, that --
7 COUNCILMEMBER ALEXANDER: It's not.
8 MAYOR PITTMAN: No, it's not.
9 Okay. Call the roll, please.
10 DEPUTY CLERK BRYANT: Councilmember
11 Alexander?
12 COUNCILMEMBER ALEXANDER: Yes.
13 DEPUTY CLERK BRYANT: Councilmember Bates?
14 COUNCILMEMBER BATES: Yes.
15 DEPUTY CLERK BRYANT: Councilmember Fleming?
16 COUNCILMEMBER FLEMING: Yes.
17 DEPUTY CLERK BRYANT: Councilmember Pachuta?
18 COUNCILMEMBER PACHUTA: Yes.
19 DEPUTY CLERK BRYANT: Councilmember Dean?
20 COUNCILMEMBER DEAN: Yes.
21 MAYOR PITTMAN: Thank you.
22 Okay. Number nine is to review services,
23 professional, technical, etc. I think most of that
24 was done. We need to go back probably and re-review
25 some of the issues that we dealt with in the past. I

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1 don't think we -- as Ms. Alexander can attest to, we
2 probably need to go back and re-review.
3 And I noticed Ms. Fleming wanted to add
4 something, too, to the list.
5 COUNCILMEMBER FLEMING: The judges also. We
6 need to really jump on that.
7 MAYOR PITTMAN: Okay. That doesn't really
8 require a motion. We'll just make that happen.
9 And I believe in speaking with the Council
10 today that we do want to continue paying the GMA dues.
11 There's quite a bit of services they still offer.
12 I actually put in a request for them to send
13 us everything. There's been some updates on what they
14 offer. And in speaking with everyone, I think that
15 that was pretty much a consensus, that we all wanted
16 to continue that at least at this time.
17 Number 11 was to authorize staff to repay
18 due-to/froms on a monthly basis, and Ms. Cape, if you
19 would like to address that please.
20 MS. CAPE: Yes, ma'am.
21 MAYOR PITTMAN: If you don't mind coming up
22 here so she can hear you, please.
23 MS. CAPE: The due-to's and -froms are a
24 mechanism in which you have a fund that does not have
25 a checking account. It's to keep up with which fund

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1 owes which fund money.
2 And we did go ahead and repay all the
3 balances that existed at June 30th, so the General
4 Fund -- the Tree Fund paid the General Fund money
5 because the Tree Fund owed the General Fund $79,507,
6 and the General Fund paid the stormwater money.
7 But the question remains, how do y'all wish
8 to handle things that accumulate? Because right now,
9 you've got six months that have passed since your
10 audit was complete. So do you wish to repay these
11 due-to's and -froms on a monthly basis or do you wish
12 to repay these on a quarterly basis or on a yearly
13 basis?
14 COUNCILMEMBER DEAN: Well, I think on a
15 monthly basis.
16 First of all, all of this stuff should be
17 posted, right? monthly on the Web site and at the
18 Library with a year-to-date balance.
19 And I think if it was updated monthly and
20 posted, then it will be -- there's a lot less chance
21 of things getting as messed up as they -- as they got.
22 MS. CAPE: So the question is do you want
23 them repaid monthly before the end-of-the-month close
24 or after the end-of-the-month close?
25 COUNCILMEMBER DEAN: Well, if we close it

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1 and then have like a five-day -- five-day time period,
2 grace period, during which time these figures can be
3 posted, then I think that that might be . . .
4 But you're the expert, I mean. What is your
5 opinion?
6 MS. CAPE: Most jurisdictions, what they do
7 is they repay on a monthly basis and they basically
8 wait until the reports are distributed. So often-
9 times they will distribute their reports and then they
10 will repay the month before by mid-month of the next
11 month. So for example, December 31st has passed, so
12 basically January 15th you repay all the balances from
13 December.
14 The situation that could potentially arise,
15 and it typically happens with cities during the month
16 of July and August, is basically cash flow shortages,
17 because those will be the months that you will be the
18 leanest with respect to cash flow. So that is
19 oftentimes why you pool all your money in one place,
20 so that during those periods of time that you're not -
21 - your money's not in all these separate buckets, so
22 to speak, so that you can maximize.
23 But most of the time, it's on a monthly
24 basis.
25 COUNCILMEMBER DEAN: And excuse my

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1 ignorance, but why are funds taking money from other
2 funds?
3 MS. CAPE: Because basically in a computer
4 system and such, y'all use the system called MAS90,
5 and what happens is there is a chief operating
6 checking account that pays bills.
7 So for example, there are not checks on all
8 these various accounts. There is a General Fund
9 checking account that pays all of the bills. So when
10 they pay the bills, basically, then, whatever
11 Stormwater owes the general fund or E911 owes the
12 general fund, those entries are automatically created.
13 COUNCILMEMBER DEAN: But if you had a
14 register, for example, for each fund --
15 MS. CAPE: You do have a register for each
16 fund. You just don't have a checking account for each
17 fund.
18 COUNCILMEMBER DEAN: Okay. So if we had the
19 register -- And again, this is something that will be
20 posted; right?
21 MS. CAPE: You have a self-balancing set of
22 accounts for each fund.
23 COUNCILMEMBER DEAN: Right. Okay. So this
24 is something that's going to be online? Is this
25 what's going to be online, Council members? Mayor?

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1 COUNCILMEMBER ALEXANDER: No. Not these --
2 MAYOR PITTMAN: No.
3 COUNCILMEMBER ALEXANDER: -- individual
4 transactions, no.
5 COUNCILMEMBER DEAN: So what is going to be
6 posted? What's going to be online?
7 And this -- this is my concern, because when
8 I sat over there on that side of the dias, that was
9 something that I would have liked to see, because when
10 you get the figures, if everything is done as it
11 occurs and posted, then I think that we -- we are kind
12 of relieved of a lot of the pressure that the commu-
13 nity feels when things don't go the way you want them
14 to go.
15 COUNCILMEMBER BATES: Well, the financial
16 statements should be posted. I mean that's invited.
17 COUNCILMEMBER DEAN: The register and
18 financial statements and a -- and a --
19 MS. CAPE: Many jurisdictions just post
20 their annual audit and they post their annual budget.
21 Some jurisdictions post their annual audit, their
22 annual budget, and monthly financials. It just
23 depends on what degree of resources that you want to
24 put toward this process of doing that.
25 But as far as what is required to be posted,

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1 there's differences between what is required to be
2 posted and what you necessarily want to post.
3 But basically I would say most juris-
4 dictions your size probably post their budget, their
5 audit, but I would not say that every jurisdiction
6 your size posts their monthly financials.
7 COUNCILMEMBER DEAN: But they do. There are
8 some.
9 MS. CAPE: They can, yes.
10 COUNCILMEMBER DEAN: Right.
11 MS. CAPE: And they do. Some do, yes,
12 depending on the resources that they want to put
13 toward it.
14 COUNCILMEMBER DEAN: Right.
15 And this is huge; right? I mean this is a
16 huge -- this is a huge, huge, huge. I mean when I was
17 knocking on doors, this was another one of those
18 things that many, many, many, many, many, many people
19 were concerned about, and I think in part because of
20 the trouble, the financial trouble that we found
21 ourselves in. And had these things been reported and
22 posted, then maybe we wouldn't have found ourselves so
23 deep in the hole; right?
24 I mean if there's someone besides, you know,
25 the people reading the books who put us into that

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1 situation, then someone may have caught it before.
2 MS. CAPE: Well, your audits have been
3 online.
4 COUNCILMEMBER DEAN: Right.
5 MS. CAPE: And they've been on -- I mean the
6 monthly financial statements have not, but your audits
7 have been online and your audits are online at the
8 Department of Audits and Accounts as well.
9 COUNCILMEMBER DEAN: Right.
10 COUNCILMEMBER FLEMING: But as far as a
11 monthly check register, no, it's not going to be
12 online. It's not going to be able to show you that it
13 took it out of General Fund and put it into
14 Stormwater.
15 MAYOR PITTMAN: And we will -- if you would
16 like to address the posting of the budget and the
17 information, we will be doing that.
18 MS. CAPE: House Bill 122 requires that
19 basically you post three particular things: You post
20 your confiscated asset report, you post your audit
21 report and you post your budget report.
22 The City's confiscated asset report has
23 already been published because it isn't reviewed by
24 the Department of Audits and Accounts. The City has
25 submitted on time their -- their audit to the

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1 Department of Audits and Accounts, and we typically do
2 not post your audit on the Carl Vinson Institute of
3 Government's Web site until you've gotten approval
4 back from the Department of Audits and Accounts. And
5 so your auditor has not received approval, so to
6 speak, of your audit as of this point, so it is not
7 posted.
8 COUNCILMEMBER DEAN: Well, the reports that
9 I got -- and again excuse my ignorance, but I need a
10 lot more information because I have the numbers but I
11 don't know where these numbers came from -- I mean,
12 You know, what came in, what went out. I just got a
13 sheet of numbers that's basically the bottom line, and
14 I would like to see --
15 MS. CAPE: There's basically three sheets of
16 data, and you need to decide the level of detail that
17 you desire. The first level is the source document
18 itself. That will be a copy of the check or a copy of
19 the invoice. That's the source document itself.
20 The next level of accounting data is your
21 journal, and your journals constitute your cash
22 receipts coming in and your cash disbursements going
23 out and your journal entries.
24 Your third level is your detailed general
25 ledger, and then your fourth level is your financial

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1 statements.
2 Typically councils start at the financial-
3 statement-summary level, and then if they have ques-
4 tions, they drill down into the detail, because their
5 objective is to set policy on a broad level, and so
6 that's why they typically start with summary data and
7 then drill down to any detail on which you have
8 questions.
9 MAYOR PITTMAN: And I'm sure she would be
10 more than glad to get with you.
11 COUNCILMEMBER DEAN: Okay, then. I will get
12 with her.
13 MAYOR PITTMAN: Sure.
14 COUNCILMEMBER DEAN: I would like to go to
15 the deepest level initially just because the finances
16 in Doraville have been so messed up that I would
17 like -- And if there's a way that you can provide me
18 that information --
19 MS. CAPE: The deepest level would basically
20 be inside file cabinets.
21 COUNCILMEMBER DEAN: Okay. Well, the
22 journal. Okay. We could start with the journal and
23 work up from there, just because it is very, very
24 relevant to the operations of Doraville. That's
25 something that I would very much like to see just

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1 because I am starting out, just to get a better of
2 idea of what has happened and make sure to do my job
3 to make sure that doesn't happen in the future.
4 So is that . . . is that --
5 MS. CAPE: I mean that's -- you can schedule
6 up there, and I can run reports. The downside you
7 have right now is you've gone through a computer
8 conversion.
9 COUNCILMEMBER DEAN: Uh-huh.
10 MS. CAPE: So any time you go through a
11 software conversion, you're going to see a lot of
12 corrections and a lot of changes trying to get
13 everything working exactly the way it needs to be
14 working.
15 COUNCILMEMBER DEAN: But is that --
16 MS. CAPE: So that's --
17 COUNCILMEMBER DEAN: Did that happen?
18 MS. CAPE: -- the disadvantage.
19 COUNCILMEMBER DEAN: I mean has that
20 happened?
21 MS. CAPE: We have been working on it since
22 August.
23 COUNCILMEMBER DEAN: Since August. When do
24 you think -- when do you think it will be done? When
25 do you think it'll be done?

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1 MS. CAPE: We are still working on different
2 things every day.
3 COUNCILMEMBER DEAN: And how many hours a
4 week do you work? I'm just curious.
5 MS. CAPE: I come one day a week.
6 COUNCILMEMBER DEAN: For eight hours?
7 MS. CAPE: Depends on the -- sometimes like
8 here, I'm here for your meeting so it's longer.
9 COUNCILMEMBER DEAN: Okay. Yeah. I would
10 love to. I'll get together and talk with you and then
11 we'll do this.
12 MS. CAPE: Okay.
13 COUNCILMEMBER ALEXANDER: I'm fine with your
14 suggestion of monthly pay-to's and pay-froms.
15 MS. CAPE: Is this before the close or
16 after? You're okay with after the close?
17 COUNCILMEMBER ALEXANDER: Yeah.
18 MS. CAPE: Okay.
19 COUNCILMEMBER FLEMING: Agreed.
20 MAYOR PITTMAN: Okay. All right. Thank
21 you.
22 All right. Next is the biggie here for us,
23 the pension. Ms. Cape has done --
24 COUNCILMEMBER DEAN: Actually there's one
25 more thing on this list of the bullets. Have we

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1 reviewed the salaries of the employees, the City
2 employees?
3 COUNCILMEMBER PACHUTA: That was discussed a
4 few times last year about doing a salary study, and I
5 think it was decided the salary study was too costly
6 at that time.
7 COUNCILMEMBER DEAN: Sure. Well, if we did
8 a review ourselves, I mean is that --
9 COUNCILMEMBER ALEXANDER: What -- what -- I
10 guess I'm trying to understand your question.
11 COUNCILMEMBER DEAN: Well, just to make sure
12 -- see that the salaries that we're paying our
13 employees here, how they compare to salaries of
14 similar employees in other cities.
15 COUNCILMEMBER ALEXANDER: We have, based on
16 the DCA wage and salary studies.
17 COUNCILMEMBER BATES: In order to do that
18 equitably --
19 COUNCILMEMBER DEAN: Uh-huh.
20 COUNCILMEMBER BATES: -- we need to have
21 someone make sure that the job duties and descriptions
22 match.
23 COUNCILMEMBER DEAN: Right.
24 COUNCILMEMBER BATES: Otherwise, you're not
25 comparing apples to apples.

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1 COUNCILMEMBER DEAN: And do we have job
2 descriptions?
3 COUNCILMEMBER BATES: You would -- We do for
4 us, but you would need to --
5 COUNCILMEMBER DEAN: For our City employees?
6 COUNCILMEMBER BATES: We do for us. But you
7 would need to have every city that you want to compare
8 that to, provide them with their job descriptions and
9 make sure that captain from the police department in
10 Doraville and captain from the police department in
11 Chamblee did the exact same duties or were comparable,
12 and at that point in time, you can compare salaries.
13 So you're talking about a very labor --
14 MAYOR PITTMAN: I'm sorry. It's very
15 difficult for her to hear. I need everyone to please
16 be quiet.
17 COUNCILMEMBER BATES: You're talking about a
18 very labor-intensive process --
19 COUNCILMEMBER DEAN: Right.
20 COUNCILMEMBER BATES: -- for an individual
21 to make sure that you're comparing apples to apples
22 when you're looking at neighboring cities and
23 municipalities of similar size.
24 That is why it was suggested to, you know,
25 have a firm. And I believe that's something that GMA

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1 or ARC does is to come in and do a salary comparison
2 study. And they would evaluate based upon the job
3 descriptions from City A and City B, are you paying
4 them fairly, are you overpaying or are you under-
5 paying?
6 COUNCILMEMBER DEAN: Okay. And when you
7 say, "We have job descriptions for us," do you mean us
8 on Council or --
9 COUNCILMEMBER BATES: No. For the City.
10 MAYOR PITTMAN: For the City.
11 COUNCILMEMBER DEAN: -- for the employees?
12 MAYOR PITTMAN: For the City.
13 COUNCILMEMBER ALEXANDER: I contacted the
14 firm that did Chamblee's job descriptions and their
15 salary analysis and I got an estimate. And their
16 analysis is very detailed. They came in and
17 interviewed every single City of Chamblee employee and
18 asked the employee themselves what they did.
19 COUNCILMEMBER DEAN: Wow. That's great.
20 COUNCILMEMBER ALEXANDER: And it was
21 extremely thorough, but I forgot my estimate. Like
22 that was what? Twenty-something thousand dollars --
23 COUNCILMEMBER PACHUTA: It was a lot.
24 COUNCILMEMBER ALEXANDER: -- I believe it
25 was.

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1 COUNCILMEMBER PACHUTA: It was a lot.
2 COUNCILMEMBER DEAN: Okay. All right.
3 COUNCILMEMBER PACHUTA: And I think ARC's
4 was what? About sixteen?
5 COUNCILMEMBER BATES: Yeah. Both of them
6 were in the twenty-plus range.
7 COUNCILMEMBER DEAN: Okay.
8 MAYOR PITTMAN: Thank you.
9 COUNCILMEMBER DEAN: Thank you.
10 MAYOR PITTMAN: Okay, Ms. Cape. If you
11 would like to come back up for the RFQ Pension.
12 Sorry.
13 MS. CAPE: That's okay.
14 The last meeting, you wanted a couple of
15 changes made to give a little more explanation.
16 After looking at this closer, I do believe
17 that y'all need to include your actuarial evaluation
18 with the RFP. There's just a little more information,
19 I think, that will help an actuarial type to be able
20 to kind of see where you are and how you're wanting
21 to, you know, basically navigate from that to a
22 different avenue. I just think you do need to include
23 it.
24 Today I did have a little difficulty finding
25 like an actuarial Web site to upload this onto, so I'm

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1 just going to have to call some actuarial friends to
2 help me out because I just didn't get to a Georgia-
3 specific site. It took me more nationally, and I
4 think we really need to probably find somebody in
5 Georgia that has that expertise personally.
6 COUNCILMEMBER PACHUTA: And one of the
7 national firms might have --
8 MS. CAPE: Right, exactly.
9 COUNCILMEMBER PACHUTA: -- branches or
10 whatever.
11 MS. CAPE: Like it might have a Georgia
12 chapter or whatever. So I've --
13 COUNCILMEMBER PACHUTA: Yeah. And I have a
14 feeling --
15 MS. CAPE: -- just got to find --
16 COUNCILMEMBER PACHUTA: -- we might get
17 responses from, you know, like Wells Fargo and BB&T
18 and those places too that have actuaries on staff --
19 MS. CAPE: Right.
20 COUNCILMEMBER PACHUTA: -- that want retire-
21 ment plans, so.
22 MS. CAPE: Exactly. I think so too. I
23 think you'll get two different mixes. I think you'll
24 get a money-management mix and I think you'll get an
25 actuarial mix. I think you'll get two mixes.

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1 I wasn't really sure who you wanted these
2 RFPs to go to with the City Clerk not being in place.
3 So we'll just need to complete that because I know you
4 wanted it to go out and I gave them I think a two-week
5 -- about a two-week time period to respond.
6 COUNCILMEMBER ALEXANDER: So who would we
7 like the respondents to respond to?
8 COUNCILMEMBER PACHUTA: I would say they
9 could respond to City Hall staff or the Acting City
10 Clerk or whatever. But I have a feeling that when
11 they actually come in, that this might be something
12 that all of the Council members are going to want to
13 review.
14 MS. CAPE: Oh, definitely.
15 I'm just saying where do you want the stuff
16 to go to and get distributed to?
17 COUNCILMEMBER BATES: Acting City Clerk?
18 COUNCILMEMBER PACHUTA: Acting City Clerk,
19 yes.
20 MS. CAPE: Okay. We'll make that change.
21 MAYOR PITTMAN: Yes. Okay.
22 COUNCILMEMBER FLEMING: And the date on the
23 request needs to be 2012.
24 MS. CAPE: Ah. Sorry about that.
25 MAYOR PITTMAN: All right. Thank you so

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1 much.
2 MS. CAPE: So we are ready to post?
3 MAYOR PITTMAN: Please; absolutely.
4 MS. CAPE: Okay.
5 MAYOR PITTMAN: Okay. The next under new
6 business is going to be the first reading of the
7 budget amendment; Ms. Cape.
8 MS. CAPE: This is a budget ordinance that
9 basically details fund by fund. Section 2 is the
10 General Fund budget for fiscal year 2012, and then
11 Section 3 are your expenditures related to the General
12 Fund.
13 Section 4 is related to your E911 fund
14 because it's required by law to be separate from the
15 General Fund.
16 And per your request, the Section 5, we have
17 moved your Community Development Block Grant out of
18 the General Fund into its own fund.
19 Section 6, Hotel/Motel, is required to be a
20 separate fund under Georgia law.
21 You also requested your HOST capital
22 projects on Section 7 be segregated, which I also
23 agree with and think that's a good idea, and that one
24 does have a separate checking account as y'all
25 requested. And then on Section 7, I don't know if the

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1 copy you have, but I made a mistake. In the language,
2 it should say with an appropriation of four seventy-
3 four 0-0 one in that first sentence. I think I left
4 it blank. And I was made aware of that, so I need to
5 change that.
6 The Tree Fund, this is not all that is in
7 your Tree Fund. This is just merely what you probably
8 may spend within a year. It's a higher limit so that
9 in case, dependent on your activity, so that you
10 wouldn't have to come back and amend that. So that's
11 what that one is.
12 So this is kind of just a summary of each
13 particular fund.
14 COUNCILMEMBER ALEXANDER: Under Section 7,
15 Capital Projects --
16 MS. CAPE: Yes.
17 COUNCILMEMBER ALEXANDER: -- should the
18 figure in the verbiage be $150,000?
19 MS. CAPE: It should.
20 COUNCILMEMBER PACHUTA: Have we started
21 receiving this?
22 MS. CAPE: You received August through
23 December is the time frame that you received, so you
24 have received all of your funds for that time period.
25 They directly deposit it. This is one of

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1 those situations where they directly deposit it into
2 your General Fund and then you got to move it over to
3 the HOST fund. But it was I want to say $20,000
4 roughly. So through the period through December 31st,
5 it was $134,000 is the amount estimated, and that will
6 be fund number 330 that you'll start to see.
7 COUNCILMEMBER DEAN: I have a question under
8 Section 1. And I don't know what's normal or not, but
9 it says that amounts in this budget may be reallocated
10 within funds by approval of the Mayor as long as the
11 total budget amounts do not exceed these
12 appropriations by fund.
13 Does this go just before the Mayor or does
14 it go before Council, or could you elaborate?
15 MS. CAPE: Typically inside budget
16 amendments within -- typically within departments,
17 basically the Mayor or administrative staff can
18 basically allocate between line items within a
19 department.
20 Oftentimes depending on -- and I do not know
21 that you have a policy related to like contingency,
22 but typically if you're moving out of contingency,
23 that typically will go before City Council, but you --
24 COUNCILMEMBER DEAN: Do you know what we do?
25 Do we do that?

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1 COUNCILMEMBER BATES: We don't have
2 contingencies.
3 COUNCILMEMBER ALEXANDER: No.
4 MAYOR PITTMAN: No, we don't have
5 contingencies, no.
6 COUNCILMEMBER DEAN: Okay.
7 MS. CAPE: But that's kind of the normal
8 pattern is most of the time the internal functions are
9 handled inside the departments --
10 COUNCILMEMBER DEAN: Right.
11 MS. CAPE: -- unless you have something
12 contradicting that.
13 COUNCILMEMBER DEAN: And I just have a
14 couple -- and I'm sorry -- especially with this part
15 because this is complicated for me.
16 Where are things like utilities, unemploy-
17 ment, retirement fund? Where is that allocated?
18 Where?
19 MS. CAPE: They're within the departments.
20 The Georgia Uniform Chart of Accounts requires that
21 basically you allocate costs directly related to the
22 department, inside the department.
23 COUNCILMEMBER DEAN: Okay.
24 MS. CAPE: So each one of these departments
25 have a line item for unemployment, retirement, all of

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1 the various things actually within the department.
2 COUNCILMEMBER DEAN: Okay. All right.
3 And I have one more question. Do we have a
4 service agreement or anything with Dekalb County
5 regarding the Stormwater Management Fund? I mean
6 Dekalb County has the streets; right? So do we have
7 an agreement in place?
8 MS. CAPE: There's an inter -- Somebody'll
9 have to help me on all of this, and I'm looking if
10 Steven's still here.
11 There is an intergovernmental agreement that
12 exists, and Stormwater -- you have different
13 components of Stormwater. You have an escrow account
14 as well as your funds which come directly from the tax
15 commissioner on a biweekly basis.
16 COUNCILMEMBER DEAN: Okay.
17 COUNCILMEMBER ALEXANDER: Thank you, Ms.
18 Cape, for getting this task done.
19 MAYOR PITTMAN: Yes. Thank you so much.
20 COUNCILMEMBER DEAN: There's one more thing.
21 I'm sorry.
22 My name is Trudy Jones Dean rather than
23 Trudy Dean Jones.
24 COUNCILMEMBER BATES: That would be on --
25 MS. CAPE: Oh.

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1 COUNCILMEMBER BATES: Madam Clerk, on the
2 voting summary.
3 COUNCILMEMBER FLEMING: And the date on the
4 last page needs to be changed to 2012.
5 MAYOR PITTMAN: And Cecil, this is the first
6 reading?
7 ATTORNEY McLENDON: Uh-huh.
8 MAYOR PITTMAN: And they have the ability to
9 waive the first reading and move forward because we
10 need to be able to amend this budget to move -- in my
11 opinion, move forward.
12 ATTORNEY McLENDON: Yes. You can agree to
13 waive the second reading and go ahead and adopt this
14 if you choose to.
15 MAYOR PITTMAN: Council, anyone would like
16 to waive the first reading or do you want to just
17 carry it over?
18 COUNCILMEMBER BATES: I think it needs to be
19 carried over.
20 COUNCILMEMBER PACHUTA: Yeah, let's carry it
21 over. There are a couple of typos in here --
22 MAYOR PITTMAN: Okay.
23 COUNCILMEMBER PACHUTA: -- some numbers and
24 stuff.
25 MAYOR PITTMAN: Okay. Thank you.

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COUNCILMEMBER ALEXANDER: So fix the date, the two dollar amount and Councilmember Trudy's name.
MS. CAPE: Dean Jones. Correct?
COUNCILMEMBER PACHUTA: No, Jones Dean.
MAYOR PITTMAN: Jones Dean.
MS. CAPE: Hey, my copy's right. I'm like okay, sorry. That's why I'm so confused. I was sitting here going, okay.
MAYOR PITTMAN: Ms. Cape, thank you very much.
MS. CAPE: Uh-huh.
MAYOR PITTMAN: Next on the agenda is going to be Resolution for Legend Cafe, Ms. Fleming. I believe she does have at least a change from what we might have received in the packet.
MAYOR PITTMAN: And if you don't mind while you're looking, it is approaching 9 o'clock, and if I could go ahead and get a motion to move forward with the rest of the meeting?
COUNCILMEMBER ALEXANDER: So moved.
MAYOR PITTMAN: Second?
COUNCILMEMBER PACHUTA: Second.
COUNCILMEMBER FLEMING: Second.
MAYOR PITTMAN: Discussion?
- - -

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(No response)
- - -
MAYOR PITTMAN: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER BATES: Yes.
DEPUTY CLERK BRYANT: Oh, I'm sorry. Bates?
COUNCILMEMBER BATES: That's all right. I'm just used to going after Maria.
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
DEPUTY CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
DEPUTY CLERK BRYANT: Councilmember Dean?
COUNCILMEMBER DEAN: Yes.
DEPUTY CLERK BRYANT: Sorry.
MAYOR PITTMAN: Thank you.
COUNCILMEMBER FLEMING: Yes. I'm requesting a resolution, another resolution. We did this actually two years ago. Another establishment has opened at the TGI Friday's Plaza which is now called Peachtree -- Sorry.
COUNCILMEMBER BATES: Tilly Mill Crossing.

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MAYOR PITTMAN: Tilly Mill Crossing.
COUNCILMEMBER FLEMING: -- Tilly Mill Crossing -- there we go -- and it's called the Legend Cafe. It's a sports bar and billiard parlor. It also has a wall-size television for viewing sports events and so forth.
They have requested a special land use permit to allow extended pouring hours till 3:55 a.m., and so I'm asking that the Council -- Mayor and Council approve the resolution to request Dekalb County to deny the extended-hours permit.
In this one that we've been presented, it's Council's request to put in 3:55 a.m. because that is what they had requested.
Mayor Pittman, myself and Mr. Bates went to their Wednesday night on-site meeting. There must have been -- between Doraville and Dunwoody residents, there must have been at least 40 people there. This location also had representatives there, and they were signing a petition that they want to pour until 4:00.
So we're going to counter because we don't want them to pour until 4:00. Doraville is 2 o'clock. Though this particular area, as all of you know, has the infamous Oasis, there is another one, Josephine's, and now this one as well.

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So as far as the resolution that I'm requesting is to deny the special land use permit for extended pouring hours to 3:55 a.m. to the Legend Cafe.
COUNCILMEMBER PACHUTA: Yeah. And I guess currently they're 12:30 is --
COUNCILMEMBER FLEMING: Yes, that's correct. Dekalb County is 12:30 unless they request a SLUB.
COUNCILMEMBER PACHUTA: Yeah. I have no issue with them staying open until 2:00 in that if they were in Doraville they could stay open until 2:00 by right and if they were in Dunwoody they could stay open until 2:00 by right.
MAYOR PITTMAN: And I will say that I did receive a message today from Dekalb County that they were only applying -- based on the meeting, that they were only going to be applying and they were allowed to apply for the 2:00/2:30 pouring. But it never hurts to have that just in the event that they change their mind.
COUNCILMEMBER FLEMING: Correct, because they had already applied for the SLUB with 3:55.
MAYOR PITTMAN: Yeah.
COUNCILMEMBER FLEMING: Now, if they amend the application, I think that's all well and good, but

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we still need to --
COUNCILMEMBER PACHUTA: I think that's why we need to put it under --
COUNCILMEMBER FLEMING: Correct.
COUNCILMEMBER PACHUTA: -- if it's 3:55 --
COUNCILMEMBER FLEMING: It's 3:55 a.m.
COUNCILMEMBER PACHUTA: -- because, you know, if they shifted 500 yards to the east, they could stay open till 2:00.
COUNCILMEMBER FLEMING: Correct.
ATTORNEY McLENDON: I had just a suggestion --
COUNCILMEMBER FLEMING: Okay.
ATTORNEY McLENDON: -- we discussed with some language. We could change the first paragraph to state, "Whereas, the governing authority of Dekalb County has established a protocol for the consideration of special use permits in order to extend the hours of operation for alcoholic beverage sales to 3:55 a.m."
COUNCILMEMBER FLEMING: Uh-huh.
ATTORNEY McLENDON: And then the other change, everything would be the same until number 1 where it states that, "For the reasons set out in the preamble found immediately above, the Doraville City

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Council respectfully requests that the appropriate authorities of Dekalb County deny the request of Legend Cafe to extend the business hours of alcoholic beverage service to 3:55 a.m."
Those two amendments, and --
COUNCILMEMBER FLEMING: Yes, please.
ATTORNEY McLENDON: Uh-huh.
COUNCILMEMBER ALEXANDER: And remove Melissa's name?
ATTORNEY McLENDON: Yes.
COUNCILMEMBER FLEMING: Yes.
MAYOR PITTMAN: Okay.
COUNCILMEMBER FLEMING: Also for the residents that are here, I have already collected my petitions and the city of Dunwoody, in this particular, this north area, is collecting petitions. I've already collected 50 and I will be -- you know.
Ms. Bryant, if you'll take that for me so that the residents might sign it after the meeting, I'd really appreciate it (presenting).
Upon that, any further discussion as far as Council is concerned?
- - -
(No response)
- - -

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COUNCILMEMBER FLEMING: Okay. I'd like to make a motion to adopt the resolution with the amendments that Mr. McLendon has mentioned.
MAYOR PITTMAN: Second?
COUNCILMEMBER ALEXANDER: Second.
MAYOR PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PITTMAN: Call the roll, please.
DEPUTY CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
DEPUTY CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
DEPUTY CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
DEPUTY CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
DEPUTY CLERK BRYANT: Councilmember Dean?
COUNCILMEMBER DEAN: Yes.
MAYOR PITTMAN: Thank you.
Okay. I thank you, Ms. Fleming.
COUNCILMEMBER FLEMING: Thank you.
Next on the agenda is citizens committees.

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Actually, the next two items will be Mr. Bates, citizens committees and capital improvement.
COUNCILMEMBER BATES: Thank you, Mayor.
For a number of years, we've talked about establishing citizen committees, and it's just -- it's never moved forward beyond a discussion up here. I think it's critically important that we tap into the resources that are available to us in the community regarding a broad range of topics. You know, if you go to the Library, there's a plaque when you're entering the Library that says, you know, the Library Board was involved in the renovation and the addition.
I don't know why the City moved away from having official, formal, established committees, but I think we need to move forward into getting those and engaging residents who have expertise in certain areas to help us with making recommendations and guide us on a number of things.
I've listed out a number of suggested committees -- Marketing, Finance, Parks & Rec, Ordinance Review; City Manager, which would do roles and responsibilities and not be a search committee. There are certainly others that we could consider.
I would not recommend us moving forward and enacting committees on all of those. Let's start with

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a couple and make sure we've got a good structure in place for selecting the committee members and for meeting schedules and Council liaisons and reporting back to Council with recommendations.

So my recommended action was to establish two that are, in my opinion, the most critical that we need right now -- and I'm certainly open for suggestion and swaying -- and that would be Marketing and Finance.

The four of us or the five of us now, with Councilwoman Dean up here, have sat through a couple years of finances that I would have loved to have had someone who's knowledgeable in the finance sector look at our financial policies and make recommendations, and that just never happened.

The other piece would be marketing. We've talked about promoting and advertising and advocating for the City, and we've not done anything to do that. There is no marketing plan to encourage people to look at any of our neighborhoods, and we have some amazing neighborhoods with beautiful tree canopies. And I think until we can start promoting that and encouraging people to start taking a look at and establishing roots, we are going to continue to spin our wheels.

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So those would be my suggestions on at least moving forward with some initial committee.

MAYOR PITTMAN: Okay, Council. Comments? Suggestions?

COUNCILMEMBER DEAN: Do you know, have we thought about how we would choose the members of the committees?

COUNCILMEMBER BATES: Sure. I think there's a couple of options. The one that I think works the best would be for every Council member to appoint a member to the committee.

COUNCILMEMBER DEAN: Right.

COUNCILMEMBER BATES: Certainly with some sugges- -- Or I would suggest that the members have some experience that's relevant to that particular committee. You know, it doesn't make any sense to put an engineer on a marketing committee unless they're the business development engineer for a firm -- you know, advertising, P.R., those types of things -- and conversely, it makes a lot of sense to put people who have an expertise and knowledge in finance -- you know, auditors, accounting, bookkeeping, CPAs and the lot -- on the finance committee.

So that would be my initial thought, but I'm certainly again open for suggestions on how to staff

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and get volunteers.

COUNCILMEMBER DEAN: Well, I know that we had a couple of members, in fact whom are here now, on the Planning Commission, Jim Ambrose and Joe O'Conner along with Ben Crawford, and I mean they got stellar comments and recommendations by the people in the community.

But I'm not sure what happened when they were asked to leave. Were they asked to leave? What happened there?

COUNCILMEMBER BATES: Their time limit was up.

COUNCILMEMBER DEAN: Their time was up?

MAYOR PITTMAN: Yes.

COUNCILMEMBER DEAN: So we have a time limit for the committees?

COUNCILMEMBER BATES: I'm sorry?

COUNCILMEMBER DEAN: We would have time limits for the committees? I mean what --?

I mean I think -- I love this idea. I think it's fantastic, but I think that we should structure it or know what the structure is initially. You talk about a structure, if there's a time limit and what happens, because if they're volunteers and they're doing it for the community, I mean that's something

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that we should take into consideration because it's free work.

COUNCILMEMBER BATES: This is on here for discussion to make sure that we do put structure in place --

COUNCILMEMBER DEAN: Right.

COUNCILMEMBER BATES: -- not to appoint the committees tonight but to start working on the process.

COUNCILMEMBER DEAN: Right.

COUNCILMEMBER BATES: The difference between this and the Planning Commission in my opinion is they're a reviewing body along with a recommending body where this would be purely an ad hoc committee but would be put together to make recommendations to the Council on things to put in place to move the city forward. Not reviewing applicants, not reviewing plans, not reviewing zoning, not reviewing --

COUNCILMEMBER DEAN: Well, right now, our Planning Committee is deficient; right? We don't have any representatives from District 2; right? And we're short a member; right?

I mean I looked at the Web site. That's what I saw. And I don't know if there's a requirement, I don't know if it's in there. I'm not --

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1 Again, excuse me; I'm in the learning process.
2 MAYOR PITTMAN: Ms. Alexander, would you
3 like to address that?
4 COUNCILMEMBER ALEXANDER: Not particularly.
5 We have approached over half a dozen people,
6 and every single person has turned us down to be on
7 the Planning Commission. So Ms. Pachuta and I have
8 tried; we have tried new residents, old residents,
9 residents from all different varied -- excuse me; you
10 can discuss it with me after the meeting -- and they
11 have all turned us down for various reasons.
12 COUNCILMEMBER DEAN: Okay. All right.
13 MAYOR PITTMAN: Thank you.
14 COUNCILMEMBER ALEXANDER: So if anyone has
15 any other suggestions for anybody from District 3,
16 please e-mail us so we can approach them.
17 You know, they expressed some interest and
18 we would send them by the bylaws and samples of
19 previous minutes and things of that nature, and then
20 they would just, you know, basically say no thank you.
21 So we have tried.
22 COUNCILMEMBER BATES: And if Council is
23 interested in moving forward, I will draft, along with
24 the City Attorney, some proposed structures for us to
25 consider. If Council is not interested in moving

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1 forward, I will pull it off the agenda.
2 COUNCILMEMBER DEAN: I think it's a great
3 idea.
4 MAYOR PITTMAN: I think it's an excellent
5 idea.
6 COUNCILMEMBER FLEMING: I do too.
7 ATTORNEY McLENDON: One thing you see a lot
8 in the codes that we looked at ours and did not
9 necessarily find is a lot of times it'll have a little
10 section in the administrative area that'll say
11 advisory committees. And advisory committees usually
12 serve at the will of the Council. You know, the rules
13 can be established committee to committee by the Mayor
14 and Council. And it might be good to put something
15 that like that into our ordinance that just says,
16 "When we have advisory committees," because the
17 distinction you run is an advisory committee is, you
18 know, nonbinding, let's get advice, that kind of
19 thing. The real distinction is when you get into
20 boards, etc. Those can be independent board and
21 commissions, and that's a whole different thing.
22 So we might want to add a section and then
23 set up a structure for these particular appointments,
24 and I'll be happy to help on that.
25 MAYOR PITTMAN: Ms. Gilman, what did you --

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1 MS. GILMAN: Quickly, it might be time to
2 start addressing at-large members because we do run
3 into situations per district -- and these are
4 nonbinding advisory groups -- where maybe in
5 Northwoods you have more persons willing or available
6 to volunteer. So at large --
7 COUNCILMEMBER DEAN: Right.
8 MS. GILMAN: -- in addition to by district.
9 COUNCILMEMBER BATES: The structure that I
10 have in my head is for a Council member to select a
11 person whom they are comfortable and want to appoint
12 to this. It could be from every -- hypothetically,
13 all five/six members could be from the Winters Chapel/
14 Tilly Mill area --
15 COUNCILMEMBER DEAN: Okay.
16 COUNCILMEMBER BATES: -- based upon where
17 perceived expertise could be. If that's where all of
18 our marketing people live, then --
19 COUNCILMEMBER DEAN: Okay. Okay.
20 COUNCILMEMBER BATES: -- that's great.
21 COUNCILMEMBER DEAN: That's good. That's
22 good.
23 COUNCILMEMBER BATES: And I wouldn't
24 envision it being any requirements on these advisory
25 committees, you know, to have them necessarily come

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1 from a particular district or spread out. It would be
2 whomever is most appropriate.
3 COUNCILMEMBER DEAN: Okay.
4 COUNCILMEMBER BATES: And I'm looking just
5 for feedback. Is Council comfortable with these two
6 as an initial foray or would --
7 MS. HENRY: Could you add one more?
8 COUNCILMEMBER BATES: -- we prefer to look
9 at some additionals?
10 MAYOR PITTMAN: We're just sticking with
11 those two right now.
12 COUNCILMEMBER BATES: Well --
13 COUNCILMEMBER DEAN: Well, just out of
14 curiosity, what --
15 MAYOR PITTMAN: Yeah. I was going to ask
16 her.
17 MS. HENRY: Councilman Bates, Dekalb County,
18 Dekalb County Library System has a board of trustees
19 for all 22 branches including ours, and we have a
20 representative from Doraville that sits on that Dekalb
21 County Board of Trustees. The policies and procedures
22 that they vote on do not necessarily include anything
23 about Doraville. Most of the things that they vote on
24 doesn't include anything about Doraville because we
25 are an affiliate.

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1 So perhaps later you'll look into us having
2 some type of advisory board for the Library because we
3 do need policies and procedures to kind of coincide
4 with Doraville.
5 COUNCILMEMBER BATES: Sure.
6 MAYOR PITTMAN: Yeah. Good idea. Thank
7 you. Thank you, Tammy.
8 Okay, Mr. Bates, then if you'd move forward
9 with that, you and Mr. McLendon, I'd appreciate it.
10 COUNCILMEMBER BATES: Thank you.
11 The next item is a Capital Improvements
12 Priority List. For the last four years, we've talked
13 about a variety of capital improvements but there's
14 never been a concise list developed and presented for
15 prioritization.
16 We've talked about Library improvements, we
17 talked about the retaining wall at the Police
18 Department; park improvements, sidewalks, renovations
19 to buildings, physical plant improvements; but there's
20 not a concise, detailed list with the associated costs
21 for us to take a look at and establish a
22 prioritization/spending.
23 Now with the HOST moneys that are going to
24 come in, we need to make sure that we're spending
25 those dollars in a prioritization schedule that makes

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1 sense from a safety standpoint, from a use standpoint,
2 from a marketing standpoint, but we don't have -- we
3 don't have a list to look at.
4 So I would ask that the Mayor along with the
5 department heads start coming up with a master capital
6 improvements list that can be consolidated into one
7 list and let the Council make some prioritizations
8 based upon some need assessments.
9 MAYOR PITTMAN: Thank you. Actually, Mr.
10 Cooley and I had that conversation this week, so it's
11 an excellent idea.
12 COUNCILMEMBER DEAN: And there's a budget
13 impact here. What would that be?
14 COUNCILMEMBER BATES: Well, we don't know.
15 COUNCILMEMBER DEAN: I mean are we going to
16 come up with this? Is the Mayor and department heads
17 going to come up with the list themselves or are we
18 going to outsource a study? I mean what is --
19 COUNCILMEMBER BATES: Well, there's no
20 shortage of ideas and needs on what department heads
21 in the City need to do and invest in, so I think we
22 should start from there.
23 In fact, the Council members can -- You
24 know, I've got a number of things that I know of that
25 we would like -- that I would like to see us look at

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1 doing. Some of them are certainly lower priority than
2 others. I don't see there's any need for us to have
3 an outside person come in and evaluate the City's
4 infrastructure right now.
5 COUNCILMEMBER DEAN: So we don't have --
6 currently we don't have a comprehensive plan like a
7 five-year, ten-year long-term plan?
8 We do?
9 COUNCILMEMBER FLEMING: Not a capital
10 improvement plan, no.
11 COUNCILMEMBER PACHUTA: And there are
12 certain things that have been discussed like the
13 Library wants to update their bathrooms, the Police
14 Department has a retaining wall behind them that is
15 crumbling, and now that we have HOST funds, which are
16 new, those have to be used on capital improvements.
17 They're restricted.
18 So I think it's a good idea to figure out
19 from all the department heads what are your main
20 priorities, and then we're going to have to make a
21 decision on where to spend the money.
22 COUNCILMEMBER DEAN: Okay. Okay.
23 COUNCILMEMBER ALEXANDER: And I'd like to
24 see an update on the progress of Halpern Park, where
25 we are and the additional funding needed to complete

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1 that renovation.
2 COUNCILMEMBER FLEMING: Correct.
3 COUNCILMEMBER BATES: Because that's the
4 other piece is, you know, we've --
5 COUNCILMEMBER ALEXANDER: We started.
6 COUNCILMEMBER BATES: -- (overspeaking)
7 renovated English Oak, and now we've started Halpern,
8 but we've got four other parks in the city that are
9 all in various need of, you know, some significant,
10 you know, improvements, and, you know, it all takes
11 money. We just need to start prioritizing where those
12 resources get allocated.
13 But we don't have a comprehensive list to
14 look at and say, you know, with the HOST money this
15 year we're either going to sock it away for, you know,
16 two or three years and save up and allocate it all
17 towards Project A or are we going to do, you know,
18 Little Project B, C, D and F.
19 COUNCILMEMBER DEAN: Right.
20 COUNCILMEMBER BATES: We just don't have
21 that.
22 COUNCILMEMBER FLEMING: And we do have a
23 $25,000 grant waiting on us to be able to use it going
24 toward Halpern.
25 MAYOR PITTMAN: Ms. Cape?

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MS. CAPE: Typically as you start this process, one of the discussion elements that you need to think through is what is your CIP threshold. And you think that's a trivial question, but it's really not. Like for example, do you only want items that are going to be over $5,000 included in this prioritization or over $10,000?

The reason for that is because the smaller items should naturally start to be absorbed through your operating budget and your capital improvement become your bigger items. And of course depending on your size, that threshold is different for every jurisdiction. So it's kind of important to establish as you start working with departments to kind of let them know, "Okay. If it's under this threshold, we need to try and figure out a way to make it happen in the operating budget, and if it's over this threshold, then we need to try to do it from HOST funding."

COUNCILMEMBER BATES: Based upon your seven months of knowledge of --

MS. CAPE: Based on where you are, in my opinion, I would put $5,000 and under in your government -- in your operating fund; over $5,000 -- which is a very low threshold, but given your stabilization and your cash position, that's why I

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would put it in the HOST at this point.

COUNCILMEMBER BATES: Perfect.

MAYOR PITTMAN: Thank you so much.

Is there anything else?

COUNCILMEMBER BATES: I'm going to make an assumption that this doesn't need a Council vote to move forward with.

MAYOR PITTMAN: It does not.

COUNCILMEMBER BATES: But I will hope that you can provide us with an update on the progress.

MAYOR PITTMAN: Absolutely.

COUNCILMEMBER BATES: Thank you.

MAYOR PITTMAN: Thank you.

I don't believe we have any reports from committees.

Next is going to be public comments. Please limit your comments to three minutes, state your name, and three minutes only.

MS. SUSAN CRAWFORD: Susan Crawford, Oakcliff.

Mr. Bates, I think that's wonderful idea. I commend you on it and wonder if you will be -- I understand that each person is going to appoint. I don't know how that's going to work. But I'm wondering if you're going to advertise this somewhere

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else, because there probably are many talented people -- I'm not one of them with a knowledge of marketing or finance, but I'm sure there are many talented, knowledgeable people in neighborhoods that you don't know personally who'd respond if you put out an appeal somewhere. Just a suggestion.

MAYOR PITTMAN: That is a very good suggestion.

COUNCILMEMBER FLEMING: Good suggestion.

MAYOR PITTMAN: Thank you, Ms. Crawford.

MS. WENDY ORR: Wendy Orr, 3596 Raymond. I just have two comments.

One, what Sabrina was talking about with the projects that are under $5,000. You've got departments here that can do a lot of that smaller work so it shouldn't be something that we're going to have to spend the money to outsource for. That's why you have Public Works: to do walls and painting and bathroom renovations. I mean you might have to get the plumber, you might have to get the electrician, but most of that can be handled in house.

The other thing I wanted to comment on is if you're looking at eliminating paying for lunch hours, you may want to seriously consider each department's work hours, because if they're coming in at 7:00 --

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and typically, they've been leaving at 3:00 with an hour for lunch, now you're making them stay till 4:00 -- you don't want them playing solitaire from 3:00 to 4:00. But if their supervisor leaves and there's nobody minding the henhouse, you're still going to be back where you were before. You're going to be literally
paying them for an hour of not work.

So you either have to set standard operating hours within each department, and it may be a 30-minute lunch because nobody wants to stay the extra hour depending on their commute. They may want to come in at 8:00 instead of 8:30.

So you're going to have to look at each department separately or you're going to be right back in the thick of this with people abusing their time, because they're not going to be getting paid for work cheats in seat. So just a suggestion. Thank you.

MR. TOM HART: I agree about the Public Works Department being able to utilize the moneys being collected through the HOST tax to do things more efficiently than bidding them out and go through these engineering firms like we've done in the past. The sidewalk project is a perfect example of what not to do.

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I'm a little disappointed about going to an outside source to review these liquor license applications or appeals. We've got a problem right now where the City has been handing out --

We came up for this nightclub thing that Pam was talking about. We had several night clubs that were open in the city and several people were issued liquor licenses by the staff. If the staff is issuing the liquor license and it shouldn't have been there and it caused the City all this trouble, why is it up to that same staff member to fix the problem? And then if there is a problem, it goes to an outside closed-door meeting to resolve the issue? That doesn't seem to be looking out for the best interest of the city, and I think everyone in this room understands there's more than a few nightclubs and places that have gotten a liquor license that didn't have a proper liquor survey while other businesses like Baldino's have dropped their license because they had to do so much to get a survey.

I think that City Hall needs to be open government, and I saw little evidence of that tonight in your voting. Thank you.

MS. CINDY BRADFORD: Cindy Bradford, Northwoods.

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First of all, good job. You made a lot of good -- you know, brought up a lot of good ideas and did a good job.

However, transparency is something that's been bantered about with all this campaigning that's been going on for the past few months, and I feel like we took a step backwards away from transparency tonight by voting to turn over the revocation process to a hearing officer. I don't agree with that at all.

Number two, we're actually adopting a resolution to ask Dekalb County to deny extended alcohol pouring hours to the Legend Cafe that's not even located in Doraville; and we've got the Georgia Palace, we had to deal with the Amigo nightclub, which I have no idea why it took almost a year to resolve that problem because that placed was closed down on the evidence obtained on December 30th, 2010, per Chief King.

So my evidence that I brought forward with my concerns wasn't even used in that revocation process. I was there, I saw it, I asked about it and I got answers. So that's basically all I want to say.

One more thing. Why is our Maintenance Department not maintaining some of our properties like with the retaining wall and things like that? You

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know, why should we go and pay outside money when we've got all these people on payroll that we're paying? Why can't they do some of these things?

Just food for thought. Thank you.

MAYOR PITTMAN: Okay. Any additional public comments?

- - -

(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.

DEPUTY CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

DEPUTY CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

MAYOR PITTMAN: I'm sorry. We still can't hear. I'm sorry.

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DEPUTY CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

DEPUTY CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

DEPUTY CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

DEPUTY CLERK BRYANT: Councilmember Dean?

COUNCILMEMBER DEAN: Yes.

MAYOR PITTMAN: Meeting adjourned. Thank you.

- - -

(Meeting adjourned at approximately 9:20 p.m.)

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C E R T I F I C A T E

STATE OF GEORGIA]
COUNTY OF DEKALB]

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

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

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

This the 25th day of January, 2012.

_____

Theresa Bretch, CCR
Permit No. B-755

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