In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

March 21, 2011

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CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

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Transcript of the meeting held in the City Council Room at Doraville City Hall, 3725 Park Avenue, Doraville, Georgia, Mayor Pro Tem Donna Pittman, presiding, before Theresa Bretch, Certified Court Reporter, commencing at approximately 6:30 p.m. on Monday, March 21, 2011.

* * *

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APPEARANCES:
Doraville City Council:
Mayor Pro Tem Donna Pittman
Councilmember Maria Alexander
Councilmember Brian Bates
Councilmember Karen Pachuta
Councilmember Bob Roche
Councilmember Pam Fleming
Melissa McCain, City Clerk
Murray J. Weed, City Attorney

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P R O C E E D I N G S

MAYOR PRO TEM PITTMAN: I want to thank everyone for coming out tonight. Just a small reminder to please turn your cell phones off.

We have very special little guests with us tonight. We're very honored to have some students from Cary Reynolds Elementary School to lead us in the pledge. It's going to be Burhan Ali and Trang Vo.

So if everyone could please stand and say the pledge.

- - -

(Pledge of Allegiance)

- - -

MAYOR PRO TEM PITTMAN: Thank you. And if you'll hang on just a minute, I have something for you.

Burhan, it was an honor to have you here tonight, and we thank you very much for your service to the City tonight (presenting). Thank you so much.

- - -

(Applause)

- - -

MAYOR PRO TEM PITTMAN: And Trang, we really appreciate you coming out tonight. It was an honor to have you here as well, and we want to give you a

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certificate of appreciation (presenting). Thank you.

- - -

(Applause)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Here.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Here.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Here.

MAYOR PRO TEM PITTMAN: We need to have a motion to approve the minutes from February 28th, 2011.

COUNCILMEMBER PACHUTA: So moved.

MAYOR PRO TEM PITTMAN: Second?

COUNCILMEMBER ALEXANDER: Second.

MAYOR PRO TEM PITTMAN: Discussion?

- - -

(No response)

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- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carried.
We need a motion to approve the minutes for March 7th, 2011.
COUNCILMEMBER PACHUTA: So moved.
MAYOR PRO TEM PITTMAN: Second?
COUNCILMEMBER BATES: Second.
MAYOR PRO TEM PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.

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CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Thank you.
And we'll move right into department reports.
We have some very, very honored guests here tonight. We want to present some proclamations to them.
First we're going to present a proclamation, an Irish proclamation.
As you all know, last Thursday was St. Patrick's Day. St. Patrick's Day is observed as both a public and religious holiday in Ireland. It marks the death of Ireland's patron saint who in the mid to late fifth century came to Ireland from Britain to spread Christianity.
In 1991, President George H.W. Bush

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proclaimed March as Irish American Heritage Month for the first time.
To help celebrate and show our appreciation for Ireland, her contributions to western civilization and Irish Americans' contributions to America, I would like to present this proclamation declaring this week as Ireland Week in Doraville.
So on behalf of the City, I would like -- if you could come up, please. I would like to present this to you (presenting).
CONSUL-GENERAL GLEESON: Thank you.
MAYOR PRO TEM PITTMAN: Thank you.
CONSUL-GENERAL GLEESON: Can I say something?
MAYOR PRO TEM PITTMAN: Oh, yes, absolutely; please.
CONSUL-GENERAL GLEESON: Madam Mayor and Council members, just to say thank you very much. I am just back from celebrating St. Patrick's Day in Atlanta and Savannah, and we had 600,000 people in Savannah to celebrate the great linkages between Ireland and the state of Georgia. And they are great linkages. We have huge communities of Irish and Scotch-Irish here who played a big role in the development and growth of this state. And this is a

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big year for us. We've just established the first Irish Consulate in the American South and the first one in the United States since 1933, and that's here in the state of Georgia.
And we greatly appreciate the linkages we've been able to forge here including with yourselves, and that's exactly what we're here to do. So we greatly appreciate this on the part of the City of Doraville, so thank you very much for having us here.
MAYOR PRO TEM PITTMAN: Thank you.
- - -
(Applause)
- - -
MAYOR PRO TEM PITTMAN: We also would like to take the opportunity to remind everyone that the Buddy O'Reilly Band, a traditional Irish folk band, is going to be performing at the Doraville library Saturday March 26th at 2 o'clock. I think that will be a real treat, so if you can come out, it will be a fun time.
Next we've got the Greek proclamation.
March 25th will mark another national holiday that merits our recognition as well. This Friday will be the 190th anniversary of Greece's declaration of independence from the Ottoman Empire.

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In 1821, four centuries of revolt culminated in a full-scale war of independence that officially ended in 1830 when the modern Greek State of Hellenic Republic was born.

As you all know, Greece, or its official name, the Hellenic Republic, is known as the Cradle of Western Civilization. The foundation of everything from philosophy to athletics to agriculture was laid in ancient Greece.

To help Greece celebrate its Independence Day and show our appreciation for the nation's contributions, I would like to present this proclamation declaring next week, the week of March 28, as Greece Week in Doraville (presenting). Thank you.

CONSUL-GENERAL GOULOUSSIS: Thank you very much for that. On behalf of the Greek government and the Greek community in Georgia and especially in Atlanta, would like to express my appreciation to you for honoring this day. It means so much to us. Thank you very much.

- - -

(Applause)

- - -

MAYOR PRO TEM PITTMAN: Thank you. We are

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very honored to have both of you here.

On a little bit of a somber moment, as most of you know, last week, the tragedy that happened in Japan. I would like for the Council to join me in extending our condolences to the government and the people of Japan for the massive destruction that resulted from the March 12th earthquake and the tsunami.

The latest reported estimated that over 21,000 people have been presumed dead or missing. Obviously, Consul Hanatani could not be here tonight, but I would like to send his office a resolution from this body expressing our sincerest condolences, and I need a motion at this time.

COUNCILMEMBER PACHUTA: So moved.

MAYOR PRO TEM PITTMAN: Do I get a second?

COUNCILMEMBER ALEXANDER: Second.

MAYOR PRO TEM PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

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CLERK McCAIN: Councilmember Bates?

* COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR PRO TEM PITTMAN: Okay. On another sad note, as we all know, the Atlanta Rhythm Section is from Doraville. Ronnie Hammond, the former lead singer of ARS, made Doraville a household name in the 1970s.

This past week, he died of heart failure last Monday at a hospital near Macon. Mr. Hammond was 60 years old. He joined the band in 1973 and left in the early '80s to spend more time with his family.

As a gesture of our condolences and appreciation of Mr. Hammond's contributions to the city, I would ask the Council to pass a motion for a resolution for the Hammonds and the members of the Atlanta Rhythm Section.

COUNCILMEMBER ALEXANDER: So moved.

MAYOR PRO TEM PITTMAN: Second?

COUNCILMEMBER PACHUTA: Second.

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MAYOR PRO TEM PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR PRO TEM PITTMAN: Motion carried. Thank you.

Next on the agenda we have Caleb. Actually, the next three items, I believe, would be yours.

MR. RACICOT: Thank you. Honorable City Council and Mayor, thank you very much for giving me the opportunity to present tonight the Doraville 2010 Downtown Master Plan Livable Centers Initiative study for consideration of adoption this evening.

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As many of you know, we have been at TSW with the support of Keck & Wood and Arnett Muldrow working with the greater Doraville since the summer of last year to develop a long-term vision for redeveloping the downtown area including the former General Motors site, and then very importantly, making sure that that can connect to the greater community.

Tonight I wanted to present a brief overview of some of the recommendations that have emerged from it and request that you support the adoption of the document into the City record.

This planning process has been very significant in several ways. As I mentioned, we have been working with the Doraville community since the summer of 2010. During that time, we have had a significant amount of public participation including over 300 residents, businesses and property owners who have given their ideas to shape this planning process.

In addition, we've utilized a very open, inclusive planning process that included a project Web site, included a series of stakeholder interviews, and then, very importantly, included a series of community surveys both in person and online to determine what your aspirations are as a citizenry for the future of your community.

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In addition, the planning process has used a series of public meetings. We had a kick-off meeting, we had a community workshop and then, very recently, presentations of drafts and final plans.

In addition, we've been using the services of a core team, a core team made up of 60 residents, businesses and property owners to make sure that we as consultants are on track and making sure that the plan reflects the community recommendations.

To that end, the plan tonight that will hopefully be up in a moment reflects that vision. It is a document that has incorporated hours of interviews, hundreds if not thousands of community comments, and then very importantly, a plan that has been reviewed by the public in the last month to determine the final recommendations that we have here tonight.

As you may recall, a draft plan was made available on March 2nd and that draft plan was posted on the project Web site, distributed through City Hall, and generated a lot of discussion and a lot of positive feedback.

Last week we had the opportunity to present revisions to that plan and a final plan to the core team and received their unanimous support for the

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vision that it presented. So I'm very hopeful that the vision I present tonight is in fact very consistent with what the community wants.

And I can't really go on without the screen from here on out because I can't describe pictures.

But generally speaking, the master plan document that is before you tonight is a six-part document with part one being an overall introduction to the plan, part two being a very detailed inventory and analysis, part three being description of the public process, part four being a very extensive series of recommendations, part five being an implementation matrix and then part six being a series of specific recommendations.

What I wanted to focus on tonight is part four and five, and you should have it up any moment now.

So the master plan represents a 25-year vision for the redevelopment of the greater Doraville area. The study area that the plan looked at ran from I-285 on the east, Buford Highway on the south; Shallowford Road, North Peachtree Road in the city of Chamblee on the west; and then finally Peachtree Boulevard on the north.

As we look at this from a planning

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perspective, we realize that this approximately 700-acre area is really too big to be conceived of as a single sense of place, a single identity, and so the master plan recommends breaking that up into a series of five character areas, if you will.

The two most walkable, most pedestrian-oriented character areas are centered around MARTA where there is envisioned to be a Doraville Town Center which I'll talk about in a moment, and then very importantly, the General Motors site redevelopment.

In addition, as the distance increases from MARTA, there are also three other districts, if you will. One is the Buford Highway Corridor, which is primarily commercial today and will continue to be that for the long term. The other is the Peachtree Boulevard, formerly Peachtree Industrial Boulevard Corridor, which is very similar in nature. And then very interestingly enough, the third -- or the fifth district, if you will, is called the Technology Village, which is in the city of Chamblee but is envisioned as a longer-term research, research and development and distribution area.

Now, within that general transportation -- general land-use framework, the LCI document lays out

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1 a series of transportation recommendations. For those
2 of you in the public who aren't familiar with the LCI
3 plan, this looks at integrating land-use decisions
4 with long-term transportation investment.
5 To that end, the plan recommends over
6 $140,000,000 in transportation investments that could
7 be implemented over the next 25 years to achieve the
8 vision. These are broken into two categories: local-
9 serving facilities which are things like sidewalks,
10 bike trails and new streets, and then regional-serving
11 facilities which are major transit upgrades, major
12 roadways and the like.
13 Of these transportation projects, the
14 planning process focused very specifically on how do
15 we create a long-term connection across the rail
16 corridor -- the rail corridor that for so long has
17 separated one side of the tracks from the other side
18 of the tracks in Doraville.
19 As we looked at a series of options -- and
20 we looked at several as documented in the report -- we
21 determined that the ideal opportunity to create that
22 connection is actually in the vicinity of Shallowford
23 Road where we are recommending what we call the Buford
24 Highway-Peachtree Boulevard Connector. This would be
25 a roadway that would come off Buford Highway at

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1 Shallowford, run north on Shallowford and then cross
2 adjacent to the Shallowford Place Apartments, over
3 Peachtree, over the railroad track as a bridge into
4 the G.M. site and then head north and connect to North
5 Shallowford Road. This facility would be a four-lane
6 road. In addition to roadway capacity, however, it
7 would have sidewalks, bike trails, trees and the like.
8 It's a very strategic location for several
9 reasons. One, it does create that important
10 connection that serves Doraville and Chamblee, but
11 also, very significantly, this connection creates a
12 regionally-significant link between I-85, Shallowford
13 Road, North Shallowford Road, 285, and eventually the
14 city of Dunwoody.
15 This is absolutely critical because we are
16 going to be asking your consideration tonight to
17 recommend this project as a transportation project
18 within the proposed T-SPLOST vote next year.
19 In addition, this is a very strategic
20 linkage because it creates an important connection to
21 the G.M. site, and the LCI process includes a very,
22 very, very detailed recommendation component on the
23 G.M. property.
24 The plan recommends the creation of a model
25 transit-oriented development, but very importantly,

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1 one that includes sizeable employment. We heard very
2 loud and clear from the residents, businesses and
3 property owners in Doraville that that site must not
4 be developed only as housing; it must have a sizeable
5 employment component. And so our economist on the
6 team looked at what are those potential industries
7 that could locate there.
8 To that end, we're recommending corporate
9 headquarters -- again, over the next 25 years --
10 medical, biotech and life-science facilities, data
11 centers and green technology. The idea is to create
12 something that is truly unique, focused on MARTA and
13 then, very importantly, does not directly compete with
14 the Perimeter, Buckhead, or any of the other business
15 districts in the area.
16 In addition, the plan includes recommen-
17 dations that we hope will guide the City of Doraville
18 in reviewing development proposals for that property
19 when and if a developer is selected.
20 It's very important that the public
21 recognizes that we were not tasked with designing a
22 plan for the G.M. site for a developer. We were
23 tasked with defining a plan that represented the
24 vision of the greater stakeholder community combined
25 with sound planning and transportation investment

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1 policy.
2 To that end, the plan includes recommended
3 minimums and maximums for what could occur on there.
4 The idea is that we wanted to lay out an achievable
5 framework for jobs, housing, open space and, very
6 importantly, the walkable nature of the site.
7 In addition, the plan includes a series of
8 policy recommendations for that site intended to
9 encourage connectivity, as I mentioned, between the
10 site and adjacent areas but also internally to
11 encourage concentration and use of MARTA, to encourage
12 a quality public realm of parks and open spaces, to
13 encourage environmental sustainability, and then even,
14 as I'll talk about in a moment, to support future rail
15 transit plans that the region is currently studying.
16 In addition to laying out general policies,
17 the master plan incorporates a series of what we call
18 concept plans that are intended to represent one
19 possible future for the site. These are based on an
20 understanding that there are many possible outcomes to
21 what happens on this property and we can't know what's
22 going to go where exactly, but what we can know is how
23 streets and parks and open spaces will be laid out to
24 create the high-quality project that the community has
25 told us is important.

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To that end, what becomes important on the G.M. site is making sure that whoever or whatever develops on that property is something that is walkable, pedestrian-friendly and mixed-use; that it has a block structure that can accommodate many, many future uses that we don't even know about now; that incorporates a concentration of sidewalk-oriented retail and cafes and that, very importantly, incorporates a series of parks and open spaces.

Now, the idea behind this is that if you think about places like Midtown Atlanta, Midtown Atlanta was laid out in the late 19th century when the entire area was single-family. Today it is all high-rises and mixed-use development, but what has not changed is the street grid. And that is why on this particular property laying out an interconnected street grid can accommodate many future options that we don't in fact know or envision today.

In addition to the street grid, public spaces are extremely important. The plan incorporates recommendations for utilizing the water history of the site, to incorporate a series of public spaces that are a celebration of water. It includes what we're calling The Square adjacent to the MARTA station, which would be a very formal open space with shops and

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retail around it. It includes a larger green just to the north which would be more formal open space, perhaps could have an amphitheater, and then as we go into the city of Chamblee or near the city of Chamblee could include Bubbling Creek Park at the restored head to the Bubbling Creek Facility.

Now, within that general framework, the plan also shows how different development scenarios could be accommodated within the exact same system of blocks and streets. You'll remember that I showed previously a lower-density scenario and a higher-density scenario.

The one you have before you now shows how the lower-density scenario can work on those exact same street networks. If we envision it, it ends up being primarily a one-to-four-story site with a concentration of higher-density uses near MARTA. We then showed how that could relate into buildings, how actual building programs could fit into that, and then very interestingly enough, how some of the streets could in fact be removed to accommodate a future park or sports complex.

In addition, we prepared a higher-concept, higher-density scenario again which shows the exact same streets but it's seven times the density with

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higher-density mixed-use development near MARTA, almost mid-rise in character, and then transitioning out into a research park and residential neighborhood. Again, we showed how the buildings could work under that scenario but the streets, the blocks and the open spaces remain the same.

And then very importantly, we wanted to show how this site could in fact physically look under a variety of future options that we can't necessarily know at this moment.

This is an aerial showing what the lower-density version could look like. In the foreground, on the left is the MARTA station today;, on the right is the GM site. This shows the lower-density scenario. You can see the spine of open space up the middle. You can see opportunities adjacent to 285 for larger retail, housing, hotel-type uses and then you can see the sports complex in the rear.

The next slide shows the exact same street framework but with that seven-times-the-density scenario. So the only thing that's changed are the building heights.

We prepared another illustrative of the same property from a different angle, this being if we were over the city of Chamblee looking at the site. You

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can see the sport complex in the foreground, and then how that same network, that same program could accommodate higher-density development longer term.

Another very important element of the G.M. site is the relationship of that facility to future rail transit. And as many of you may know, there is currently a study being done by the Department of Transportation that's looking at rail transit along 285. It's called Revive 285.

As part of the planning effort, we wanted to make sure that whatever happens there is something that benefits Doraville. To that end, we looked at all of the various options and actually developed a slight variation to what is currently being pursued.

If you look at what is currently on the books today, the proposed facility would run along 285, cross over the MARTA station and then put a train station right up at the top of the hill here right over near Peachtree Road. From our perspective and the perspective of what you told us, that is not appropriate, and so we have actually recommended that that transit facility occur on the G.M. site and that the station occur on the G.M. site.

In addition to that, however, we heard loud and clear that your vision for General Motors is of a

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1 walkable, pedestrian-friendly community and you don't
2 want something like the traditional MARTA line which
3 becomes a barrier within the G.M. site. To that end,
4 we prepared very detailed recommendations talking
5 about how that transit could actually be well-
6 integrated into the site.
7 Here we are, looking at G.M. from over City
8 Hall. The red lines shows how the transit could come
9 in from 285 and then actually enter the site as an at-
10 street streetcar or tram facility. It shows how at
11 the MARTA station you could create a new pedestrian
12 bridge that would connect the current MARTA station at
13 the right to the proposed streetcar and tram station
14 on the left and then finally into the General Motors
15 project.
16 And we prepared concepts showing just how in
17 fact that could look within the development. This
18 image -- which I apologize; it's hard to see with the
19 light -- but it shows you how that transit vehicle
20 could in fact very easily work within the pedestrian-
21 oriented walkable vision of the property, and we just
22 prepared a series of three images showing you how that
23 could look.
24 But you see all of the things the
25 community's told us they want. Sidewalk retail,

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1 street trees, landscaping, a very comfortable and
2 pleasant environment can all be achieved with that
3 transit if it's designed in such a way that it's
4 integrated into the site.
5 Now, in addition to G.M., we did also look
6 at the remainder of the Town Center area. We prepared
7 another detailed concept plan that looked at what
8 could happen in the area we are today. If any of you
9 were involved in the previous Doraville LCI, you'll
10 remember that there was a vision for restoring the
11 historic core of Doraville, and this plan reinforces
12 that vision.
13 Within this area, we're also recommending
14 the long-term redevelopment of it with a mix of uses,
15 with the creation of a new Town Square on the site of
16 the current police station, with a reconfiguration of
17 Flowers Park to become a true park and with a series
18 of new streets and open spaces throughout.
19 In addition, within this Town Center area,
20 we recognize that over the 25-year vision of the plan,
21 Doraville will probably need to build a new government
22 center. And so we've identified a location for it
23 within this area but we've also identified a location
24 for it within the G.M. site. We recognize that the
25 decision of whether or not to fund that and build that

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1 and where it goes is going to have to be at the
2 discretion of the City Council either now or in the
3 future so we wanted to give two opportunities for
4 that.
5 In addition, the plan incorporates recom-
6 mendations for gateway markers to create an entry
7 point into the community. It incorporates wayfinding
8 signage in the area.
9 It incorporates a series of bicycle
10 facilities. Some of the more interesting ones are
11 along New Peachtree Road, along North Peachtree Road
12 over in the city of Chamblee and then, very
13 importantly, within the G.M. site, a multi-use trail
14 that connects from north of 285 across a new bridge
15 and then down into the city of Chamblee as well.
16 It incorporates a series of pedestrian
17 facilities, high priorities being New Peachtree Road
18 and Park Avenue but also Church Street, Shallowford,
19 Stewart Road, King, and Jess Norman Way.
20 This image shows you what one of those
21 priority projects could be. This is Park Avenue today
22 right out in front of here. Long-term -- or actually
23 not so long-term because this is priority project, the
24 road could have streetscapes and sidewalks put in. It
25 could have street trees and landscaping and become a

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1 very important focal point and entry point into the
2 city from Buford Highway.
3 Speaking of Buford Highway, the plan also
4 looked at that corridor. As I mentioned, Buford
5 Highway is going to continue to be an auto-oriented
6 commercial corridor for a long time, but there are
7 things that could be done to make it less of a
8 barrier, particularly to the Northwoods neighborhood.
9 Along Buford Highway, we're recommending
10 appropriate transitions between new development and
11 the neighborhood. We're recommending sidewalks
12 continue to be upgraded on that corridor and also into
13 Northwoods, particularly on Chestnut Drive. We're
14 recommending a multi-use trail that actually connects
15 the Doraville Town Center through Northwoods,
16 eventually to the North Fork/Peachtree Creek Trail in
17 Dekalb County, and then we're recommending a series of
18 transportation projects: alignments of some
19 intersections, a walkway from Pinetree Plaza into
20 Northwoods, and then some minor configurations to the
21 285 interchange.
22 In addition, the plan incorporates a lot of
23 environmental recommendations. They talk about things
24 like light reduction at night, use of pervious paving,
25 use of native plants, use of xeriscaping which means

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1 no-water landscaping, and a whole variety of other
2 techniques that have been based on your comments, to
3 ensure that Doraville is both economically, socially
4 and environmentally sustainable.
5 In addition, the plan incorporates many,
6 many pages of recommendations on market and economic-
7 development-related issues. In this particular LCI,
8 markets and economic development issues were much,
9 much more important than they would be in other
10 communities.
11 And so the plan incorporates that the City
12 study creating things like a Community Improvement
13 District, Tax Allocation Districts, Opportunity Zones,
14 a Downtown Development Authority, an Economic
15 Development Commission and the Sister Cities program,
16 recognizing that the City of Doraville does not have
17 the staff or the resources today to manage what could
18 be 25 years from now and that they start to create a
19 framework for that.
20 In addition, the plan incorporates
21 recommendations aimed at helping the small businesses
22 that are currently in the area. Loan-grant programs,
23 local grant programs and business incubator spaces and
24 the like in addition to training -- training for the
25 target industries as well.

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1 The plan also recommends the re-energizing
2 of the Doraville Business Association, the creation of
3 specific economic development materials that can be
4 used to market the LCI vision in the greater
5 community, and then, very importantly, the
6 continuation of events. And the City, as many of you
7 may know, is actually moving forward with some of
8 those events to celebrate and create public awareness
9 of what Doraville has to offer.
10 And then finally, the plan incorporates
11 recommendations for urban design and historic
12 resources. It recommends basic standards for how
13 buildings can be designed to in fact be community-
14 friendly and walker-friendly. It recommends the
15 preservation of some of the few historic resources
16 that we do have in the study but they are unique and
17 should be preserved. And then it recommendations the
18 incorporation of public art and memorials into new
19 streetscape projects.
20 And finally, it incorporates a series of
21 recommendations for public facilities and open spaces.
22 I have mentioned there are a series of public spaces
23 that are planned. There are recommendations in
24 addition for things like senior centers, farmers
25 markets, community centers, additional meeting spaces;

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1 long-term, the creation of a new police station; and a
2 variety of other programmatic things that can be done
3 by the City as the city grows in the coming decades.
4 Now, in addition to the recommendations, the
5 plan does also incorporate very specific implemen-
6 tation steps that the City can take.
7 Some of the most critical steps are updating
8 design standards and the zoning code requirements for
9 the City of Doraville. When the Atlanta Regional
10 Commission looks at funding transportation projects
11 that have emerged from this kind of planning process,
12 zoning and coding changes are very important, the
13 thought being that they don't want to give cities
14 money to implement their LCI plans if their zoning
15 codes prevent developers from doing things that are
16 consistent with it, and so we're recommending that as
17 a high priority both for the Town Center area and
18 Buford Highway.
19 However, there is one caveat to that, and
20 this is a first for me. Typically when we do an LCI
21 plan, we recommend proactive rezoning of the major
22 redevelopment sites. In the case of Doraville, that
23 is the General Motors property. And we're actually
24 not recommending that you rezone that property until a
25 developer is selected and is able to negotiate with

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1 the City on exactly how the vision of this plan will
2 be achieved on the site or incorporated into the site,
3 the idea that the only -- or one of the few tools that
4 the City has to guide that growth and make sure there
5 is compliance is in fact the rezoning process.
6 In addition, the implementation strategy has
7 an action matrix that talks about every single trans-
8 portation project, every single market and economic
9 development project: when it should be done, who pays
10 for it, and what is the timeline and what are funding
11 options.
12 Every single one of these options, which are
13 about 80 projects in total, by no means commit the
14 City to implementing every one but they do reflect a
15 framework for future Council decisions.
16 And again, in addition, the plan recommends
17 two priority projects for LCI funding, those being New
18 Peachtree Road and Park Avenue, but it also recommends
19 two priority projects for inclusion on 2010
20 Transportation Investment Act or the T-SPLOST that I
21 mentioned previously.
22 For those of you who don't know, we will
23 have a referendum next year in the Atlanta region that
24 looks at allocating an additional penny sales tax
25 towards transportation projects. Right now, there is

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a call for local governments to submit priority projects for that funding to the Atlanta Regional Commission, the caveat being that only projects that serve regional mobility can be qualified.

From this LCI, we have two projects that meet that criteria; one being the Peachtree Boulevard/ Buford Highway Connector and two being the Revive 285 transit from perimeter to Doraville. And so in addition to asking your consideration of this LCI plan tonight, I believe you also have resolutions you have before you asking for your support for those efforts to submit to ARC.

And again, that is very important. That is important because there is a deadline to submit those projects, by the end of the month, and because the LCI transportation funding, the funding for the street-scapes, the bike trails and the like, can really only fund smaller investments and those can occur within the LCI area within the study area but cannot be these regional connections that are going to be important.

So with that end, with that said, I would like to ask you, respectfully request that you do consider support of this plan. I know some of your residents have sent out e-mails about the overwhelming support that we have received during the master

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planning process. We have made every effort to make sure that this plan has been transparent and, very importantly, accountable to the community.

If the Council has any concerns about specific items, we can certainly amend those on the floor. Or what I recommend is if you adopt it tonight, you can always adopt it at a future date with future revisions. But the critical timeline is getting a plan adopted for this evening so that the City can submit for the transportation funding projects, so thank you.

MAYOR PRO TEM PITTMAN: Okay. Well, thank you so much.

Council? Comments? Questions?

COUNCILMEMBER FLEMING: I had an opportunity to go to each and every one of the meetings for the LCI project. It was not limited to a specific group of people. Anyone was able to come if you wanted to. I only missed the first one, and that's because we had a Council meeting. So I feel very honored to have been involved in the LCI study.

I am extremely excited. I am wanting each and every one of you to take a look at the examples and the photographs that Caleb and Tunnell Spangler Walsh have put together out in the lobby for you.

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You've seen an excellent presentation. I'd like you to get excited with me.

We have a vision, and I want everybody to understand that this is a living vision. We will no doubt meet with obstacles along the way in 25 years' time, and with those obstacles, we can also be able to come up with decisions at that time.

But this is definitely something that I'm going to have at my desk right up here. Every time I go to pass an ordinance, I'm going to refer to it to make sure that we are in line with the LCI study that we're getting ready to adopt this evening.

So I heartily recommend that we do pass this LCI study.

MAYOR PRO TEM PITTMAN: Thank you, Ms. Fleming.

Anyone else?

COUNCILMEMBER ROCHE: Well, I guess I can also chime in and say that I'm also very excited about this. Nothing's going to be perfect but I think that it represents a very, very good vision for the future of Doraville.

The thing I like about it, as Mr. Racicot said, it's a framework for future decision-making. We'll all be singing off the same page, all the same

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sheet music.

Other things that weren't really mentioned here is it's got, you know, architectural standards that we can use to create our architectural standards ordinances. It gives us a direction so that when we look at modifying the zoning ordinances or setting out new policies, we can say, "Does it take us closer to this or farther away?" And like I said, it's like the North Pole; we always can check our compass and make sure that we're heading in the right direction.

I do want to make one clarification. Earlier, there was mention of a sports complex, and my understanding is that the sports complex is absolutely and definitely not an arena for the Atlanta Falcons.

So given that, I very much support this. It's a good thing and I think it's great for the future of Doraville.

Thank you very much, Mr. Racicot.

MR. RACICOT: Thank you.

MAYOR PRO TEM PITTMAN: Thank you, Mr. Roche.

Anyone else?

COUNCILMEMBER ALEXANDER: I make a motion that we adopt the resolution adopting the Livable Centers Initiative study.

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COUNCILMEMBER FLEMING: Second.
MAYOR PRO TEM PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carries.
Do you need us to pass the additional on the rail link between Doraville perimeter and the Buford Highway/Peachtree Corridor?
MR. RACICOT: Yes. You should have two additional resolutions before you, one of which is asking the City to support an official request to fund the Peachtree -- the Buford Highway/Peachtree

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Boulevard Connector.
MAYOR PRO TEM PITTMAN: Do I get a motion for the resolution, Buford Highway/Peachtree Boulevard Connector?
COUNCILMEMBER ALEXANDER: So moved.
MAYOR PRO TEM PITTMAN: Do I get a second?
COUNCILMEMBER ROCHE: Second.
MAYOR PRO TEM PITTMAN: Discussion?
Call the roll, please.
COUNCILMEMBER ROCHE: If I --
MAYOR PRO TEM PITTMAN: Go ahead. I'm sorry.
COUNCILMEMBER ROCHE: I think also this is a good thing. I attended a couple of the meetings where they had the Revive 285 plans going on, and if nothing else, this will hopefully make us show up on their radar a little bit louder.
Also they had large aerial photographs of the Doraville area, and the thing that was not on that aerial photograph was the tank farm. And it was kind of interesting; I could show them. I'd say, "Look. See all those little tanker trucks everywhere?" They weren't even aware that the tank farm was there, so obviously we need to deal with that too along with the rail.

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But I think that this would be an important part of -- hopefully have a comprehensive plan to straighten out this whole area here, because 285, everything just slows down right here in Doraville. So we want people to stop but we don't want them to feel -- you know, we don't want people to be bogged down in traffic, so I very much support this.
MAYOR PRO TEM PITTMAN: Additional discussion?
- - -
(No response)
- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carries.

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Do we need a motion for the resolution supporting rail link between Doraville and the perimeter?
MR. RACICOT: Yes, ma'am.
COUNCILMEMBER ALEXANDER: So moved.
MAYOR PRO TEM PITTMAN: Do I get a second?
COUNCILMEMBER FLEMING: Second.
MAYOR PRO TEM PITTMAN: Discussion?
COUNCILMEMBER BATES: Yes, real quickly. I noted that there was a resolution from the Perimeter CID in here. Have they passed? Luke? Has the Perimeter study passed their resolution supporting the Perimeter/City of Doraville rail link?
MR. HOWE: I don't know that, sir, but that is a draft. So whether or not they have, the board has, I know their board is really behind.
COUNCILMEMBER FLEMING: And the representative was present at our final meeting, supporting our LCI study with this particular transportation study attached to it.
COUNCILMEMBER BATES: Great. Thank you.
MAYOR PRO TEM PITTMAN: Additional discussion?
- - -
(No response)

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- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carries. Thank you so much.
MR. RACICOT: Thank you very much.
- - -
(Applause)
- - -
MAYOR PRO TEM PITTMAN: We'll take a two-minute break.
- - -
(Brief recess)
- - -
MAYOR PRO TEM PITTMAN: Okay. Next up on

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the agenda is Purchasing Card Program, Ms. Wilson.
MS. WILSON: Thank you, Mayor.
I'm here today to request approval from the Council for the City of Doraville to participate in the State Purchasing Card. I have here with me today Mr. Paul Kurtz, the State's Payment Program Manager, to answer any specific questions that you may have.
In your agenda packet, you should have received a small brochure along with the State Purchasing Card policy.
A brief overview of the program is as follows: The State Purchasing Card program is administered by the State of Georgia Department of Administrative Services and Bank of America. This program will help make our day-to-day purchasing activities faster, safer and less expensive.
The card will be assigned to each department. Each department will be allowed to make purchases without purchase orders, invoices and checks. There is no annual fee or reporting fee associated with the card.
One great benefit of the card is the tier rebate program structured by using the payment card with at least $20,000 annually. This will benefit our vendors by improving their cash flow. The payment

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card will take the place of our retail and bank cards that we currently use today. Currently, the City has spent $39,000 for this current fiscal year.
Now I'll give it back to Mayor Pittman and ask you any question that you may have to address to Mr. Kurtz.
MAYOR PRO TEM PITTMAN: Thank you so much.
Do you have any questions in reference to this?
COUNCILMEMBER ALEXANDER: Yes. In reviewing the P-card program policy, it mentions Works Payment Manager.
MR. KURTZ: Yes, ma'am.
COUNCILMEMBER ALEXANDER: Can you enlighten us as to what that is?
MR. KURTZ: Yep. The Works Payment Manager program is a software that comes from Bank of America to manage this product. It is a free online tool. There is no cost associated with this program whatsoever for reporting a transaction. There's no finance charges. It's a totally cost-free program, and the Works program is the online software tool that allows you to manage -- both manage the program, assign cards, credit limits, purchasing restrictions as well as allocate and approve those transactions.

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COUNCILMEMBER ROCHE: Would you talk a little more about purchasing restrictions? Does that mean that if someone holds a card, they can only purchase from certain vendors? I mean does that mean they can go over to Waffle House and have breakfast?
MR. KURTZ: That's correct. The purchasing restrictions on this program -- and it's unique to the commercial purchasing card -- allow things like single-transaction limits, monthly cycle limits, transaction-frequency limits so you can set a card that can allow two transactions per month; after that, they have to get prior approval. You can set single-transaction limits so they can spend up to $200 per transaction; have to get approval over that. You could set monthly transaction limits, cycle limits. So you might give somebody a $2,000 credit line, make $1,000 of that up to their discretion and then after that, they have to get preapproval.
There is also what's called merchant category code or MCC restrictions. Every vendor, retailer, supplier that the City uses that accepts card has a unique MCC for their type of merchant. Restaurants would have an MCC, Home Depot and Lowe's have an MCC. So you can set restrictions on the cardholder level so that your maintenance team can

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1 shop at Home Depot and Lowe's and Grainger but they
2 can't go to a restaurant or to a bar. You can set the
3 administrative assistant or somebody that purchases
4 office supplies so they can shop at Staples through
5 the state-wide contract, for example, but not shop at
6 the other places. So you can restrict where and when
7 the card is used.
8 COUNCILMEMBER ROCHE: Thank you.
9 COUNCILMEMBER BATES: The rebate structure,
10 how does that work and what's the percentage rebate
11 back to the City?
12 MR. KURTZ: The way the rebate structure
13 works is all merchants that accept credit cards --
14 This is a Visa commercial credit card. All merchants
15 that accept cards pay an interchange fee. That's the
16 fee that they pay their merchant processor to accept
17 cards. That fee in our case, because this is a Bank
18 of America-issued product, goes to the Bank of
19 America. They pay the State a negotiated rebate based
20 on our total spend volume, and then I share a portion
21 of that with my local entities. Currently, there's
22 about eighty -- between 85 and 90 local entities on
23 the program. They each qualify at the end of the
24 fiscal year for a portion of their spend back, and
25 it's set into four tiers. I believe between zero and

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1 $20,000, there is no rebate. Between $20,000 and a
2 million, it's 50 basis points or one-half of a
3 percent; between a million and three million it's 1.12
4 percent; between three million up to eight million
5 it's one point -- No, I said that wrong.
6 It's 50 basis points, one percent -- 1.1
7 percent -- and then the full 1.4 percent. 1.4 percent
8 is at eight million or above in annual spend.
9 COUNCILMEMBER BATES: And on the reporting,
10 I'm going to assume that if there's multiple cards,
11 the monthly report will break down the charges by card
12 detail so that the accounting department and the
13 department heads can review and make sure that they
14 were authorized expenditures.
15 MR. KURTZ: That's exactly right. The Works
16 program allows you to set hierarchies up so a
17 supervisor can see only cardholders that report to
18 them; cardholders see only their transactions.
19 Somebody at the highest level can see all the
20 transactions and all the card activity within the
21 City. And that is near real-time, so when a
22 transaction posts to a cardholder's account, that
23 night usually or the next day, it'll -- You can set up
24 work flow in the system so that the cardholder and
25 their supervisor gets an e-mail saying that a

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1 transaction has posted. That prompts them to go into
2 the system and allocate -- approve the purchase and
3 allocate it according to the general ledger that you
4 set up.
5 Your GL accounts will load it into the
6 system so they can go in and pick. if it goes to
7 marketing, they would allocate it to the marketing GL;
8 if it's advertisement, it would go to that GL. And
9 then you can run real-time reports at any time to see
10 what transactions are taking place. And then the
11 statements are stacked; they're by holder; but you can
12 get a roll-up statement electronically.
13 And again, that's all based on the
14 hierarchy, who needs to see what, so it's all
15 customizable.
16 COUNCILMEMBER FLEMING: One of the questions
17 that I had was what Mr. Bates just brought up but the
18 other I had was in regards to does the P-card
19 automatically tell the vendor that we're purchasing
20 from that we are a non-taxed entity?
21 MR. KURTZ: It does. You can use a card
22 design that says, "For official use only, tax exempt."
23 That's what the State card currently looks like. You
24 can customize the card. However, because a Visa
25 card -- and you may be liable, for purchases.

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1 Let's say you travel outside the city or
2 outside the state and you may have to pay those taxes.
3 They can't -- Visa and/or Bank of America can't negate
4 those taxes. It's still up to the vendor to not
5 charge sales tax. However, if you are charged sales
6 tax in error and cannot resolve it with the merchant,
7 you can dispute that sales tax amount with the Bank
8 and they'll step in and through the Visa chargeback
9 process can have that removed for you.
10 COUNCILMEMBER FLEMING: Thank you.
11 MR. KURTZ: Uh-huh.
12 COUNCILMEMBER ALEXANDER: One of the things
13 about the policies is it says the account can be more
14 but not less restrictive than State policy. So it
15 looks like your internal control is a $5,000-per-
16 transaction limit?
17 MR. KURTZ: Yeah. That policy is for State
18 entities only. In fact, one of the first things that
19 it says is that local entities are entitled to their
20 own. So you-all have the ability -- and if I haven't
21 already, I can provide that to Shanta in a Word format
22 so you can customize it -- another good example of
23 that -- so you could lower that $5,000 limit down to
24 $2,500 or $1,000, whatever you set it.
25 The other thing you can do is change how the

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card is used. As State employees, we cannot use this card for travel. If the Council members or the Mayor need to travel and they want to use this card to earn that rebate on it, you could open it up to travel because you're entitled to implement your own policy. We give you that one as a foundation so you don't have to create one from scratch, but you can change it in any way you see fit as a local entity.

MAYOR PRO TEM PITTMAN: Anything additional?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Thank you, sir.

Do we have a motion to approve the City of Doraville to participate in the State of Georgia Purchasing Card Program and adopt the State of Georgia statewide Purchasing Card Policy?

COUNCILMEMBER FLEMING: So moved.

MAYOR PRO TEM PITTMAN: Do I get a second?

COUNCILMEMBER BATES: Second.

MAYOR PRO TEM PITTMAN: Discussion?

COUNCILMEMBER ALEXANDER: I guess, Ms. Wilson, I would like to see perhaps some modifications to the statewide policy. I saw some issues in there about like vehicle, auto body, stuff

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like that, and then I think it would be helpful for City Hall to have it for travel. I'm not sure that's -- that's up to your discretion. That's the only thing I'd like to see as modifications to their policy.

COUNCILMEMBER ROCHE: Yeah. This is definitely not a replacement for the bid process; this is just a way of paying for things.

MAYOR PRO TEM PITTMAN: Anything additional?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR PRO TEM PITTMAN: Thank you. Motion

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carries.

Okay. The next stop is MAS 90 update, Ms. Wilson.

MS. WILSON: The next item that I have is for to upgrade our current accounting software, upgrade MAS 90. Today I have STA Network Accounting, Kathryn Scofield and John Bulloch. He's here to discuss their proposal that was submitted to you. So I'm going to turn the mic over to them.

Kathryn?

MS. SCOFIELD: Thank you very much for having me here. We have had the opportunity to work with Shanta over the past six months in getting a better understanding of the existing accounting system and how it could be approved. So I'm here tonight to address specific questions of the proposal that we gave to her last month and answer any questions than you might have.

COUNCILMEMBER BATES: Will this migrate us into a true government-fund accounting?

MS. SCOFIELD: Yes, sir.

COUNCILMEMBER BATES: Thank you.

COUNCILMEMBER ROCHE: That's based on the MAS 90 system; it's not a different system.

MS. SCOFIELD: No. This is a -- What we're

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doing is we're going to be installing the most current version which is Version 4.4. You guys are about six versions behind that.

Also we are adding enhancements to it that will permit us to restrict accounts so that we post by fund as well as by account number. This will allow you to adopt the Georgia Uniform Chart of Accounts for local governments, which is going to be important for us going forward in order to be able to provide you with clear and concise financial reports.

COUNCILMEMBER ROCHE: And what about management accounting? The chart of accounts that the City uses -- I mean the State uses for audits are one thing, but they're -- they're not good necessarily --

MS. SCOFIELD: Exactly.

COUNCILMEMBER ROCHE: -- for managing your accounts on a day-to-day basis.

MS. SCOFIELD: Yeah, exactly.

COUNCILMEMBER ROCHE: Are you going to --

MS. SCOFIELD: Well, the idea is to --

COUNCILMEMBER ROCHE: -- remap the accounts or --

MS. SCOFIELD: -- give us some structure so that we can summarize things in an applicable manner for you and so that she can drill down at the levels

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where there are questions to be asked.
MAYOR PRO TEM PITTMAN: Anything additional?
COUNCILMEMBER ALEXANDER: I was wondering, I didn't really see it cleared out if there's going to be -- because unfortunately they don't have Crystal Reports installed now, and that's a very useful tool, and I think it would help her generate the information that she needs to provide us a lot faster.
Are we going to have in-depth training on Crystal Reports and the data directory structure, things of that nature?
MS. SCOFIELD: Yeah. One of the things that we had to provide for is that the software now uses a new financial report-writing tool in addition to Crystal. It uses a software called Business Intelligence, and that gives you the capability of creating reports now, one for ledger information but also receivables, payables, purchasing contracts and jobs. So we'll have a financial reporting system that is used for the entire system, not just for general ledger.
COUNCILMEMBER ROCHE: Is this information going to be available online?
MS. SCOFIELD: Yes.
COUNCILMEMBER ROCHE: So we could even post

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it on our Web site if we wanted to.
MS. SCOFIELD: Yeah, absolutely. Yeah, it will create HTML statements for you. If you would like to post them, you're welcome to.
COUNCILMEMBER ROCHE: But as far as giving certain people access to -- you know, read-only access to new queries or selections or selections or searches?
MS. SCOFIELD: The security level within the system allows you to restrict access from a posting standpoint. It also allows you to restrict access from a viewing standpoint. So you decide who you want to see what within the system.
There's also -- once you publish it to the Web, then it would obviously be available for anybody to see on the Web.
COUNCILMEMBER FLEMING: I have two questions.
The suggestion evidently has been made to remove the Sage support.
MS. SCOFIELD: I'm sorry. To remove what?
COUNCILMEMBER FLEMING: To remove the Sage support. Is MAS 90 not a Sage --
MS. SCOFIELD: Well, Sage is the company who has developed -- who actually owns the MAS 90

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software. So Sage also owns Peachtree Software and perhaps another 15 different software packages.
We're actually -- we're not -- We're going to be using the exact same software. In other words, it is MAS 90, which is what's being used now. It's just six versions improved.
COUNCILMEMBER FLEMING: But there is a cost of removing the Sage support, so I would have thought that that -- So subtracting $1,500 from the quotation is what I'm trying to get at --
MS. SCOFIELD: Yeah. What I wanted to do was --
COUNCILMEMBER FLEMING: -- and I'm wondering why we are going to --
MS. SCOFIELD: I understand. Okay.
COUNCILMEMBER FLEMING: -- remove the Sage support from our system.
MS. SCOFIELD: Right now, the City has the capability of calling Sage for support for software questions. They -- because of the version that you're on, they pay for this; but Sage, when they answer the telephone, will tell them that they can't help them because of the version that they're on. So the Sage support is essentially not being used. So I guess our goal is to empower the staff and train them well

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enough so that the kind of calls that they have would be handled internally or, if they need to, by calling us.
COUNCILMEMBER FLEMING: And your cost? I mean your cost for support services after we have implemented all of the software input.
MS. SCOFIELD: Well, we have not built that into the proposal, but that's something that could be decided on by the Council next year whether they choose to use us on an ongoing basis or if they continue to use Sage.
COUNCILMEMBER FLEMING: Okay. Maybe I am misunderstanding the word "support." Okay? We are upgrading to 4.4 MAS 90; is that correct?
MS. SCOFIELD: That's correct.
COUNCILMEMBER FLEMING: So why would we not have the support for MAS 90 4.4 version?
MS. SCOFIELD: There's two differences between. There's software maintenance which entitles you to 4.4 and then there's support.
Software maintenance fees are the individual smaller numbers that I have listed and it's shown by module. That's what entitles you to go from 4.4, the current version, to 4.5 when it's released some time in the fall or winter of 2011.

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The support charge, on the other hand, is what allows you to make telephone calls to ask questions.

COUNCILMEMBER FLEMING: That's what I'm saying. Why are we removing that option for Shanta to be --

MS. SCOFIELD: You have it now, and it's current through the end of February of 2012. We're not removing that. We're saying that when you get to February of 2012, you have the option to remove it or not. That's at the Council's discretion.

COUNCILMEMBER FLEMING: Okay. All right. Thank you.

MS. SCOFIELD: Sorry I wasn't clear.

MAYOR PRO TEM PITTMAN: Council, any more questions?

Thank you.

COUNCILMEMBER FLEMING: I'm sorry. I do have one other question.

MS. SCOFIELD: That's okay.

COUNCILMEMBER FLEMING: Implementation. When would you be able to start?

MS. SCOFIELD: We need to start fairly soon because we would like to get the new software installed so we can get the chart of accounts built so

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that we can start the budgeting process for next fiscal year.

COUNCILMEMBER FLEMING: So once we approve your contract and everything is documented, when would you be starting to help Ms. Wilson?

MS. SCOFIELD: Within two weeks of that point.

COUNCILMEMBER FLEMING: Thank you.

COUNCILMEMBER BATES: And following up on that, what would be the estimated completion?

MS. SCOFIELD: Well, we hope to be finished with the implementation part before the end of your fiscal year so that we can start the new fiscal year on the new system.

There will be some transition time because our plans were to migrate what we can of the existing system, the existing data. There is some data that really needs to be left in an archive company. Just to give you an example, we did a print preview of the accounts receivable invoices that are in the system. This was just to get an idea of how many transactions were out there, and we printed an aging report. I stopped it when it hit 15,000 pages. I didn't want to waste the paper, and fortunately I was previewing at the time.

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But there are a lot of transactions out there where they net to zero but they've never been removed from the system. So I have invoices and credits and invoices and credits, and I have thousands of them out there.

So in order to avoid carrying all that forward since it's, in essence, zero, we thought it would be cleaner to start over with a new chart of accounts, bringing across what we need to from accounts payable, what's still ultimately collectible in accounts receivable, and start from scratch. So there'll be some time, I guess, crossing over into the next year.

COUNCILMEMBER FLEMING: But you are verifying indeed those 15,000 pages, that there are no outstanding balances.

MS. SCOFIELD: There obviously are some outstanding items out there, and we want to make sure that those are identified and brought across.

COUNCILMEMBER FLEMING: Okay. Thank you very much.

MS. SCOFIELD: No problem.

Oh, by the way, I'm a CPA so I have a sense for making sure that what was in the old company will show up in the new one.

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COUNCILMEMBER FLEMING: Thank you very much.

COUNCILMEMBER ALEXANDER: I think one of the concerns that I have is I don't think that month-ending processing or year-ending processing perhaps that would have been done, and I think that's something -- a very important tool that needs to be done from now on.

MS. SCOFIELD: Oh, yeah. Absolutely.

ATTORNEY WEED: Before the Council makes a motion, I haven't had an opportunity to look at their submitted contract, which I'll be glad to do, and I can turn that around pretty quick. So if you do make a motion to approve, you would approve it contingent upon legal review.

COUNCILMEMBER ROCHE: How often can we expect status reports as far as your progress, milestones?

MS. SCOFIELD: We do them actually twice a month, on the 15th and the 31st.

The first thing that we do, though, is actually work out a project plan with some dates associated with each of the milestones on the project so that Shanta can actually manage and make sure that we're staying on track and we're accomplishing what needs to be accomplished and also so that she can

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allocate time for her people for training and for decision-making, because we realize that she has work to do as well. So we're trying to recognize that so that we don't take up entire days at a time. So we try to do things in three- or four-hour blocks of time so that she can continue what she's currently responsible for.

COUNCILMEMBER ROCHE: I mean at the same time, on those task reports, we want to keep track of the burn rate so that we know that we're, you know, on track as far as our spend on this thing --

MS. SCOFIELD: Absolutely.

COUNCILMEMBER ROCHE: -- because we don't want to discover that we're three quarters or halfway through and we've spent three quarters of the money.

MS. SCOFIELD: Well, we've been doing this since 1987 so we've got a pretty good idea of what it takes to accomplish the job. And we have spent a great amount of detail and Shanta's been able to show us a good bit of information so I think the estimate is pretty darn close.

COUNCILMEMBER ROCHE: So it'll be easy, then, to provide your burn rates on your status reports twice a month to the Council.

MS. SCOFIELD: Yep.

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COUNCILMEMBER ROCHE: Thank you.

MS. SCOFIELD: You're welcome.

COUNCILMEMBER BATES: Have you had a chance to look at our financial policies?

MS. SCOFIELD: I have.

COUNCILMEMBER BATES: And in this proposal or process, are you planning on making any recommendations to Ms. Wilson on changes that may need to take place in those financial policies because they might be outdated?

MS. SCOFIELD: If anything comes to our attention, obviously we will.

One of the goals of the project is to go through each of the individual modules as it is and as it could be. So there a number of setup questions that have to be addressed and there are some changes obviously between the version that you're on and the version you will be going to.

So the first step is to sit down and say, okay, here's the question and here's what that question really means. So if you choose yes, then it has this effect; if you choose no, it has this effect, because sometimes a simple yes or no can actually have a ripple effect through the system.

COUNCILMEMBER ROCHE: Yeah, because

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Mr. Bates' question is probably more important than the software itself when you're talking about implementing best practices, I mean it's a big impact to obviously upgrade a software system. And the best way to get the most value out of that is that as you are implementing the new software system, you are reviewing the current practices and making sure that you're implementing best practices --

MS. SCOFIELD: Correct.

COUNCILMEMBER ROCHE: -- making sure that everything's under generally accepted accounting principles, et cetera, et cetera.

MS. SCOFIELD: That's a good point.

COUNCILMEMBER ROCHE: We've had some concerns with some departments, you know, with some handling of situations that we want to make sure that it doesn't happen any more --

MS. SCOFIELD: Certainly.

COUNCILMEMBER ROCHE: -- particularly, you know, or especially in the purchasing area.

We just heard about the Purchasing Card Program.

Obviously if we're going to implement the purchasing process, you know, the accounting should pretty much be invisible that, you know, each department/person

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that uses that system should have to have, you know, one-over-one authorization and approvals.

Are we going to be going into all that or --

MS. SCOFIELD: Well, I understand that the Purchasing Card software can generate a file of purchases. And that could be imported into the system so we have a more current version of what has been charged by the City staff rather than waiting till the end of the month to get a credit card bill.

You should know the day after then. And that can actually be imported into general ledger, so we will know ahead of time, before we get to the end of the month, that we may have a --

One of the things, I think, since you can set credit limits and credit spending on that card, is you can also ensure that no budget line is overspent, by doing that, as well.

COUNCILMEMBER ROCHE: But we would do that in -- Are we going to implement the purchasing system here?

MS. SCOFIELD: The purchase order system is a little different than the card, and I think it was not intended to be -- I think they were intended to be two separate things.

The purchase order system is usually used to

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1 create an accounting for encumbrances. This is
2 usually long-term contracts that the City has
3 obligated itself for and not the daily-type activities
4 or charges that want to incur where a credit card
5 might be used.
6 This is something where a vendor would
7 render an invoice; it would go through an approval
8 process. It would be matched up against what had been
9 contractually required of that vendor to make sure
10 that the service has been delivered, and then the
11 check would be released. So different processes.
12 COUNCILMEMBER ROCHE: Well, I know, but,
13 well, I guess -- I mean, to me, the credit card thing
14 is just a remittance process. I mean it's just a way
15 of paying something.
16 What I'm getting at, though, is that if a
17 department head or an employee purchases something,
18 will the system be able to verify whether or not
19 they're staying within budget and also make sure that
20 the purchase is approved. Whether they pay for it
21 with a check or credit card is kind of...
22 MS. SCOFIELD: Yeah. The plan was to
23 implement the purchase order module which will permit
24 departments to create or to enter purchase orders in
25 the system.

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1 By doing so, that will allow us to review
2 encumbrances prior to them being incurred or paid. So
3 if there is a situation where there's potential for
4 going over a budget line item, it'll be identified
5 before the transaction occurs rather than after the
6 invoice is rendered by the vendor, which is what's
7 happening potentially now.
8 COUNCILMEMBER ROCHE: Okay. And I guess --
9 and I'm not trying to beat you up. It's just my
10 concern --
11 MS. SCOFIELD: That's all right.
12 COUNCILMEMBER ROCHE: -- is that a lot of
13 times what happens is that if you don't have good
14 procedures -- and I'm not saying whether we do or not,
15 because I haven't been back there. When you install
16 software, you're just installing so-and-so procedures
17 under new software, and I would prefer that we
18 investigate those while we're at it to make sure that
19 what we do install is not just a -- not just a new
20 piece of software on so-so processes and procedures.
21 COUNCILMEMBER ALEXANDER: Do you have other
22 municipal clients?
23 MS. SCOFIELD: I have a lot of not-for-
24 profit organizations and some municipalities. I made
25 a list, actually, because I thought the question might

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1 be raised, and I'll read the list if you like.
2 COUNCILMEMBER ALEXANDER: Sure.
3 MS. SCOFIELD: The Southern Education
4 Foundation, Southeastern Library Network, the
5 Industrial Water Board of Birmingham, the Board of
6 Pensions for the Presbyterian Church, Hart Georgia
7 Rural Development Corporation, Georgia Tech Alumni
8 Association, Gammon Theological Seminary, the
9 Foundation for Public Broadcasting and the Atlanta
10 Community Food Bank.
11 MAYOR PRO TEM PITTMAN: Council, any
12 additional questions?
13 - - -
14 (No response)
15 - - -
16 MAYOR PRO TEM PITTMAN: Thank you.
17 MS. SCOFIELD: Thank you very much for your
18 time.
19 MAYOR PRO TEM PITTMAN: At this time, do we
20 have a motion to approve the upgrade from MAS 90 with
21 STA Network Accounting Systems for a contract to be
22 completed by the city attorney and upon review?
23 COUNCILMEMBER PACHUTA: So moved.
24 MAYOR PRO TEM PITTMAN: Do I get a second?
25 COUNCILMEMBER ALEXANDER: Not to exceed, I

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1 guess, $40,000.
2 COUNCILMEMBER BATES: Second.
3 MAYOR PRO TEM PITTMAN: Any discussion?
4 COUNCILMEMBER ROCHE: Yeah. I am concerned
5 that this is over $5,000 and we did not go out for
6 bids.
7 COUNCILMEMBER ALEXANDER: We did get a
8 comparison bid.
9 COUNCILMEMBER ROCHE: Well, we got a couple
10 of proposals but -- Okay.
11 MAYOR PRO TEM PITTMAN: Any additional
12 discussion?
13 - - -
14 (No response)
15 - - -
16 MAYOR PRO TEM PITTMAN: Call the roll,
17 please.
18 CLERK McCAIN: Councilmember Alexander?
19 COUNCILMEMBER ALEXANDER: Yes.
20 CLERK McCAIN: Councilmember Bates?
21 COUNCILMEMBER BATES: Yes.
22 CLERK McCAIN: Councilmember Fleming?
23 COUNCILMEMBER FLEMING: Yes.
24 CLERK McCAIN: Councilmember Pachuta?
25 COUNCILMEMBER PACHUTA: Yes.

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CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carries. Thank you.
The next up is going to be Public Comments on Agenda Items. If you could please limit your comments to three minutes on agenda items only. If you could state your name and address when you come to the podium. If I could also get you to line up if you would like to speak.
MR. SHANAHAN: David Shanahan, New Peachtree Road.
Last year, February 1st, y'all made motions about how meetings would be conducted. One of those things was that all agenda items and agenda packets would be made available to the public by no later than Thursday end of the day, before the meetings. And we haven't had, on the Web, at least, as they have been most of the past year; haven't been available lately.
And so I just wanted to say I hope you all will stick to the resolution y'all made last year and commit to going at it electronically. That's where the world's going. Kids are getting electronic text books next year. It's been real nice to have everything available electronically for the past year,

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and I hope y'all keep doing that.
MR. HART: First thing, the MAS 90 upgrade, if we were paying a yearly or monthly service contract on our accounting software, that should include an upgrade to the software. I think somewhere along the way, we dropped the ball and -- well, it's not unusual for Doraville -- we didn't go through a reseller, and that didn't happen.
So now we're going to spend what? $40,000 on an upgrade that we should have had? We're paying a yearly contract agreement or upgrade agreement or maintenance agreement on the software, and it didn't happen.
The ARC, this presentation on the LCI, I'll address later. I mean it's -- Other than the bridge I put on the map, I don't know if it got --
You've got rivers and streams on the GM property. The same stream, the same river source comes out this side of the hill. One goes to Nancy Creek; the other one goes north fork of Peachtree Creek, and we've got a 2,000 foot pipe. They get a park on that side -- it's all Chamblee -- we get nothing.
They're going to tear down the Baptist Church, which is a sort of a connection to the past,

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and put an apartment building on top of it. An apartment building on top of the aquifer where the MARTA garage already fell down because it was not engineered correctly.
It's like another pretty watercolor like the townhouses on Chestnut. They get -- they sell you a watercolor of a pretty picture, but that's not what they're going to build. What's going to happen in the next two years here is important. This is not going to happen in the next two years.
Okay. Town squares, coffee shops, hardware stores, infrastructure in the city is not going to happen by painting pretty pictures. So we're going to start a Web site where we're going to start addressing some of these issues because this Council will not.
And the park at Autumn Park, renaming it, I assume this is going to be for someone that's just passed away in the city. And I think that if that's the case, then I think that the person that would bring this up on the agenda would first contact the family about what you're going to do with their name.
Thank you.
MR. ANDERSON: How to follow that.
I appreciate you adopting the LCI program plan, and I think it's a workable thing to go forward

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with.
The thing I stood up for actually is to -- I see the gravel driveways are on the agenda, and I guess I'm going to urge you to allow new construction to have pervious driveways -- gravel possibly, but pervious. Caleb showed pervious concrete, that sort of thing. I think that new construction should be able to incorporate pervious.
Thank you.
MS. GILMAN: Carol Gilman. I live at the townhomes on Chestnut Drive and I think they're wonderful.
And I think this LCI study, this plan has been wonderful, and I thank you for approving it this evening. I think it's huge. I think it gives us an opportunity to be excited. I think it gives us a view of what the future can be and bring a piece of that future here so that we can see and hear some good things about Doraville.
Thank you.
MAYOR PRO TEM PITTMAN: Thank you.
MS. CRAWFORD: Susan Crawford.
I'm hoping for the best with the LCI. It does sound exciting. And I hope that we can concentrate on the neighborhoods as well. And to that

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end, of course I want to rebut what Stuart said, and ask you to maybe look around Oakcliff when you consider the gravel driveways. Because we seem to have a situation, as I said, that's maybe a little different from other areas, where people just kind of use yards as places to put cars, lots of cars. We have a situation with gravel all over yards to accommodate too many vehicles, to accommodate too many people living in the houses, which also seems to be on the agenda, and I think where we live, in Oakcliff, on my street in fact, there are rooming houses.

This has nothing to do with families falling on hard times and needing to move in with each other. I totally understand that. This is a bunch of men subdividing houses so that they won't even have a resale value because they've been so butchered and plumbing put in that shouldn't be there, that sort of thing. So you know, I'm excited that that's on the agenda.

As far as the yard sales, other cities, like Decatur, you don't even have to get -- I mean yard sales should be a community event. Maybe there could be some way to limit the number of -- you know, if one person has a yard sale every three days, then probably there's something going on. But even the idea of

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having to register it and putting the little things, it just seems extreme. And maybe it's necessary now, but I hope in the future we'll be like other more progressive -- other progressive cities and just be able to have community events like yard sales without it being a big deal.

Thank you.

MAYOR PRO TEM PITTMAN: Thank you.

MS. CALVERT: Ginny Calvert.

Have we not established the square footage to regulate the amount of people living in these homes? I thought that was done two or three councils ago.

COUNCILMEMBER FLEMING: Actually, it was done on ours if I'm not mistaken.

COUNCILMEMBER ROCHE: Right.

MS. CALVERT: But I remember them talking about it when Marlene was here, so I thought it was a done deal then.

MR. LACEY: Chet Lacey, 4018 Tilly Mill Road.

Regarding the driveways, and again I just wanted to implore the Council not to create a financial hardship on a lot of long-term residents, taxpayers, that in understanding there obviously is an

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issue out there with people graveling over their front yards, parking way too many vehicles on them. But it seems like Quality of Life can highlight or go to the properties in question or problems and figure out what's going on rather than casting this large net in order to do that, and literally pulling in some --

There's a woman here I know that was unemployed and had a bid for $19,000 to have her driveway done. You know, some of these people have lived here 50 years, great taxpaying citizens, great residents. I'm sure most of the people in this room are compliant to what the objective that you're trying to reach.

And unfortunately, a lot of these people, if you cast the wide net, are going to be drug into a situation -- myself included. I've probably got a $25,000 driveway existing, but I've got a second driveway that services a shop. My home has been here since 1954, and there's obviously never been an issue with, you know, people in my yard parking, whatever the problem is.

And at the end of the day, you know, we're in an economy that arguably is the worst since the Great Depression, one of the highest unemployment figures that we've had in years. And I think it's

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very disrespectful and almost ludicrous to the point that you would ask somebody to, you know, pony up anything -- maybe even a couple thousand dollars to certainly twenty or twenty-five thousand dollars.

And if for whatever reason, they don't have the financial resources to do that, what are you going to do? Start liening their properties and force them into bankruptcy? You just can't do that to people.

So at the end of the day, there's got to be a logical way that you figure out. And then if I'm looking -- from what I've seen on the notes here, you know, if everybody works together, there's got to be a logical way for the people that are here that are compliant to satisfy the Council and the City of Doraville that "This is what I've got. This is what I'm always going to have. I'm not going to pave over my front yard to, you know, get 15 people in my house." And all I can say is I just implore you to think logically and kind of do it on a case-by-case basis that makes sense.

MAYOR PRO TEM PITTMAN: Thank you.

- - -

(Applause)

- - -

MS. COKER: Hello, Diana Coker. I live on

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1 Eula Circle. I've been a resident of this lovely
2 community for almost nine years.
3 I have a gravel driveway. My house was
4 built in 1950. I have spent thousands of dollars
5 repairing the roof, the electrical, the plumbing.
6 Driveway's on the list, but I lost my job two years
7 ago and have just found six weeks ago a part-time job.
8 No way could I spend the six grand it's
9 probably going to cost me to get my driveway paved. I
10 don't have the money. I want to do it at some point
11 down the line. But like the gentleman before me said,
12 please, some logic, some compassion for those of us
13 who are really struggling just to try and make ends
14 meet.
15 This would be an unbelievable hardship.
16 This would probably cause me to lose my house, and I
17 don't want to see that happen. I've worked too hard
18 and too long. So I'm just imploring the Council to
19 please use some logic and compassion. Thank you.
20 - - -
21 (Applause)
22 - - -
23 MR. GRIFFIN: James Griffin, 498 Tilly Mill
24 Road.
25 If they do pass this ordinance or don't pass

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1 it, if we -- all these fines and fees y'all stacking
2 on top of us, is there any way of doing away with
3 that? We're up to $250.00 for a permit, and then
4 surveys and all of that. My driveway's been there for
5 63 years. It ain't going nowhere unless somebody
6 liens on that and I got to go to jail.
7 Can we do away with them fees so I can put a
8 driveway in up to code? Do that, and maybe some of us
9 might be -- I'll have to refinance a little bit, but
10 I'm willing to try. But it's ludicrous that you make
11 us do that. Thank you.
12 MAYOR PRO TEM PITTMAN: Thank you.
13 - - -
14 (Applause)
15 - - -
16 MS. CRAWFORD: Still Susan Crawford.
17 I want to just erase what I said. I feel
18 terrible. I mean I sympathize with these people. And
19 no. Just erase what I said. I no longer feel that
20 way.
21 COUNCILMEMBER FLEMING: If they're not
22 coming after you, Susan, don't worry.
23 MS. LASS: Hi. I'm Bonnie Lass, 3406 Pinoak
24 Circle.
25 I want to start with something really minor

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1 because I'm a little -- Someone brought up something
2 about yard sales, and they said about limiting them.
3 I thought they were limited.
4 UNIDENTIFIED SPEAKER: They are.
5 They're to two to three for the whole year.
6 MS. LASH: Well, see, five is something new
7 that I've just heard of. Is that what you're saying?
8 UNIDENTIFIED SPEAKER: It's on the Web site.
9 MS. LASH: Well, not everybody uses the Web
10 site. That's on that one. I can understand the
11 reasoning for that. People don't clean up their
12 messes, they don't take down their signs or they try
13 to run it as a business. But for those people that
14 run little yard sales three times a year, I don't see
15 how that could be a real issue.
16 But to the major issue about the gravel
17 driveway, I'm under the impression maybe gravel is a
18 little bit larger than that (indicating). This is
19 from my garden. This is not from our granite big rock
20 stones that are put on the side of our driveway.
21 The reason we have that is we originally had
22 black asphalt on that side. Neighbor's trees -- and
23 our neighbor doesn't even live there any more, and the
24 house is vacant due to hard times. The roots from the
25 neighbor's trees broke up our asphalt.

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1 Now, why would we want to invest even if we
2 had the money to pour anything else down there for the
3 roots, the sap, the pine cones, the limbs that damage
4 our property? The tree limbs are caught up in the
5 electrical wires. I mean that's a real problem.
6 We put down stones that none of you in this
7 room could even lift, they're so big and heavy.
8 They're not going anywhere, they're not damaging
9 anybody.
10 In this day and age when people are having
11 problems affording healthcare, paying their mortgage -
12 - thank the Lord our house is paid for -- paying for
13 groceries, utilities; people losing their jobs, fore-
14 closures, I don't understand how that can be such a
15 true issue.
16 If you look around this world and see the
17 true problems that are going on with people not being
18 nice to one another, and you've got all these
19 tragedies, it's heartbreaking. And I came tonight
20 because I couldn't even believe that this would be
21 such an important issue in this day and time.
22 I firmly believe the way I was raised:
23 Everybody be nice to one another, care about one
24 another, look after one another. And I'm not finding
25 that to be true right now, threatening people with

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1 fines. Nobody has the money, and if they do, God
2 bless them --
3 MAYOR PRO TEM PITTMAN: Thank you.
4 MS. LASH: -- but I think there are more
5 important things right now to spend money on. Thank
6 you.
7 - - -
8 (Applause)
9 - - -
10 MS. WALTER: Hello, my name is Katie Walter
11 and I reside at 3363 Raymond Drive, and I want to
12 touch on the driveway issue as well.
13 It would really create a hardship for us
14 because my husband is a disabled veteran overcoming a
15 major illness. And the driveway that we have at our
16 house is very nice, our yard is well-kept.
17 And I just think -- piggy-backing on what
18 she's saying, I think it's kind of ridiculous that,
19 you know, they're even trying to enforce this driveway
20 issue when there are far more important things that
21 need to be addressed than a driveway issue.
22 Thank you.
23 - - -
24 (Applause)
25 - - -

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1 MS. PRINZIVALLI: My name is Carolyn
2 Prinzivalli. I live on Allison Drive.
3 The driveway thing, I understand what people
4 are saying about their driveways and I understand why
5 it's been brought to Council about it. But our
6 community is getting -- aspects of our community,
7 someone putting a whole load of gravel in their
8 driveway so they can park 15 cars is the kind of thing
9 that I think is what we're trying to get at.
10 We're trying to get at, you know, how we can
11 keep our neighborhood into homes instead of people
12 with boarding houses running businesses and having
13 yard sales and running businesses from yard sales
14 every other weekend. Those are the kind of things
15 that I think are the initial -- the essence of what
16 some of this stuff is about.
17 Yep, it's gotten exploded into other things.
18 Hopefully we can work it out and make it work for
19 everybody. But it's not about creating more hardship
20 for people who can't afford it, I don't think. Thank
21 you.
22 - - -
23 (Applause)
24 - - -
25 MR. FROESCHER: Martin Froescher, 3987 Tilly

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1 Mill Road.
2 The reason I came is I have the same
3 concerns; I face the same issues. I've been
4 unemployed for two years; I've been working two part-
5 time jobs. Everybody has a story. Everybody's here
6 because they're facing some stress. That's not why
7 I'm standing up here now.
8 I finally got a chance to see this. I have
9 some questions. And if the answers are what I think
10 they are, this may be a reasonable compromise. I'm
11 not sure. I'd just like to get this thing -- the
12 questions answered. So if I have a second, I would
13 like to ask them, and then if someone could respond
14 and clarify some of this.
15 MAYOR PRO TEM PITTMAN: Sir, actually we use
16 this for public comments, but maybe we can answer some
17 of them as we move through as we're working on it. If
18 not, we'll be glad to answer that.
19 MR. FROESCHER: Okay. I just want to say
20 that there may be a compromise from what I've read
21 here. It will cost some money but it isn't going to
22 be egregious.
23 Thank you.
24 MAYOR PRO TEM PITTMAN: Thank you.
25 MR. BILLEHUS: Allen Billehus, 3585 Raymond

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1 Drive, Doraville resident since 1972, and I have some
2 grave concerns about my rights as a property owner and
3 as an American citizen.
4 Emotional wants and needs are not a right.
5 Declaration of Independence doesn't care what's on my
6 property, on my neighbor's property if it doesn't
7 affect my health and safety. My health and safety
8 ends at the property line of ownership.
9 Declaration of Independence does not care
10 what's on my neighbor's property as long as I have
11 liberty to use my property as needed. My wants and
12 needs ends at the property line. The Declaration of
13 Independence does not care about my pursuit of
14 happiness once I get on my neighbor's property.
15 Who owns your property? Who owns you? Is
16 it some political action group? Is it the City of
17 Doraville? Is it some idle citizen complaints? If we
18 allow them to seize our property rights -- and that's
19 exactly what they're wanting to do. They're wanting
20 to seize your rights and go, "You must do this. You
21 must do that."
22 When Barney Frank said in order to prop up
23 property values, we've got to pump billions and
24 billions of dollars in subprime lending because, after
25 all, people don't walk out of homes and mortgages.

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1 And three years later, property owners, we find out
2 what a bubble is, and we're down 10/20/30/80 thousand
3 dollars in equity? Emotional need and want is not a
4 right.
5 And where does these rights end? They end
6 at ownership. So I ask, who owns you? Who owns your
7 property? Who owns me? Who owns my property? Is it
8 some political action group? Is it Doraville?
9 Because these people represent us, but we are the
10 power. They just represent us. If you let them take
11 and seize this power, I lose my rights, you lose your
12 rights.
13 Our founding fathers knew that we would get
14 lazy, and for the last hundred years, we've been
15 getting lazy and letting them seize our rights left
16 and right -- it's called usurpation -- and they seize
17 our property rights and our personal rights.
18 I mean look at this. It's like we're
19 wanting to limit home sales. I mean I'm sure some
20 people are running a business, but what if I want to
21 do a home sale? We can only have five, and all of a
22 sudden, I can't have one? Not that I want to have
23 one. But, you know, we got business owners, and if
24 they want to put a banner sign out that says, "Open
25 Now, Grand Opening. $2.99 Special," they got to come

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1 up here, get a permit and have them okay the sign.
2 How much socialism are we willing to take?
3 How much are you willing to lose your personal rights
4 of ownership of yourself, of your property? Because
5 that's what we're talking about. We're talking about
6 the right to do what you want with your property.
7 I'm sick and tired of hearing some of these
8 Council members talk about owners as if we're rats,
9 sharecroppers, renters.
10 Whose property is it? Is it our property or
11 their property? Who owns you and who owns your
12 property?
13 I own mine. You better help me keep it.
14 - - -
15 (Applause)
16 - - -
17 MAYOR PRO TEM PITTMAN: All right. We're
18 moving into old business, the ARC Salary Survey,
19 Councilman Bates.
20 COUNCILMEMBER BATES: Yes, thank you, Mayor.
21 We've been talking about this for some time,
22 about the exempt/nonexempt status of department heads.
23 We've got a proposal from ARC to do a
24 compensation study to make sure that if we are moving
25 individuals into an exempt status, that they are being

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1 compensated based upon what their job description is.
2 The proposal has got a $9,000 price tag on
3 it. At this point in time, I'm not inclined to move
4 forward and make the recommendation to move forward
5 with the study.
6 What I would like to do would be to -- Madam
7 Clerk, if we could put this on the April 4th agenda,
8 I'd like to make a proposal to Council at that time
9 for department heads, for positions that should be
10 exempt, and we can move forward with a minor review of
11 those specific positions versus a City-wide review.
12 MAYOR PRO TEM PITTMAN: Thank you.
13 And you've got that down for April l4th?
14 CLERK McCAIN: Yes, ma'am.
15 MAYOR PRO TEM PITTMAN: Okay. Thank you.
16 Okay. Next on the agenda under old business
17 is going to be Sanitation, Ms. Alexander.
18 COUNCILMEMBER ALEXANDER: This item is on
19 the work session agenda, and if it can remain on
20 there. But there were some questions that we had
21 specific for the fee schedule that we are working on.
22 I believe that Mr. Weed sent out a memo today.
23 In our current sanitation code, we have
24 franchise fees listed. Mr. Weed, have you had a
25 chance to review State law to see if we are allowed to

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1 charge commercial dumpster people franchise fees?
2 ATTORNEY WEED: No, ma'am, I have not.
3 COUNCILMEMBER ALEXANDER: Okay. I think
4 perhaps we need to research that because I don't know
5 what the guidelines are and I'm sure that Dekalb
6 County would be exempt because some of our businesses
7 use Dekalb County sanitation services for their
8 commercial waste.
9 Further, I had heard some concerns
10 specifically from the Northwoods residents where we
11 had persons possibly taking advantage of our white
12 goods services. For example, one resident reported to
13 me that he had seen eight stoves disposed of in front
14 of one home -- and we hope that they don't have eight
15 kitchens in that one home -- and that perhaps we were
16 being taken advantage of because it could have been
17 this person's business or whatever, and if you put
18 white goods on the curb, the City picks it up.
19 So I want to strongly look at the City doing
20 what other municipalities have as far as white-goods
21 service where it's on a call-as-needed basis, if it's
22 charged for pickup. We don't want persons taking
23 advantage of City services and not paying their fair
24 share.
25 Also in the City code, it addresses the --

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1 implies the use of a City vehicle be parked on private
2 property for disposal of goods, and actually that is
3 against our current sanitation code.
4 Other municipalities have set up fee
5 schedules for use of dump trucks based on the average
6 salary including benefits for the employee that would
7 drive the truck to the residence and then drive from
8 the residence to the dump and also based on an actual
9 weight of the items in the truck; charge the resident
10 for the disposal of those items.
11 So I would like to see if we can get an
12 average from Mr. Pittman on the employees that have
13 the CDLs that would drive the City dump trucks and
14 leave them for residents' use, including benefits. I
15 believe a neighboring municipality charges $40.00 an
16 hour and they have a set minimum charge.
17 We also have some data from the Dekalb
18 County Web site; however, it's from 2006, so I'm sure
19 their rates have been changed since then.
20 But it is a service that we can offer, but
21 it's not fair that perhaps it's free. And we do have
22 a set rate from Advanced Disposal of what our fees are
23 at the Woodwin Road disposal center.
24 Mr. Strickland, who is the arborist, also
25 has concerns, and I believe some Council members drove

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1 around the city earlier this week, and there are
2 commercial tree services that are cutting down trees
3 for residents but they're not disposing of the tree
4 waste. I think they should be required to dispose of
5 the tree waste but perhaps the citizen thinks they can
6 do it less expensive than the City.
7 But I think that's something that needs to
8 be looked at also, and Mr. Strickland has voiced his
9 opinion on that.
10 So if we want to leave the fee questions on
11 this agenda, because I know we're still working on the
12 fee schedule, or if we're going to leave all these
13 items on the work session, I'm fine with that, but
14 these are items that definitely need to be addressed.
15 MAYOR PRO TEM PITTMAN: Leave them all on
16 the work session? Is that okay?
17 COUNCILMEMBER ALEXANDER: That's fine.
18 MAYOR PRO TEM PITTMAN: Next up is going to
19 be Residential Occupancy Enforcement Issues,
20 Mr. Roche.
21 COUNCILMEMBER ROCHE: Thank you.
22 This has been kind of an ongoing issue for
23 quite some time as far as boarding houses. I believe
24 it was probably back in 2005 or '06 maybe, previous
25 Council formed a -- that is, bringing in the Quality

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1 of Life people, they created that, and I think the
2 original goal was to basically try to shut down some
3 of the rooming houses and boarding houses that were in
4 the -- or I should say rooming houses that were in the
5 city of Doraville.
6 Is there anyone here that doesn't understand
7 what a boarding house is and the way I mean it?
8 Essentially, someone purchases a house and they
9 subdivide it up into a whole bunch of rooms and then
10 they pour gravel on their front lawn and they park a
11 whole bunch of cars there.
12 And this has been on the agenda for quite
13 some time, and I've asked for, you know, review of the
14 ordinances to see if there's issues with the
15 ordinances. You know, are the ordinances not
16 enforceable for some reason?
17 When we first took office about three years
18 ago, we did change Section 5-260 which had to with the
19 living space minimums. There were issues with the
20 original ordinance. It tried to define what a family
21 was. You know, you come to the door and you say, "You
22 got too many people here," and they say, "Well, that's
23 my cousin, that's my sister, that's my wife, that's
24 my" whatever, you know, which got kind of an
25 exemption. So we got out of the business of defining

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1 what a family is but we did have living space
2 minimums.
3 Now, I realize there are some issues with
4 that as far as being able to -- you can't very well
5 just walk into a house and measure rooms. But on the
6 other hand, there are things available to us such as,
7 you know, the square footage is on part of the tax
8 records of the house. That's available through Dekalb
9 County, et cetera, et cetera.
10 I requested the city attorney produce a list
11 of some of the nuisance abatement ordinances here in
12 Doraville and some other places.
13 And I've asked this question before, and I
14 really hate to put Major Atkinson on the spot but I
15 don't see John King here.
16 I guess can I just -- if you don't mind,
17 just a quick question. Do you see an issue? Are
18 there any of the ordinances that need to be tightened
19 up or changed or modified to make them more
20 enforceable?
21 MAJOR ATKINSON: Not off the top of my head.
22 I haven't gone through and reviewed all the ordinances
23 that we have, but I believe that all of them -- and I
24 believe that Chief King has talked --
25 COUNCILMEMBER ROCHE: Exactly.

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MAJOR ATKINSON: -- that they're enforceable. Like you're talking about the rooming houses, as much as we can get into a house to be able to verify how many people are in there and how much the square footage is. Yes, it is on the tax records; however, our tax records are not always accurate as we've seen in past cases.

So we have issues on ordinances, but there's no more on one ordinance than another.

COUNCILMEMBER ROCHE: I understand. It just seems to me that we have -- we have parking ordinances that limit the number of, you know, parking spaces you can have on a house -- I'm sorry -- on a property. We have a whole list of nuisance ordinances.

An e-mail came out recently from Councilman Bates talking about defining priorities. I believe very strongly in defining priorities for the City. Normally, defining priorities at the beginning of the budget process.

And maybe what the Council needs to do is to just define priorities for maybe the Quality of Life people. You know, I think that our number one priority needs to be closing down -- identifying and closing down rooming houses, and our number two priority needs to be looking at the general appearance

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of property. We have a lot of ordinances that address that.

I think that if we enforce the general-appearance type ordinances, then some of the issues we have had with people dumping gravel on their... you know, those sorts of things, and I think those problems may melt away.

So I'm open to suggestions from the Council.

MAYOR PRO TEM PITTMAN: So Mr. Roche, what action would you wish to be taking?

COUNCILMEMBER ROCHE: Well, I was going to ask the Council first, but I guess what I'll do is I'll just go ahead and -- I think I'll make a motion but it's kind of more like a resolution.

But I would make a motion that we set the first priority for enforcement efforts of the Quality of Life to be identifying and shutting down rooming houses; the second priority for the Quality of Life would be to identify and ticket and work hard to improve general appearance of the property. I might have been able to say that better but I'll start there.

- - -

(Applause)

- - -

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MAYOR PRO TEM PITTMAN: Do I get a second?

COUNCILMEMBER FLEMING: Second.

MAYOR PRO TEM PITTMAN: Discussion?

COUNCILMEMBER ROCHE: I think that we need to provide clear direction for what we want to happen here in Doraville and I think it's time we did that.

MAYOR PRO TEM PITTMAN: Discussion?

COUNCILMEMBER ALEXANDER: I think if we just verbally communicate that to Major Atkinson would be sufficient. I don't think that we need to make a motion.

Any time that I have gotten a phone call from a resident or I have had concerns about a home, I've always notified QOL. There was one that was a repeat problem on Red Oak, and they kept very good records back and forth, back and forth until finally the issue was handled.

I don't know what the procedure is as far as the warnings and citations. I'm not familiar with how that is handled, if there's a certain number of days or if they're cited on site.

MAJOR ATKINSON: We issue warnings as the council has instructed us. It was not your Council but councils previous had instructed us to issue warnings first.

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We issue warnings. A lot of times we will give extensions to the homeowner. It was the intent to get compliance, not to issue citations. So as long as we were getting compliance, that's what the City wanted from us.

After warnings are issued, if we are not getting anywhere, obviously we issue citations and we go before the judge, and then what happens in the court is out of our hands at that time.

COUNCILMEMBER BATES: Mr. Roche, instead of a motion on moving forward, maybe this -- I'm thinking off the top of my head on this, but this is a particular concern. It is -- it's across all three neighborhoods, it is important to the future of the community. But I think there's a lot of uncertainty as to the process that needs to happen and a lot of frustration that perhaps the ideas and the feedback from the residents are not being heard or put in place or, if they are not enforceable or actionable, they're not getting an answer as to why from a legal standpoint or an enforcement standpoint.

Because I think this is a really hotbed topic, would it be practical for us to have a town hall meeting that is part educational from the legal standpoint, part interactive from the residents to

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1 throw out those suggestions and have an open dialogue
2 on is that implementable? is that enforceable? and
3 really focus on this ordinance, looking at our
4 neighboring municipalities, other municipalities, you
5 know, across the country that may have addressed or
6 dealt with this versus not doing anything at all.
7 I think one of the concerns that I've got is
8 how do we protect individual liberties and freedom but
9 yet address the issues of boarding houses, unsafe,
10 unsanitary conditions, and ultimately the potential
11 decline in property values, and responsibility --
12 personal responsibility of maintenance out there?
13 So I would -- I would rather us have and
14 devote an evening and just have an open dialogue with
15 the residents, with law enforcement, with legal, and
16 discuss what our options are versus try to combat this
17 from up here in a really very one-sided dialogue,
18 because I do think there are answers that may be out
19 there or ideas that may be out there that it goes from
20 the resident to us, to legal, to the police, back to
21 us, back to residents. And in that process -- we've
22 all played the game of gossip -- you know, it gets
23 lost in translation. So that would be my thought or
24 suggestion on it.
25 COUNCILMEMBER ROCHE: Well, I appreciate

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1 that and I would think that as part of making this a
2 priority, that a town hall meeting would certainly be
3 a good idea.
4 But frankly, we have had several town hall
5 meetings -- they're called City Council meetings, and
6 this has been brought up time and time again here at
7 the City Council meetings, and it seems like we get no
8 traction. It seems like nothing ever changes. It
9 seems like we're -- we keeping bringing up: "Is there
10 something wrong with the ordinances?" No, there's not
11 something wrong with the ordinance," but the problem
12 still exists: we still have rooming houses, we still
13 have -- we still have nuisance properties going on.
14 And maybe it just -- you know, maybe all it takes...
15 And I'm not -- I'm certainly not questioning
16 the police department or anything like that, but, you
17 know, Chief King has stood here before and said, "I
18 need to know what the priorities are." And I think
19 that we need to make certain that there is no question
20 as to what the priorities are from the Council and I
21 think that this would be a good step, a good first
22 step.
23 And hopefully the City -- the police
24 department will take this as a -- as a mandate to go
25 out and perhaps, like I said, you know, review the

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1 ordinances. We've asked for this before: review the
2 ordinances and show us where the weaknesses are so
3 that we can go take an action. Have an educational
4 program so that people understand what's going on.
5 You know, if there's a rooming house, start out by
6 having a uniform police officer showing up at their
7 door, Quality of Life showing up at the door with a
8 copy of the ordinances that apply. That might get
9 someone's attention.
10 I can think of a lot of things that could
11 happen. The problem is we keep bring it up over and
12 over, and nothing is happening now so I stand by my
13 motion.
14 MAYOR PRO TEM PITTMAN: Okay. Additional
15 discussion?
16 COUNCILMEMBER PACHUTA: Yes, I just -- I
17 have found Quality of Life to be very responsive any
18 time situations are brought to their attention and
19 follow up.
20 I am hesitant to tell the police department
21 this is going to be number one, number two, number
22 three, because I don't want anything to get lost. I
23 don't want them to focus in on, "This is the only
24 thing we're supposed to be looking at," when there are
25 a lot of issues that we call Quality of Life for or

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1 residents call Quality of Life for.
2 And I mean I think the police department is
3 very capable, based on what they hear from the
4 community and everything, like what to set the
5 priorities at, and I'm just hesitant to formally tell
6 them, "This is what your main focus is," because
7 there's a lot of issues that probably we are not even
8 aware of, and I don't want them to focus in too much
9 on something so they start to ignore other things.
10 COUNCILMEMBER FLEMING: I don't believe --
11 and I appreciate your comments, but I don't believe
12 that listing residential occupancy enforcement issues
13 as a priority circumvents their other duties. It just
14 indicates that we want to get this cleaned up.
15 If I had a choice of our Quality of Life
16 officers going out tomorrow to investigate the city of
17 how many boarding houses or the appearances of the
18 boarding houses there were versus how many yards need
19 to be mowed, my choice would be for them to look at
20 the occupancy and boarding houses. So to me, that is
21 a priority over, now that everybody's got grass
22 growing because of a gorgeous spring that we have, I
23 definitely want them keying in on that rather
24 than...so I am still in favor of my second of the
25 motion.

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1 COUNCILMEMBER ALEXANDER: And we do get
2 monthly reports on all the neighborhoods that do list
3 this particular issue and the warnings and the
4 citations. So it's not like they need our direction
5 to look at it. They're on our reports every month,
6 that they do look at these issues.
7 MAYOR PRO TEM PITTMAN: Call the roll,
8 please.
9 CLERK McCAIN: Councilmember Alexander?
10 COUNCILMEMBER ALEXANDER: No.
11 CLERK McCAIN: Councilmember Bates?
12 COUNCILMEMBER BATES: No.
13 CLERK McCAIN: Councilmember Fleming?
14 COUNCILMEMBER FLEMING: Yes.
15 CLERK McCAIN: Councilmember Pachuta?
16 COUNCILMEMBER PACHUTA: No.
17 CLERK McCAIN: Councilmember Roche?
18 COUNCILMEMBER ROCHE: Yes.
19 MAYOR PRO TEM PITTMAN: Motion dies.
20 COUNCILMEMBER BATES: Madam Clerk, if you
21 could add rooming houses to the work session agenda, I
22 still stand by the belief that this is something that
23 needs to be done in a dialogue and not a monologue.
24 MAYOR PRO TEM PITTMAN: Thank you.
25 Okay. The next item is going to be Gravel

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1 Driveways, Ms. Fleming.
2 COUNCILMEMBER FLEMING: Yes. Just for those
3 of you who might not have been here at the previous
4 meetings that we have had, the ordinance 5-40 is
5 Driveway Limitations and Maintenance, and the
6 ordinance was adopted March 21st, 2005. And at that
7 time, the previous Council indicated that existing
8 gravel driveway -- Excuse me. Item B was "Existing
9 driveways constructed of gravel for which a permit was
10 obtained shall be replaced with either concrete,
11 asphalt, pavers or brick within six years from the
12 adoption of this article. Gravel driveways at houses
13 which are more than 65 years old shall be exempt from
14 this provision."
15 Now, that meant that on March 21st -- is
16 that today? sure is -- March 21st, 2011, everyone in
17 the city who had either a gravel driveway, secondary
18 driveway or a parking pad needed to have it replaced
19 with either concrete, asphalt, pavers or brick.
20 So what this Council is trying to do is to
21 address that deadline date. And what we have done so
22 far is we have had some dialogue with both you the
23 residents, concerned residents, as well as ourselves
24 in how to correct this problem that we are in right
25 now because of the deadline.

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1 The first thing we have done is we have
2 extended the deadline to September 15th. That was
3 just to allow us -- to give us time to be able to
4 review other options, and I applaud the Council for
5 making that decision. So it's not something immediate
6 that we have to get done today, tonight, because we do
7 have a September 15th future date in line.
8 What I have submitted to Council, and
9 hearing the feedback from the residents both for and
10 against or that are opposed to this, of removing the
11 gravel, the original intent in 2005 of course was to
12 promote aesthetics within the city. Gravel tends to
13 -- even depending on the size of gravel, tends to
14 decrease the property values of your own home. And of
15 course if you're trying to get a loan for -- you know,
16 that you're living next door and you don't have
17 gravel, obviously, you're being appraised at what's
18 surrounding and also what has just been sold.
19 So promoting aesthetics. Okay. So we are
20 trying to increase the property values, but we're also
21 trying to increase the quality of life for all
22 residents. And the problem that we have right now --
23 and we do indeed have it, and that's what we just
24 discussed -- were the occupancy rates in homes. And
25 there has been just within the last year, actually,

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1 and probably even greater than that, but over the
2 course of the last year is when I've heard about it
3 moreso, where, probably due to the economy -- maybe
4 it's been two years -- due to the economy, there are
5 some homes that are rented. Okay. The property owner
6 isn't on site but they have rented the property. And
7 the renter is now trying to provide a habitat for as
8 many people as they possibly can within the home, and
9 it's very difficult for the police department to
10 determine how many people are actually in there.
11 But what we have noticed over the last two
12 years is the rash of, like one of the residents said,
13 pouring gravel in the front yard -- it's not contained
14 -- pouring gravel in the back yard so that it's
15 disguised, okay, as a parking lot. And that's
16 provided -- they finally found out, I believe, that
17 the number of cars was keying in or triggering the
18 police department to say, "I want to see your home."
19 We still have the number of cars in the
20 driveways, which is a triggering point to determine
21 boarding houses.
22 So those are the things that we are all
23 looking at, the aesthetics of the city. You've seen a
24 gorgeous presentation this evening of our vision. We
25 want that vision for the neighborhoods as well.

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So I have proposed this evening -- and Council should have a copy of what I am proposing, and I did pass out some of the copies that I've made -- it's Section 5-40 Driveway Limitations and Maintenance. The black is what is existing, the green is what I am proposing to add, and the red is what I am proposing to delete in this ordinance.

And to paraphrase it all, the front yard, even though it was listed as a point parallel to the structure da-da-da-da-da, okay, you get lost in translation sometimes if you start reading the legalese of it.

So I definitely put that the gravel driveway or the driveway is in the front yard only; driveways or parking areas in the rear of the home are prohibited. That's what I'm proposing to add.

Whether it was either concrete, asphalt, pavers or brick, I'm requesting to delete that because asphalt's really not an environmental probability any more -- creates heat, et cetera. So what I'm suggesting is to delete that and just include environmentally safe pervious material creating a hard surface, subject to the approval of the development director, and a permit is required.

Section (b) of our existing ordinance is

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what I just read, was the time factor of when those gravel driveways had to be removed. I'm suggesting to delete Section (b).

Section (c) is regarding the soil underneath the gravel should be treated and visible grass or weeds should not be allowed to grow through any such driveway. I still feel that that is something that we need to address to maintain the gravel driveways that are there.

Section (d) I'm requesting to delete. And it was existing driveways constructed of gravel may not be repaired to comply directly with this section and must be replaced immediately with a driveway which meets the specifications set out above.

Obviously, if you have a gravel driveway, we do want you to try to maintain it. So this is what I am suggesting, proposing that we do add. This would be Section (3):

Effective August 1, 2011, all property owners with existing driveways, secondary driveways and/or parking pads constructed of gravel must: one, register the property with the City for exemption to Section (a) above, and that's where you have to remove the gravel driveway. Number two, provide a photograph of existing gravel driveways or parking pads. Number

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three, provide a sketch -- I'm not asking for a survey; just provide a sketch -- showing the dimensions because we do need to get some type of idea how wide it is right now, how long it is, showing dimensions of existing gravel driveways or parking pads. Number four, all driveways must be associated with a curb cut unless approved by the development director upon inspection.

Mr. Bates had made the comment in regards to curb cut but he also suggested that we should not have a driveway that didn't have an associated curb cut. but unfortunately you weren't here at the last meeting. And there were several residents that have topography issues that I would suggest that we consider that as only approved by the development director after inspection.

And adding (f) would be: effective December 31st, 2011, all the properties that are exempted by the requirements in Section (e), which is registering your property, providing a photograph, providing the dimensions, et cetera.

If you're exempted by the requirements in Section (3), you must, one, maintain all gravel materials to a depth of four inches. And that's been questioned also because I believe that also

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Mr. Bates has been -- we've all been actively working on this ordinance. And I believe you made the comment that you drove the city this weekend and determined that maybe four inches in depth was not -- could not be complied with because some of them are not that deep. And number two, comply with the retaining requirements in Section (c), and that was making sure that in addition, gravel driveways shall contain landscape timbers or similar retaining materials that will contain such gravel within its allocated location.

And then I wanted to add also (g): upon adoption of this ordinance, any new gravel driveway, secondary driveways and parking pads will be prohibited. Expansion to exempted driveways will be prohibited.

And then non-registered properties must comply with Section (a) above. And if you don't register, you don't get the exemption and you would have to comply with (a), (b). You've got to do something with a pervious material creating hard surface.

COUNCILMEMBER PACHUTA: I have a couple comments.

COUNCILMEMBER FLEMING: Sure.

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COUNCILMEMBER PACHUTA: The way I read it, for new driveways -- you're saying no concrete, bricks or pavers for new driveways because they'd have to be environmentally safe pervious material?

COUNCILMEMBER FLEMING: Oh. I took that out so that it would read environmentally safe, so --

COUNCILMEMBER PACHUTA: Well, my concern is I don't want to remove the option of concrete. I mean obviously we'd prefer people to use pervious materials because it helps with stormwater and all.

COUNCILMEMBER FLEMING: We can definitely leave that in there; take out the asphalt and say "and/or environmentally safe."

COUNCILMEMBER PACHUTA: Because -- and maybe we can offer an incentive to put environmentally safe, but --

COUNCILMEMBER FLEMING: Correct.

COUNCILMEMBER PACHUTA: -- often pervious materials are much more expensive.

COUNCILMEMBER FLEMING: Right; but I just didn't want to get into having to list every form of driveway material that we know of right now.

So if we -- if you want to leave the concrete pavers or bricks in Section (a) and/or environmentally safe pervious material, et cetera,

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et cetera, that sounds fine with me.

COUNCILMEMBER PACHUTA: And then the other question is the gravel materials to a depth of four inches. That seems like a lot of gravel.

COUNCILMEMBER FLEMING: That's how it was listed. That's how it is in the existing, so I --

COUNCILMEMBER PACHUTA: Is it? It just seems a lot.

COUNCILMEMBER FLEMING: Well, now, a new driveway, as I understand it, based on building code.

COUNCILMEMBER BATES: It's got to be --

COUNCILMEMBER PACHUTA: For concrete.

COUNCILMEMBER BATES: It's got to be four inches thick of concrete or asphalt.

COUNCILMEMBER FLEMING: Okay. So I'm, you know, concerned about that also, Ms. Pachuta.

COUNCILMEMBER PACHUTA: Yeah. I just didn't know where that number came from.

COUNCILMEMBER FLEMING: It's in the existing code and so I left it there, so I -- you know, concrete or asphalt definitely, like Mr. Bates said, would have to be four inches or should be four inches, but, you know, that's subject to building code standards of what material is being used. So I'm open for correction on that.

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COUNCILMEMBER BATES: Thank you, Ms. Fleming.

Ms. Pachuta and I actually drove the city Sunday. We looked at about 80 properties in all three neighborhoods, Northwoods, Oakcliff and Tilly Mill/ Winters Chapel areas. While there are some obvious driveways that are in issue, it appeared to us that the majority of them -- again, not all, but the majority of them were simply maintenance issues: weeds growing through them, gravel being spread, exposed dirt, things along that nature.

While there were some gravel driveways that were challenged, there were also some concrete driveways that were challenged, and in many cases they were -- one of them was not usable as a driveway. The resident literally could only drive halfway down their driveway before the concrete buckled to a height where they would get high-centered if they were to try to go over it.

So it was -- it was eye-opening to spend the time to drive and look at the list that we had. I've never been a fan of grandfathering this. And to me, the change in the proposal that we've got is a fair compromise to address and encourage residents to take care of their property, reward those who do by not

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requiring them to comply with an ordinance that was put into place six years ago that is expensive and costly, but put in penalties there for those residents who choose not to comply with maintaining their property with the requirement that you must then convert over.

To me, while it's never going to be perfect and it's never going to make everybody happy, what we've got is -- with some tweaking, I think, is a viable solution to address what Council wanted to do six years ago: the concerns of the residents who have gravel driveways, the concerns of the residents who are concerned about the property values decreasing. I think this is a workable solution.

COUNCILMEMBER PACHUTA: Yeah. And I have to say, you know, from driving around, most people or most -- I think most addresses on the list were gravel parking pads that have been added. Most of our homes only have single-car driveways. Most were in decent shape, and the ones that were -- There were some that were in horrible condition, but like Brian said, we saw some concrete driveways that were in even worse conditions.

But it was a lot of maintenance issues is the main concern where someone may just put a very

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1 thin layer of gravel down.
2 COUNCILMEMBER BATES: Or no gravel. There
3 were dirt driveways.
4 COUNCILMEMBER PACHUTA: Yeah.
5 COUNCILMEMBER FLEMING: And those, I don't
6 think QOL addressed.
7 COUNCILMEMBER BATES: They were on the list.
8 COUNCILMEMBER FLEMING: Oh, they were?
9 Okay.
10 COUNCILMEMBER BATES: So to me, it's a
11 maintenance issue, and if we want to...
12 We also have some residents that did replace
13 their driveways, and they look wonderful. There's an
14 absolutely beautiful one up on Eula Circle -- or Clay
15 Drive. Beautiful stamped concrete. They did a really
16 nice job. They obviously spent a lot of money doing
17 it.
18 The other thing that I wanted to bring up
19 was on the parking pads. What I wouldn't want to have
20 happen is if someone doesn't register or comply, if
21 it's a parking pad that's not being used, my
22 preference would be for it to migrate back to a
23 landscaped environment versus forcing them to concrete
24 it. I don't know that we covered that here.
25 COUNCILMEMBER FLEMING: No, I didn't. I

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1 indicated that if they don't register, then it goes
2 back to Section (a) where they have to comply.
3 COUNCILMEMBER ALEXANDER: I guess that's
4 what I had made a note under (f), because I had a
5 resident call me, and he said, "Well, I don't use it.
6 I don't want to pave it. Can I just tear it up and
7 landscape it?" and I said, "Well, of course you can."
8 And I think if we add some type of language
9 to Section (f) that they can return it back to its
10 natural state with landscaping.
11 COUNCILMEMBER BATES: That's one of the
12 things that we did notice was that a significant
13 number of parking pads or what could be interpreted as
14 parking pads appear to be not in use. They were --
15 perhaps it was landscape gravel or landscape stone
16 that was put out there to minimize maintenance or
17 whatever. It could have been viewed as a pad, but it
18 appeared not to be in use. So again, it goes back to
19 a maintenance issue or landscaping issue.
20 So I would concur with Ms. Alexander of
21 adding in an option under (f) to revert it back to a
22 natural.
23 COUNCILMEMBER FLEMING: And then item number
24 three would be revert back to natural state if parking
25 pad?

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1 COUNCILMEMBER BATES: Yes.
2 COUNCILMEMBER PACHUTA: If it's not in use.
3 COUNCILMEMBER BATES: Yeah. Parking pad
4 only, yeah.
5 COUNCILMEMBER ROCHE: A couple questions.
6 First of all, I like this. I mean it's much closer
7 than what we had before, and I commend everybody for
8 working so hard on this because it is a difficult
9 issue.
10 On paragraph (a), it talks about the front
11 yard only. If there's an existing driveway in the
12 back yard maybe going to a garage or something, are
13 you saying that they would have to pave that?
14 COUNCILMEMBER FLEMING: Well, based on the
15 previous ordinance -- and that's the reason why I put
16 that in green -- it said, "Maximum of 24 feet, but in
17 no event shall such driveway cover more than 30
18 percent of total area of property in question,
19 excluding structures thereon. Such driveway may
20 extend to a line which is located at a point parallel
21 to the rear portion of the main structure located on
22 such property, or if there is a garage behind such
23 main structure, then to such garage."
24 COUNCILMEMBER ROCHE: Okay.
25 COUNCILMEMBER FLEMING: So I guess I put --

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1 I put front yard only on there because I don't -- I
2 don't think any of us want to see driveways circling
3 around the back yard and becoming parking lots.
4 COUNCILMEMBER ROCHE: Neither do I.
5 COUNCILMEMBER FLEMING: So I'm not sure.
6 COUNCILMEMBER ROCHE: But my concern is that
7 if there is an existing driveway in the rear yard,
8 that they also be allowed to stay as long as they're
9 being maintained. Because basically, if I understand
10 this correctly, if I do have a driveway and I have a
11 garage in my back yard someplace, then I would
12 basically have to pave it at the line beginning at the
13 back of my house.
14 COUNCILMEMBER FLEMING: I see what you're
15 saying.
16 COUNCILMEMBER ROCHE: Did I misunderstand
17 that?
18 COUNCILMEMBER FLEMING: No. I understand
19 what you're saying.
20 COUNCILMEMBER ROCHE: I don't like the idea
21 of people that would basically throw gravel all over
22 the back yard just to make a parking lot, either, but
23 again, that's why this is so difficult. So that would
24 be my first concern.
25 Secondly, a couple places it mentions

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development director.
COUNCILMEMBER FLEMING: Do you want to put department?
COUNCILMEMBER ROCHE: Well, I was thinking that maybe an "a development director" may be approved by. But for instances, under (e) paragraph, paragraph (3) under 4, that would be the city building official because it's more like an inspection process than a planning thing.
COUNCILMEMBER FLEMING: Okay. So your suggestion is?
COUNCILMEMBER ROCHE: Building official. City building official, which I believe we're extending an offer tomorrow.
And last, you know, part of the issue that's come out of this is that currently -- and I realize there would have to be maybe a change to a different ordinance. Currently if you want to repave an existing driveway whether it's gravel or cement, for that matter -- and as some people have said, some cement driveways are turning into gravel driveways -- we require a survey even if you're not changing the dimensions of that driveway.
We also are charging, I think, permit fees somewhere around $200.00/$250.00. And I would think

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that if we truly wanted to encourage people to replace their gravel driveways, we would make it easier for them to do that.
So I would propose also, on top of this, that if you're going to replace a driveway, as long as you're not changing the footprint, not changing the dimensions, that a survey would not be required and that the permit -- well, maybe a $25.00 permit. But as far as the fees, the fees be limited to what little bit it costs to have an inspector come out and inspect the work.
COUNCILMEMBER FLEMING: So that would be for owners right now that felt that they financially were able to convert their gravel driveway right now to, for instance, concrete.
COUNCILMEMBER ROCHE: Well, right now or whenever.
COUNCILMEMBER FLEMING: Oh, no, no, no. I know.
But with that being said, that's what you're referring to, if they -- Right?
COUNCILMEMBER ROCHE: Well, frankly, anyone. Anyone that wants to replace their driveway. I mean if you want to -- You know, I may have to repour my driveway some day. You know, if I have asphalt and I

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want to replace it with pavers, you know, or if I want to get rid of my asphalt and replace it with concrete, it's -- you know, you're looking at probably a thousand bucks minimum by the time you do the survey and the permit fees just to do that.
And I think if we truly want to go with the spirit of what the original council wanted to do, we should encourage people to improve their properties, not make it expensive and difficult.
MAYOR PRO TEM PITTMAN: Thank you. I need to stop for just a moment. It is 9 o'clock and we need to make a motion to extend the meeting. We're almost through with this agenda. I would hope the Council would wish to extend it until we're complete, but I need a motion for that at this time.
COUNCILMEMBER ROCHE: So moved.
MAYOR PRO TEM PITTMAN: Do I get a second?
COUNCILMEMBER FLEMING: Second.
COUNCILMEMBER ROCHE: Discussion?
- - -
(No response)
- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?

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COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carries. I'm sorry. Go ahead, Mr. Roche.
COUNCILMEMBER ROCHE: Yeah. I think I was basically done. I think we need to look at -- I mean I understand we're looking at our fees for permits also, but I think that we need to have a general concept of trying to encourage people to improve their properties. And I don't see why we -- if you're not going to change the size, if you're not going to change the footprint, then I would think we'd make it easier.
But other than that, as far as allowing gravel driveways that are well kept that are there today to continue, I think that makes all the sense in the world, particularly, you know, from what people have said.

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1 I believe there's also a lot -- there are
2 already ordinances on the books that address
3 properties that are not well kept up.
4 COUNCILMEMBER FLEMING: Okay. Just want to
5 confirm. So does Council feel that --
6 MAYOR PRO TEM PITTMAN: Excuse me just a
7 minute.
8 I know this is a really interesting subject
9 and all of you have lots of comments, but it's very
10 difficult for the court reporter to hear, because of
11 the background noise. So I'd really appreciate it if
12 you could hold your comments down. Thank you.
13 COUNCILMEMBER FLEMING: So is it the
14 Council's opinion on my front-yard-only green area
15 there to eliminate that verbiage where I said "front
16 yard only," since it does indeed say to a point
17 parallel to the rear portion of the structure, and if
18 there's garage behind such main structure, then to
19 such garage? Are we allowing the gravel driveway,
20 though, to the garage?
21 COUNCILMEMBER ROCHE: I would say yes.
22 COUNCILMEMBER FLEMING: Council, any
23 comments?
24 COUNCILMEMBER ALEXANDER: I think so,
25 because, again, that was one of the calls that I got.

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1 This man was afraid he was going to have to tear down
2 his garage.
3 COUNCILMEMBER FLEMING: Okay, fine; leave it
4 as such.
5 Okay. What about the four inches?
6 COUNCILMEMBER PACHUTA: I'd like to get an
7 opinion from the building official on that --
8 COUNCILMEMBER FLEMING: Okay.
9 COUNCILMEMBER PACHUTA: -- what the building
10 codes would say about that, to get a definitive.
11 COUNCILMEMBER FLEMING: And, then, we're
12 adding building official to item number 4 of (e)
13 rather than development director.
14 And then for (f), we're adding a third item:
15 or revert back to landscaping for parking pads.
16 Correct?
17 COUNCILMEMBER ALEXANDER: We don't want them
18 to think they can park on the landscaping. Want to be
19 careful how you word that.
20 COUNCILMEMBER FLEMING: Unused parking pads
21 may be reverted to landscaping. Okay.
22 And just a comment for Mr. Bates, the reason
23 why I didn't put the nonregistered properties must
24 comply with Section (a) above, I didn't want to put
25 in, "You must have this done by "X-number of days or a

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1 time factor for that. They need to be ticketed or a
2 warning given to them or whatever.
3 But if you don't register -- that's where
4 we're coming with this. We hear the outcries of
5 people needing help. But if they don't register their
6 properties by August 1, then they need to be able to
7 comply with item (a) above by December 31st.
8 MAYOR PRO TEM PITTMAN: Council, any
9 additional comments?
10 COUNCILMEMBER ROCHE: My only concern about
11 that would be notification.
12 COUNCILMEMBER FLEMING: I didn't put the
13 notification in here because that's a foregone
14 conclusion; we're definitely doing that.
15 COUNCILMEMBER ROCHE: Okay.
16 MAYOR PRO TEM PITTMAN: So Ms. Fleming,
17 would your wishes be for the city attorney to take
18 that information and compile it and get a draft out to
19 us to look at?
20 COUNCILMEMBER FLEMING: Yes, please. And I
21 would like the building official to be contacted
22 regarding the requirements for the depth of concrete
23 or other pavers.
24 MAYOR PRO TEM PITTMAN: Okay.
25 COUNCILMEMBER ALEXANDER: And the curb cut.

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1 COUNCILMEMBER FLEMING: And the curb cut
2 also.
3 We had some that actually need to be
4 inspected.
5 MAYOR PRO TEM PITTMAN: Yes. He was given
6 that list.
7 ATTORNEY WEED: My only legal concern about
8 this, you clearly have the authority to draft
9 aesthetic ordinances, and this is one of them. You've
10 got that power.
11 In two areas where you have granted
12 discretion -- in one, to the development director, and
13 below, to the building official -- as a general rule,
14 when you grant someone discretion, they've got to have
15 some standard to apply other than they like this
16 person or they don't like this person. There's got to
17 be some standard.
18 What I'd recommend is that we talk to the
19 building official about this. He might be able to
20 make a recommendation as to what standard to apply as
21 to when it's appropriate to have a curb cut and when
22 it's not appropriate, and then also with regard to the
23 standards of environmentally safe pervious material,
24 the same thing. That's beyond my level of expertise.
25 But I do know that as a general rule, when

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you grant a bureaucrat some form of discretion without also referring them to an appropriate standard to apply, that can lead to trouble.

COUNCILMEMBER ROCHE: Should we add an appeal process?

ATTORNEY WEED: You certainly could, absolutely.

I still think you need to have some basis on the discretion --

COUNCILMEMBER ROCHE: I understand.

ATTORNEY WEED: -- but it wouldn't hurt to have an appeal process.

COUNCILMEMBER PACHUTA: Would we just get an opinion from either Mr. Calcaterra or the new employee?

COUNCILMEMBER FLEMING: For the environmentally --

COUNCILMEMBER PACHUTA: Well, both --

COUNCILMEMBER FLEMING: -- safe material as well as the curb cut?

COUNCILMEMBER PACHUTA: Yeah. I mean if there are situations where a curb cut would not be appropriate, I'd be interested, and, yeah.

ATTORNEY WEED: Two other things briefly.

One, don't forget you're going to have to

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amend 608 of the zoning code --

COUNCILMEMBER FLEMING: Yes.

ATTORNEY WEED: -- to reflect these changes.

And then also tonight you haven't officially adopted the September extension, so that ordinance is before you tonight if you want to do that.

You had talked about it but you didn't have a final version of the ordinance until it is before you tonight.

COUNCILMEMBER FLEMING: So we're going to start this first. So I make a motion to -- the items of discussion that we corrected in regard to the four-inch -- the building official -- thickness, he's going to check that as well as the environmental, say, pervious material. Also the curb cut questions will be directed to the building official.

And then item 3, we're adding that parking pads may be reverted back to landscaping.

COUNCILMEMBER PACHUTA: And you want this to go to Mr. Weed.

COUNCILMEMBER FLEMING: And I'm sending this to Mr. Weed for drafting as well as answering the questions that we are requesting answer to.

MAYOR PRO TEM PITTMAN: Do I get a second?

COUNCILMEMBER ROCHE: Second.

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MAYOR PRO TEM PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR PRO TEM PITTMAN: Motion carries. And do you want a motion extending that?

COUNCILMEMBER PACHUTA: I think we need to approve the ordinance that extends it for now.

ATTORNEY WEED: You've already had first reading of the ordinance but this is the final -- the final version that requires your final approval.

COUNCILMEMBER ROCHE: I'd like to make a motion to adopt the ordinance modifying Section 5-40

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to extend the existing driveways constructed of gravel to September 15th, 2011.

MAYOR PRO TEM PITTMAN: Do I get a second?

COUNCILMEMBER FLEMING: Second.

MAYOR PRO TEM PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK McCAIN: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

CLERK McCAIN: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes. Thank you.

COUNCILMEMBER FLEMING: Thank you, everyone.

MAYOR PRO TEM PITTMAN: Thank you, Ms. Fleming.

COUNCILMEMBER FLEMING: Appreciate it.

MAYOR PRO TEM PITTMAN: And we're going to

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take a five-minute break before we go into new business.

I thank all of you that came out for the gravel driveway. We appreciate the input. Thank you.

- - -

(Brief recess)

- - -

MAYOR PRO TEM PITTMAN: All right. We're going to move into new business.

Ms. Fleming, rename Autumn Park.

COUNCILMEMBER FLEMING: Yes. I actually brought this up last March in our Council retreat, just as, you know, something to, you know, honor Mayor Jenkins and pay tribute to his service for 37 years. I believe he's the longest-duration, and serving 37 years is an accomplishment, and I believe he is the only elected official that has ever served that many years.

I have spoken to Mrs. Jenkins and asked her in regards to renaming Autumn Park. She thought that was very fitting since that is in the Northwoods neighborhood. They have been a resident of Northwoods for over 50 years.

Also, today when I called her again and indicated this item was on the agenda, you know, for

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the second time, that we didn't really -- Actually, it was supposed to have been on the agenda previously. When I told her that it was on the agenda this evening and there had been some discussion amongst the residents and Council members of other items that had been suggested such as the 285 intersection, possibly buildings that might be suggested, or roads or streets being suggested. I did not mention to her about 285. However, she did indicate that she did not want a street named for him because she felt that, you know, those should be subject to the City, you know, Park Avenue is Park Avenue and so forth.

She liked the idea of Autumn Park. I didn't ask her about 285. She said whatever we felt appropriate, and she felt very honored. She was going to come this evening. She thought it was a fact and we were voting on it, but I told her no, it was up for discussion this evening.

So I have head, you know, from residents, I have heard from Council, that there may be other considerations. I did mention to her that there had been a proposal of the Wheeler Community Garden, and she was adamantly opposed to that. She didn't want to -- you know, it's such a small area, and she was opposed to having any type of name changing for the

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Wheeler area.

So I'd be more than happy, Council, for your input at this time as far as I know that Mr. Bates mentioned getting a committee together.

The reason why I felt that Northwoods was more appropriate is because they have actually lived there over 50 years, been an active supporter of the Northwoods Neighborhood Association, and I thought it would be very befitting to honor him in his own neighborhood.

MAYOR PRO TEM PITTMAN: Thank you. Council? Input?

COUNCILMEMBER ROCHE: Well, I'm very much for this. I also discussed this with Ray Jenkins' widow a couple weeks ago. She was very much in favor of using Autumn Park for something like this. The trouble with buildings, buildings get torn down.

It's no secret, you know, I crossed swords with Ray a couple of times here and there, once in a while. But I certainly respected him; I respected his office and the fact that he did serve for so long,

I think, you know, one way or another, you know, he got elected over and over again; and one way or another, a lot of people liked him, and I'm one of those people. And I think it would be a fitting

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tribute, so I'm very much in favor of renaming Autumn Park.

I'm concerned about, you know, if we form a committee, then basically, you know, we might as well just hang it up, because forming a committee -- you know, we have -- I've said this before: We have a committee. It's called the Doraville City Council, you know.

I think if we're going to do this, we need to do it fairly soon and just get it moving and just get it over with. I think it's a good idea. What's not to like? I guess, you know. I understand there might be some politics involved. But I think, for once, can we please put politics aside and honor someone who's been working for the city in a large capacity for a long, long time -- for once. Thank you.

COUNCILMEMBER ALEXANDER: I don't know that so much as politics being involved. But if I lived on Autumn Drive, at Autumn Park, I think I would want my opinion heard, and I don't know that any of those residents of Autumn Drive were asked.

I think it's a great idea. I wish we would have discussed it amongst ourselves before we perhaps spoke to Mrs. Jenkins, because if it doesn't come to

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1 fruition, I don't want her to feel slighted or have
2 her feelings hurt or think we don't think very much
3 of, you know, the Mayor. Because I definitely do; I
4 miss him every day.
5 Another one of the ideas that I had is he
6 had mentioned to Chief King about turning this area up
7 here with the ADA ramp on the sidewalk into a park.
8 And I thought perhaps since he spent so much of his
9 time in this building, that it might be fitting too
10 that we put some kind of memorial for him up here
11 actually at City Hall, perhaps in addition to
12 something else. But I definitely felt like that we
13 needed to get citizen input.
14 MAYOR PRO TEM PITTMAN: Anyone else?
15 COUNCILMEMBER BATES: I'll say it again.
16 I'm not opposed to doing appropriate recognition. My
17 personal feeling is that we are moving through this
18 much too quickly.
19 I personally have not had a chance to speak
20 with Lou about this. Before I cast a vote on doing
21 anything as such, I want to have that opportunity to
22 talk with her and get the feedback from the family.
23 You know, I don't know how it was presented to her, no
24 offense intended. But there have been -- as I
25 illustrated to Council, that there have been over a

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1 dozen proposed ideas on recognizing the almost 40
2 years of service to this community. Autumn Park is
3 certainly one of them. But this, to me, needs to be
4 done in a thoughtful manner that is respectful of all
5 the work that he did to make Doraville a great place,
6 and I don't want to rush through this and not do what
7 needs to be done to do it, whatever ends up being done
8 being done appropriately.
9 MAYOR PRO TEM PITTMAN: Ms. Pachuta?
10 COUNCILMEMBER PACHUTA: Yeah. I was not
11 able to get a chance to call her. It's very hard for
12 me to use a phone at work so I was not able to call
13 her today. But you know, I heard a lot of suggestions
14 on the civic center and different parks and things,
15 and so I really want to evaluate the different options
16 and get neighbors' input.
17 So I don't think we need to rush into it
18 necessarily. I mean my preference is to table this
19 item to get more information and to talk to the
20 residents who live around the park.
21 COUNCILMEMBER FLEMING: I wouldn't want to
22 table it. "Table" means that it comes completely off
23 I want to postpone it to the 4th or to the 18th.
24 COUNCILMEMBER BATES: If we could do the
25 18th, that would, I think, be the best.

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1 COUNCILMEMBER FLEMING: Will that give
2 Council enough time to consider and also to -- I know
3 that we have our own e-mailing constituents that we
4 have. My preference would not be a -- my preference
5 would be that the suggestions come to the individual
6 Council members rather than a widespread neighborhood
7 request of what do we want to do, because that type of
8 form of media can be hurtful sometimes, and I don't
9 want that to happen. I've said that as delicately as
10 I can.
11 So could it be to the individual Council
12 members with the ideas that you have rather than...?
13 COUNCILMEMBER PACHUTA: We could request,
14 you know, if people have ideas, to send them to City
15 Hall or to Luke Howe if they have ideas or suggestion.
16 COUNCILMEMBER FLEMING: Ms. Pachuta, that
17 sounds great if that would be acceptable.
18 COUNCILMEMBER ROCHE: There are a lot of
19 people that don't have access to the neighborhood
20 blogs, and so I don't think that that is the right way
21 to do it at all. So I would definitely --
22 COUNCILMEMBER FLEMING: We could do --
23 I'm sorry, Mr. Roche. I didn't mean to
24 interrupt.
25 And that would be fine if we could put it on

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1 the -- if you want to put it on the Web site of
2 recognition, I don't know. That's something that
3 Ms. Pittman and Mr. Howe can consider is putting it on
4 the Web as far as recognition suggestions or
5 something. I just want it to be very sensitive.
6 MAYOR PRO TEM PITTMAN: Okay.
7 COUNCILMEMBER PACHUTA: And perhaps maybe at
8 the April 4th meeting, we could have a form or a sheet
9 of paper or something that people could fill out with
10 their suggestions.
11 COUNCILMEMBER FLEMING: Sure.
12 Ms. McCain, would you put this item on the
13 April 18th? And if we have any type of follow-up
14 back-up to this, I don't want you to have to compile
15 the information because you're so extremely busy.
16 I'll be more than happy to do a spreadsheet.
17 If you want to just take the comments is
18 fine, and then we can submit them and I'll add it to
19 the 18th agenda and make sure that all Council members
20 have received the comments.
21 CLERK McCAIN: Okay. And then have a form
22 at the meeting on the 4th?
23 COUNCILMEMBER FLEMING: That'll be fine.
24 So I appreciate Council's consideration in
25 this.

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COUNCILMEMBER BATES: Thank you.
COUNCILMEMBER FLEMING: Thank you.
MAYOR PRO TEM PITTMAN: The next item is going to be Limit Number of Garage Sales, Mr. Roche.
COUNCILMEMBER ROCHE: Yes. I've gotten several calls about some garage sales. The concern is that some of the neighborhood issues people have been dealing with are where people move in and they basically have perpetual yard sales. And I've had some e-mail correspondence with some people from the Washua (ph) group, and I said I would put it on the agenda, because it was not my understanding that there was a limit.
I did some research, and Section 13.5-23 says each household, which shall include all residents of the household in the city of Doraville, is limited to three yard or garage sales during a calendar year. And then the next one says a permit shall only authorize a yard sale for three days.
Personally, I think that two is probably plenty. I mean I'm open to suggestion. But the concern, again, that we have is that when these yard sales happen -- and I actually went by last weekend and I saw one, I guess it was the second time they had a yard sale, and it looked very much like a rooming

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house to me. But there were cars parked everywhere, and it was difficult to get in and get out, et cetera, et cetera.
So I said I'd bring it up to the agenda and see what happens, so here we are.
Now, someone said that it was limited to five. I haven't been able to find that on the Web site anywhere.
COUNCILMEMBER PACHUTA: The pawn shop ordinance says four and -- well, what it states is that the pawn shop ordinance doesn't apply to residential garage sales, which are limited to four per year. It was thrown in there in the pawn shop ordinance.
ATTORNEY WEED: It would depend upon which one supersedes in time, and I don't know if we left that in the --
COUNCILMEMBER PACHUTA: I thought we left it in. Maybe we didn't, because I was looking at the Municode, so we may. I couldn't remember if that was removed.
ATTORNEY WEED: Councilmember Roche is right; the 2004 pawn shop ordinance limits it to three.
COUNCILMEMBER ROCHE: Pawn shop --

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MAYOR PRO TEM PITTMAN: Pawn shop ordinance?
COUNCILMEMBER ROCHE: -- or yard sale?
ATTORNEY WEED: Yard sale. Yard sale. I'm sorry.
COUNCILMEMBER ROCHE: Yeah, I got that. Because there was no information on the front page of the Web site.
And what I mean, "front page," if you drill down in the ordinances, you find the one about the three. I didn't see anything as far as limiting the number on the front. If you come here and scan on yard sales, you don't really see a whole lot. It's kind of hard to find things.
So anyway, it would seem reasonable that -- And of course I don't do yard sales, so I don't know. But on the other hand, we don't want people that are basically going into the yard sale business. The yard sale ordinance is very clear that, you know, you can't use it for reselling. But it's very difficult to prove that, you know. You could open a junk dealership, I guess, and sell stuff on your front yard. I don't know.
But anyway, it's become quite an issue particularly in the Northwoods are, and I said that I'd bring it up here to see if maybe we could maybe

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resolve this nuisance issue and see what happens.
COUNCILMEMBER ALEXANDER: Ms. McCain, do you know what kind of record-keeping is done on when these stickers are issued?
CLERK McCAIN: I know I have not seen one come through City Hall in my time here. Unfortunately, that's not something that I've dove into.
COUNCILMEMBER PACHUTA: Yeah. I think it's Ruby, but I don't know what Ruby's --
CLERK McCAIN: I've only been here two months.
COUNCILMEMBER ALEXANDER: No, it's Dorothy.
MAYOR PRO TEM PITTMAN: It's Dorothy, I know.
I can tell you that they come in and obviously fill out a form, she gives them a sticker, and I mean actually that's to make sure that they clean up. There's no other purpose that it serves.
But we haven't had any in quite some time, and actually we're in the process of fine tuning some of that as well.
COUNCILMEMBER ALEXANDER: I guess that's my issue, if you're just taking the money and handing out a sticker. There needs to be a database that says --

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1 MAYOR PRO TEM PITTMAN: Right.
2 COUNCILMEMBER ALEXANDER: -- this street,
3 this street --
4 COUNCILMEMBER ROCHE: Right.
5 COUNCILMEMBER ALEXANDER: -- has already had
6 a yard sale on this weekend or whatever.
7 CLERK McCAIN: I agree, and we are
8 actually -- I'm having one of our older computers
9 installed up at the front counter so that we can do
10 some Excel spread sheets to track items like that.
11 Better customer service that we can look up
12 information on their sanitation bills instantly as
13 opposed to having to go into a different office to
14 look up that information. They were actually
15 installing some today.
16 COUNCILMEMBER BATES: To me, I don't see how
17 reducing it from three to two is going to impact that.
18 I appreciate the effort.
19 To me, the issue is more of an enforcement
20 issue on tracking and making sure that we don't have
21 habitual offenders and having a mechanism in place to
22 A, verify that the stickers that are on the yard sale
23 are for that weekend and not a carryover from a
24 previous yard sale or yard sales, plural, and that we
25 do issue denials when people breach that or hit that

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1 three per year.
2 The other thing that we might want to
3 consider would be changing it from per-year to a
4 12-month period so it's a running calendar versus a
5 standard 12-month or year calendar. Otherwise,
6 someone could run two in December and another two in
7 January and you've got four in a very short period of
8 time, which obviously violates the spirit of the law.
9 That would be the other thing that we might want to
10 consider.
11 COUNCILMEMBER FLEMING: A question I had is
12 that, if I understand correctly, it's five decals that
13 they get?
14 CLERK McCAIN: Six.
15 COUNCILMEMBER ROCHE: Six.
16 COUNCILMEMBER FLEMING: And they present a
17 $25.00 retainer fee of some sort?
18 ATTORNEY WEED: It's a deposit.
19 MAYOR PRO TEM PITTMAN: It's a deposit.
20 COUNCILMEMBER FLEMING: Deposit, okay.
21 MAYOR PRO TEM PITTMAN: Contingent on if
22 they clean up all their signs and --
23 COUNCILMEMBER FLEMING: But I have been
24 concerned about this also, and Mr. Bates just brought
25 it up, is that the enforcing of --

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1 Because down here, you know, on the decal it
2 just says 3/21/11. Okay? So that's to 3/24 if it's a
3 three-day period. If they don't bring the decals or
4 signs back to us, they could very well, since we don't
5 color-code and have different colors of decals all the
6 time, it's very difficult to see that date on the
7 decal.
8 COUNCILMEMBER BATES: That's an
9 interesting...
10 COUNCILMEMBER ALEXANDER: They are
11 supposed to be color-coded because I have seen
12 different colors on different weekends.
13 COUNCILMEMBER BATES: I've only seen green.
14 COUNCILMEMBER ALEXANDER: I've seen bright
15 orange.
16 MAYOR PRO TEM PITTMAN: Orange, orange and
17 green.
18 COUNCILMEMBER BATES: Well --
19 MAYOR PRO TEM PITTMAN: But I don't think
20 it's on purpose. I think it's whichever one she gets.
21 COUNCILMEMBER BATES: Do we require -- in
22 order for them to get their deposit back, do we
23 require them to bring the stickers back?
24 UNIDENTIFIED SPEAKER: Yes, you have to
25 bring back the stickers.

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1 COUNCILMEMBER BATES: So I just want to make
2 sure that that's being enforced to: that in order to
3 get the deposit back, you've got to return all
4 stickers used or unused back to City Hall for
5 disposal.
6 MAYOR PRO TEM PITTMAN: And again, I don't
7 know because it has not occurred since I've been doing
8 this and I don't think since Melissa's been either.
9 But it is something that we're working on fine-tuning,
10 so all of these ideas are great.
11 COUNCILMEMBER ALEXANDER: I thought the
12 different colors meant the different weekends.
13 COUNCILMEMBER PACHUTA: No, and I was
14 assuming it was in the database by street and street
15 number.
16 COUNCILMEMBER ALEXANDER: No. That's what
17 we were just discussing --
18 MAYOR PRO TEM PITTMAN: That is something
19 that we'll be organizing.
20 COUNCILMEMBER ALEXANDER: -- Ms. McCain is
21 going to implement.
22 MAYOR PRO TEM PITTMAN: I've yet to see
23 that. This was something before my time, so.
24 COUNCILMEMBER ROCHE: Well, we have had yard
25 sales.

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1 MAYOR PRO TEM PITTMAN: And I think what the
2 problem is too is they're having yard sales but
3 they're using the same stickers over and over again
4 without something to follow up.
5 COUNCILMEMBER FLEMING: Exactly.
6 ATTORNEY WEED: Here's what's supposed to
7 happen. I have no idea what actually happens.
8 But 13.5-22, Removal of Signs. After yard
9 or garage sale is conducted, all signs and trash
10 collected on the premises and all signs advertising
11 the sale placed at other locations shall be removed
12 within 24 hours after the conclusion of the sale.
13 After the premises have been inspected by the
14 Doraville Police Department or city inspector and it
15 is shown that the signs have been removed and trash
16 collected, the permit shall be signed by an officer of
17 the police department or the inspector, which, upon
18 return of the permit to the City Clerk, shall allow
19 the Clerk to refund the applicant the $25.00 deposit.
20 Failure of the applicant to remove all signs and
21 collect all trash or the failure of the applicant to
22 receive the signature of an officer of the P.D. or the
23 city inspector shall result in the forfeiture of the
24 $25.00 deposit. That's essentially it.
25 CLERK McCAIN: Actually, that's more or less

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1 what happened at Flowery Branch. They would come in
2 and pay their $25.00, fill out a form. A copy would
3 go to the chief of police that Monday. The chief of
4 police or designee would go by, check the area and
5 make sure all the signs were down, sign off on it,
6 return it back to city hall, and we would send them
7 $22.00 back and use $3.00 as processing fee.
8 COUNCILMEMBER PACHUTA: Yeah. I was going
9 to say --
10 COUNCILMEMBER FLEMING: There you go.
11 That's what I was --
12 COUNCILMEMBER PACHUTA: -- if we have to
13 send the police out to check, I think we need to keep
14 something.
15 CLERK McCAIN: And I don't think $3.00 would
16 cover it, but.
17 COUNCILMEMBER FLEMING: Yes.
18 But Ms. Pachuta, if I understand correctly
19 -- and I believe it's true -- the house in question
20 had it back-to-back and probably didn't come in.
21 COUNCILMEMBER PACHUTA: Recently, because
22 this was --
23 COUNCILMEMBER FLEMING: Right; and they had
24 it back-to-back and probably did not come in the
25 second time, second week, with another $25.00 deposit

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1 and used the same decals they had up from the week
2 before.
3 COUNCILMEMBER ALEXANDER: And I think one of
4 the things, because we had a perpetual one on Windsor
5 Oak. And I think one of the issues was there was no
6 signage database. They kept coming and didn't paying
7 their $25.00, get their sticker. "I got my yard sale,
8 and here's my invalid sticker."
9 CLERK McCAIN: Which it would be good to
10 have the stickers returned. That way, we knew we had
11 them, and I do suggest, though, that we do keep
12 Quality of Life to drive by for the signage because
13 also City Hall will not known if everything's been
14 taken down to give them a refund.
15 COUNCILMEMBER BATES: My preference would be
16 that the stickers, used or unused, you return back in
17 order to get the deposit back.
18 COUNCILMEMBER FLEMING: I agree.
19 COUNCILMEMBER BATES: I just -- my gut
20 reaction says that we've got people who are using
21 stickers over and over again just because if you're
22 driving down the road, you're not -- If I were a
23 Quality of Life person and I've got three houses to go
24 hit or look at or review, I'm driving down and I see a
25 green sticker on a sign, I'm not going to stop my car

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1 and verify that it's for today.
2 COUNCILMEMBER FLEMING: I agree.
3 COUNCILMEMBER BATES: Would they? Should
4 they? Sure. Would I? No. I'm just being frank.
5 COUNCILMEMBER ROCHE: So you're saying we
6 should make the enforcement of this a priority, then,
7 Councilman Bates?
8 COUNCILMEMBER BATES: No. I think what we
9 need to do is in order for a garage-saler to get their
10 refund back, that they need to return the stickers.
11 COUNCILMEMBER FLEMING: I agree.
12 COUNCILMEMBER ROCHE: I don't even think
13 they worry about that. I think for 25 bucks you get a
14 set of stickers and that lasts you all summer long.
15 That's a pretty good --
16 MAYOR PRO TEM PITTMAN: Well, I believe we
17 said Melissa's going to be working on it, she's going
18 to be building a database. We've got the computers
19 here.
20 And that's a great idea. We'll go ahead and
21 fine tune it and try to figure out what the process is
22 and make the process better so we can continue to
23 monitor.
24 I guess the question be, it says police
25 department. I don't think Major Atkinson, you have

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been -- you have been -- y'all haven't been doing that, have you?

MAJOR ATKINSON: When we get calls, we go out and verify that the stickers are valid.

MAYOR PRO TEM PITTMAN: Okay.

CLERK McCAIN: And then another thing we can do is on Fridays we can e-mail the police department with the people that do have permits, and that way they'll know exactly what addresses.

COUNCILMEMBER BATES: That's a great idea.

COUNCILMEMBER FLEMING: Outstanding.

MAYOR PRO TEM PITTMAN: Okay. So are we good with that, Mr. Roche?

COUNCILMEMBER ROCHE: Well, there were two things. First of all, do we need to reduce it from three to two per year?

MAYOR PRO TEM PITTMAN: No. Three is good.

COUNCILMEMBER PACHUTA: I think we need to put the procedures in place because they have been ignored.

CLERK McCAIN: So do we just want to notify the police department on Fridays when we have people that have signed up or do we want to continue with returning the stickers?

COUNCILMEMBER PACHUTA: Both.

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CLERK McCAIN: Because then we'll have to do an ordinance change.

COUNCILMEMBER PACHUTA: To return the stickers?

CLERK McCAIN: Yes, ma'am.

ATTORNEY WEED: Right now, the stickers are not required to be returned.

COUNCILMEMBER BATES: If P.D. can get the list of active and valid permits that have been issued for the weekend and can verify them, I'm okay with that as an interim step.

If we see it --

COUNCILMEMBER PACHUTA: Not working.

COUNCILMEMBER BATES: -- continue to be a problem, I think we need to take it to the next.

CLERK McCAIN: Sounds good.

COUNCILMEMBER ROCHE: Did we want to modify 13-5-23 to say instead of a calendar year, say 12-month period? because now we can have six -- we can have three in December and three in January.

COUNCILMEMBER BATES: My preference would be a 12-month period. That would be my preference.

COUNCILMEMBER ROCHE: It's fine with me.

CLERK McCAIN: Which we have an Excel spreadsheet; that should be easy to track.

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COUNCILMEMBER ROCHE: Right.

CLERK McCAIN: As long as it's the same person.

COUNCILMEMBER PACHUTA: Does it just say calendar year?

ATTORNEY WEED: It says calendar year specifically.

COUNCILMEMBER FLEMING: Yes, I'm good with . . .

CLERK McCAIN: My only question is the other problem that we have is Mr. and Mrs. Doe live at a residence. John Doe comes in and gets three garage sale permits, then Jane Doe comes in and gets three garage sale permits. Different permits? Different people with the same address.

COUNCILMEMBER FLEMING: It's by property.

COUNCILMEMBER ROCHE: It's by address.

ATTORNEY WEED: Well, everybody in the household is included under one address.

CLERK McCAIN: Okay.

ATTORNEY WEED: So you can't break it up like that.

COUNCILMEMBER FLEMING: But it did sound like you were reading it that everybody in the house could have had a yard sale.

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ATTORNEY WEED: No.

COUNCILMEMBER ROCHE: No.

ATTORNEY WEED: Well, I guess they could, but they could only have three at the address ultimately.

CLERK McCAIN: All right.

ATTORNEY WEED: Yeah. I mean papa bear could have one and mama bear could have one and baby bear could have one but the total they're going to have is three.

COUNCILMEMBER ALEXANDER: Goldilocks is out of luck.

COUNCILMEMBER ROCHE: I don't know that we want to go through all this just to change this one little bit of ordinance.

Let's have the watch dogs continue to monitor the situation and if it continues to be a problem, I won't hesitate to put it back on the agenda and we'll bring it back up again. I mean I don't think we're going to get any traction other than what we're going to do here, so.

COUNCILMEMBER FLEMING: I think the steps that you're taking, though, for the database -- and e-mailing the police department the authorized yard sales --

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COUNCILMEMBER ROCHE: Right.
COUNCILMEMBER FLEMING: -- will definitely start the procedure. And if we find that we do have problems with that, then I'd ask for the decals to be removed and brought back to get their $25.00 deposit back.
COUNCILMEMBER ALEXANDER: And if you do have alternate colors, if you could, that would help.
CLERK McCAIN: I'll check.
COUNCILMEMBER ROCHE: What would be the penalty if someone was caught having an unauthorized yard sale?
ATTORNEY WEED: Well, the maximum penalty would be --
MAYOR PRO TEM PITTMAN: I'm sorry. I need everyone to be quiet, please.
ATTORNEY WEED: The maximum penalty would be under 2-12. You know, they could actually have to pay a $1,000 fine and up to that or imprisonment for up to 90 days. That's the maximum. There's no sub-penalty specified in the ordinance.
COUNCILMEMBER ROCHE: Thank you.
ATTORNEY WEED: So the general penalty would apply.
CLERK McCAIN: And that's common in most

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municodes; there's a catchall ordinance.
COUNCILMEMBER FLEMING: Well, wouldn't it be property maintenance?
ATTORNEY WEED: When there's a standalone ordinance, if there's a standalone ordinance but it doesn't have a standalone internal penalty, then it always refers back to the general penalty.
COUNCILMEMBER FLEMING: Oh, I see. Thank you.
ATTORNEY WEED: They all do.
MAYOR PRO TEM PITTMAN: Okay. Is that good for you, Mr. Roche?
COUNCILMEMBER ROCHE: It'll have to do for now.
MAYOR PRO TEM PITTMAN: Okay.
COUNCILMEMBER ROCHE: We'll see how it goes.
MAYOR PRO TEM PITTMAN: All right. Thank you.
All right. Reports from Commissions, none.
Public Comments, please limit your comments to three minutes.
MS. ORR: I guess I'm first. Lindy Orr, 3596 Raymond Drive.
The only two things that I want to just mention on the occupancy enforcement issue, I think

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what the issue is not so much the residents -- they don't really care -- it's the landlords. So we really have to work on finding punishments that affect these landlords because the bottom line is they're just going to allow as many people as they can get into these properties, and unfortunately they don't really care if the people that live next door and own these properties are concerned about our quality of life.
So we really have to work on the landlord side of it; that's pretty much the only way they're going to get the message. I mean I'm not against anybody renting out their properties, but, you know, rooming houses and turning them into day-laborer living places is just not going to do it.
The other thing, on gravel driveways, do we need to put anything in the verbiage that talks about if these properties are sold, what the expectation is for the new buyer so that these people are aware that, you know, if you're going to sell your property, the buyer that comes in either has to address what we would like it to be, which is concrete, pervious, you know, green material, or that if we're going to allow it to continue as a gravel driveway, this is the requirement? because we didn't really talk about that.
So that's it. Thank you very much.

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MAYOR PRO TEM PITTMAN: Thank you.
COUNCILMEMBER FLEMING: Thank you, Lindy.
MS. ORR: You're welcome.
MR. FIEDLER: Raymond Fiedler, Oakcliff Estates.
And despite all the problems that the poor police department has -- take care of this matter, take care of this matter -- I got to add one more to it.
Honorable Mayor, City Council, and Chief King, who is not here, I gave a copy of this to Major Atkinson, my wife and I have had recurring problems with the people that reside at 3298 Shady Oak Drive.
Despite visits from the former Mayor, despite visits from the former Council member, Jason Anavitarte, despite visits from former Acting Chief McElroy and the Chief himself, these people, the relatives of this property owner continue to let their unleashed chihuahuas and yorkies and pit bulls and Lord knows what else run loose in English Oak Park. And it's gotten to the point where neighbors are calling me and asking, "Well, you're the block head. Can you do anything about it?" Well, I say, "My duties stop at the fence, but you know, I'll try to help out where I can."

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1 Anyway, these dogs run around in the park
2 and they're harassing. They're harassing our
3 neighbors walking in the park with their pets,
4 they're harassing wheelchair-bound patients that go to
5 the park to get a little exercise, they're harassing
6 people that are walking on walkers, and no one seems
7 to do anything about it.
8 I think our neighborhood and our neighbors
9 need something better than this. The property owner
10 has been cited on at least two occasions for those
11 infractions but to no avail. Judge Carter ordered the
12 owner to build appropriate containing structures,
13 fences, and it was not done. Judge Carter ordered the
14 owner to consult with Sergeant Chupp prior to placing
15 animals on the property. Not done.
16 Since none of those orders have been
17 effective, need I enlist whose help to have the laws
18 enforced?
19 Sergeant Chupp, we know Dennis is not in the
20 best physical health and stuff like that, and by his
21 own admission to me and Chief King in a meeting
22 sometime last year, he's afraid to go down to that
23 property to confront the people there about that.
24 And knowing how these people act, these
25 people slam the door in the Chief's face. I mean he

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1 has a right to be afraid, and we don't want to put
2 Sergeant Chupp in harm's way.
3 But other than that, we either enforce those
4 ordinances as written or replace Sergeant Chupp with
5 someone who isn't afraid to go down and take care of
6 the problems. Thank you
7 MR. ANDERSON: Stuart Anderson.
8 First off, I appreciate Ms. Orr's comment
9 about subsequent ownership of a property with gravel
10 driveway. It wasn't discussed tonight, and I think
11 it's an important thing to be put into the ordinance.
12 Several -- a couple houses in my neighbor-
13 hood have concrete driveways that circle around the
14 back, and I think that we've kind of danced around
15 making those illegal. But they're existing driveways
16 and they're down a hill and the driveway circles
17 around the back of these houses, but I just mention
18 that because they exist.
19 Something that kind of has been mentioned
20 tonight, but it is the development director or
21 designee rather than some of the other terminologies
22 used, but the development director or designee would
23 be good.
24 Something -- and I don't butt heads with
25 Murray, but something that I've mentioned several

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1 times and I'd had talks with Murray about -- and we
2 talk a bunch about this rooming house problem and we
3 talk and talk and talk and talk about it and we don't
4 have any solutions -- Fourth Amendment rights, things
5 like that.
6 Something I brought up numerous times is the
7 rental property register. Murray says it's illegal,
8 and I say it can be done in other cities. It's the
9 only idea that's come up as to how to deal with
10 rooming houses, and it's the only idea that's come up.
11 So I think we need to pursue it and see how we can do
12 it.
13 Other than that, we just complain about it.
14 I haven't heard any solutions except that.
15 And I'm definitely for the Autumn Park. We
16 didn't have a Mr. Autumn that I know of in our
17 history, in the little red book, and Mayor Jenkins
18 lived in Northwoods, and it's totally appropriate to
19 change the name. Thank you.
20 MS. CRAWFORD: I'm Susan Crawford.
21 I too think that -- I agree with what Stuart
22 said, the very last thing that Stuart said.
23 And I empathize with what Ray Fieldler said
24 because I live in that general area and there are a
25 lot of dogs.

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1 I don't live near the park, but even where I
2 am there are -- well, a dog killed my pet, you know,
3 my cat, right up against our house because it was
4 running loose and scary. And I don't think anybody --
5 and the same pack of dogs killed our neighbor's cat as
6 well, so it is a real issue.
7 Seems to be getting better, I think, but I
8 don't know. Maybe because I don't have any more cats
9 outside.
10 But I also -- about the rooming-house
11 situation and neighbors and all of that, I don't care
12 what my neighbors are doing. It's their business.
13 I'm very much into leaving people alone. But when
14 what they're doing is impacting my life, then it
15 becomes my business whether I want it to be or not.
16 And if my neighbors are living their lives
17 in such a way that I'm not going to be able to enjoy
18 mine or read a book or write a book without a lot of
19 noise, or when it comes time to sell our house, if we
20 can't sell ours in spite of having done everything we
21 can to keep up our property, because the people around
22 us are not or they're living 12 to a two-bedroom
23 house, then it becomes my issue as well.
24 And I would think that you could use some
25 common sense. I mean if there's a two-bedroom house

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and eight vans in front of it all hours of the night and day, probably it's a rooming house or probably they're -- you know, God knows; I don't. But obviously nobody's going to work, so you might want to look into that.

As far as the garage sales, yard sales, I again think that's part of a community. I mean when we clean out our house, we could easily have yard sales for five weekends in a row and still have stuff. It's true, I mean, and I don't think there's anything wrong with it.

All this fastidiousness and obsession about the stickers, I don't think that's really the issue. For one thing, you can't really peel the stickers back off and return them, and who wants a bunch of -- a lump of used stickers on a desk? I would think you wouldn't, but.

I think the real issue is what's being -- maybe that there are illegal goods being sold at particular yard sales or that people are doing things that are...I don't think it's the yard sales themselves, so I hope that you don't just outlaw yard sales or limit them to two a year, because this is -- I mean we are trying to have a community, and that, to me, is part of a community.

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MR. HART: I never knew that yard sales were such a -- What is it? A thousand dollar fine and you're in jail? A yard sale?

I moved right past yard sale. I just went to get -- with our tractor and everything, been loading a dump track. We just took it out of the basement and it went into the dump truck. I'm having this massive clean-up and home-improvement thing going on at my place this week, so I'm trying to improve the city of Doraville and my neighborhood.

UNIDENTIFIED SPEAKER: One house at a time.

MR. HART: If the City will ever pick up the debris I've been generating, it'd be even better.

It seems like every time we come here, you guys try to reinvent the national building codes, you know. It's like we outlawed asphalt, but, you know, in this economy, asphalt costs less than concrete for your driveways. And then we get into this -- you know, we had this environmental concrete, which actually plugs up in a very short period of time which becomes solid concrete again.

And we also have things like the City doesn't even have a sidewalk set of construction standards. I mean Dekalb does, GDOT has. Doraville doesn't have it; they just build whatever they feel

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like.

And we have things that -- if you have a garage next to your house and it's on your piece of property and you obey the ordinances, you have either a 12- or 24-foot wide driveway, it could be made of brick, concrete, or gravel in this case, pea gravel. But there's a set of standards; they're called building codes, okay? and these things are usually attached as zoning ordinances in R-1.

And so you guys don't ever think of this. You just get into a meeting and start free-forming about building codes. And I sat here tonight, and we got into yard sales and then trying to figure out how to make a driveway. I think that people have already figured out how to build driveways and they figured out how to put roofs on houses; they leaned how to build sidewalks. Just Doraville, it just hasn't caught up to that yet.

And you look out here at Park Avenue and what's being built for a sidewalk, that doesn't meet any code in -- maybe in New Guinea someplace but not -- you know, not in Dekalb, not Gwinnett. You know, not in the city of Atlanta. But sure as heck, Doraville doesn't have any building codes; it just builds whatever it wants.

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You know how much those plans cost? $750,000 for this $75,000 sidewalk, and you guys don't seem to have a single bit of problem with that, but let's talk about some more yard sales. Thank you.

MS. GILMAN: Carol Gilman, Chestnut Place.

I really like it when Council and Mayor acknowledge and embrace residents and citizens in events like you do with the proclamations.

You know, part of enjoying living in Doraville is feeling good about living in Doraville. And when we embrace people, I believe that it enhances our community and it enhances the good feeling about being part of community. And so I'm glad you do that, and I hope you continue to do that.

And I will say quickly again, I think the LCI is just an awesome thing. Wishful thinking, blue skying, let's call it visioning; you know, that's a good thing. It's something to get excited about. We can take pieces of what we saw there put together, and we can take a piece here and a piece there and apply it to our existing neighborhoods; and you know, that's a good thing. I like that.

And I always like it when we seize the opportunity to focus on the positive. You know, the negative's always going to be there; the hard work's

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always going to be there. We got to attend to it; that's the business of the City. But you know, the business of the City too is focusing on the positive, and I thank you for those two pieces of the agenda tonight.

MR. BILLEHUS: Alan Billehus, 3585 Raymond Drive, homeowner since 1972.

You know, like I said last time, I live below two hills in Doraville and my home declines in. So the last car I owned before this one, I couldn't get in my driveway because of the steep decline and there's a hump in my driveway to keep water flow down. My Mustang scrapes every time. And if you come by and look, you will see divots inside my driveway where cars scrape coming in.

We've been using my home a certain way since the '70s. Doraville didn't have a problem in the '70s and '80s with this.

I understand the gravel and the parking issue, but it's also, you know, for certain residents like me that's been here a long time. You know, if we've been doing something for so many years, it shouldn't be a problem now. And so I strongly feel that I need a curb cut on the side of my yard and I need to exit out of the side of my hard, and we've

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been doing that since the '70s.

I'm not perfect, which is why I'm fighting for my rights. You know, I'm a licensed professional counselor. I have five college degrees, but I failed English and I can't spell, so I worked hard to get through school.

Nothing in my life's been perfect, and you know, I don't want to go into my childhood and all that stuff, but, you know, I know I'm not a perfect citizen, which is why I got to fight for my rights on just about a lot of things.

You know, if landlords care about their home, they don't want everybody in their home. They want to try to keep the home somewhat good.

You know, in apartment complexes, everybody who lives in the home has to be on the rental agreement. You know, perhaps Doraville could look into enforcing that and also enforcing, you know, writing down the cars and the car tags, and then that way, you know, at least you have that record.

Or maybe you can look into -- you know, I know you have the square footage and things. Perhaps with rental agreements when people rent out homes, you can have that this has to be in your document; and then that way, that would help landlords, because the

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landlords aren't always there.

And so, you know, I'm not sure if I really want to hold landlords responsible. If they know it, then, you know, I think that's bad, but if they don't know it, I don't want to hold them responsible for that.

About the yard sales, since we're given our money back, why not up the fee to 75 to a hundred bucks. Why not say you have to bring your signs physically back to get the money back? You know, I know that cause us to trash the signs, but we'd have to do that, you know.

As citizens and the government, we have to be very careful of the person's emotional wants and needs. Alan Greenspan said that subprime mortgages were something to invest in and that's the best way to invest in a home. That's an emotional want and need he sold to us. Was that the best way to invest in real estate? It took seven to ten years for us to find out. You know, you go back to center to Barnie Frank. He told us the best way to invest in real estate. Is that the best way to invest in real estate?

These are high government officials. You know, we have to be very careful about emotional wants

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and needs and forcing it on others. Am I responsible for the success of another person's investment? That's when we start getting into corruption when you start making another person make another person's investment successful.

MAYOR PRO TEM PITTMAN: Thank you.

Okay. We need a motion to go into Executive Session for pending litigation?

ATTORNEY WEED: Pending and future.

MAYOR PRO TEM PITTMAN: Pending or future.

COUNCILMEMBER BATES: So moved.

MAYOR PRO TEM PITTMAN: Do I get a second?

COUNCILMEMBER FLEMING: Second.

MAYOR PRO TEM PITTMAN: Discussion?

- - -

(No response)

- - -

MAYOR PRO TEM PITTMAN: Call the roll, please.

CLERK McCAIN: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK McCAIN: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK McCAIN: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

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CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR PRO TEM PITTMAN: Motion carries.
- - -
(Executive Session)
- - -
MAYOR PRO TEM PITTMAN: Motion to come out of executive session?
COUNCILMEMBER PACHUTA: So moved.
MAYOR PRO TEM PITTMAN: Second?
COUNCILMEMBER BATES: Second.
MAYOR PRO TEM PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.

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CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
COUNCILMEMBER PACHUTA: Motion to adjourn.
MAYOR PRO TEM PITTMAN: Second?
COUNCILMEMBER ROCHE: Second.
MAYOR PRO TEM PITTMAN: Discussion?
- - -
(No response)
- - -
MAYOR PRO TEM PITTMAN: Call the roll, please.
CLERK McCAIN: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK McCAIN: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK McCAIN: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK McCAIN: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
CLERK McCAIN: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
- - -
(Meeting adjourned at 11:20 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 30th day of March 2011.

_____

Theresa Bretch, CCR
Permit No. B-755

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