In The Matter Of:

City of Doraville

State of Georgia

City Council Meeting

April 5, 2010

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(404) 892-1331 - (800) 445-2842

Original File 60466-1.TXT

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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 Ray Jenkins presiding, before Theresa Bretch, Certified Court Reporter, commencing at approximately 6:30 p.m., April 5, 2010.

* * *

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APPEARANCES:
Doraville City Council:
Hon. Ray Jenkins, Mayor
Councilmember Maria Alexander
Councilmember Brian Bates
Councilmember Karen Pachuta
Councilmember Donna Pittman
Councilmember Bob Roche
Councilmember Pam Fleming
Sandra Bryant, Assistant City Clerk
Murray J. Weed, City Attorney

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P R O C E E D I N G S

MAYOR JENKINS: Meeting come to order. Call the roll, please.

ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Here.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Here.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Here.

ASSISTANT CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Here.

MAYOR JENKINS: I'd like to approve the minutes for the January 26, 2010.

COUNCILMEMBER ALEXANDER: I make a motion we approve the minutes for 1/26 of 2010 with the change

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to the motion summaries, item number 4: A motion was made to deny the conditional use request, and it should be "by Councilmember Roche." That was left out of the motion summary.

MAYOR JENKINS: Do I get a second?

COUNCILMEMBER BATES: Second.

MAYOR JENKINS: Call the roll.

ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

ASSISTANT CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes. And thank you

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for the change.
MAYOR JENKINS: Motion for February the 22nd, 2010?
COUNCILMEMBER BATES: So moved.
MAYOR JENKINS: Second?
COUNCILMEMBER PACHUTA: Second.
MAYOR JENKINS: Call the roll.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.

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MAYOR JENKINS: Motion for the March 15th, 2010, and March 17th, 2010.
COUNCILMEMBER PITTMAN: So moved.
MAYOR JENKINS: Second?
COUNCILMEMBER PACHUTA: Second.
MAYOR JENKINS: Call the roll.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: March the 17th, 2010.

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Motion?
COUNCILMEMBER BATES: So moved.
MAYOR JENKINS: Second?
COUNCILMEMBER ALEXANDER: Second.
MAYOR JENKINS: Call the roll, please.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: All right. We're going to go into Mayor's Comments, and before I bring John King

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up, I'm going to ask for a motion pursuant to Section 3-1 of the Doraville Employees Manual to create the position of Assistant Chief, and I want to also create the position and provide the funds for that position of Assistant Chief.
Do I have a motion?
COUNCILMEMBER BATES: So moved.
MAYOR JENKINS: Second?
COUNCILMEMBER PITTMAN: Second.
MAYOR JENKINS: Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?

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COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: Okay, John.
I want everybody to welcome John back his first day back in the building.

- - -

(Applause)

- - -

CHIEF KING: Thank you very much. Thank you all.
MAYOR JENKINS: Proud of you, John.
CHIEF KING: Well, thank you, Mayor. I appreciate the support of not only the Mayor but the rest of the City Council in not only welcoming me home but for about what I'm about to get ready to do, because it's a very important position that you-all have just authorized, and I'm just very proud.
I appreciate the opportunity to address you-all, and I'm very grateful to return to my duties as your chief of police, and we are committed to

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continuing the stellar service that you-all have received in the last year while I was absent. And the key to this success is that steady leadership that Chuck Atkinson has been able to provide to our police department.
Chuck has been part of this community his entire life. He grew up in this community. He has told us that he has ran from the police a couple of times so he knows all the places where to chase young men. But it doesn't count unless you get caught.
But Chuck, with his education and his background, could have picked a number of agencies to go work for. He has had several offers to go work for Federal law enforcement, and he has been very polite and turned them down every time. Why? Because he wants to remain committed to this community and wants to remain serving this community where he grew up and he loves.
He's very humble, and I think you-all approached him about this topic during your retreat, and he called me immediately to make it very clear to me that he was not advocating any kind of self-promotion. I said, "Chuck, we all know you. We know who you are. Don't worry about this."
But he has performed his duties with an

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incredible amount of honor and distinction. He was able to keep our department focused and in supporting the quality of life for our community.
And in recognition for outstanding service and also his potential for further service, which is more important in my book, I'd like to promote Captain Charles Atkinson to the position of Assistant Chief of Police effective today.

- - -

(Applause)

- - -

CHIEF KING: Part of our tradition that we bring from the military is that I'll ask Mr. Atkinson to pin his new badge of office and for his family to come and pin his new rank.
And Mayor, if you could provide the oath of office in recognition of his new position, I would greatly appreciate it.
ASSISTANT CHIEF ATKINSON: (Complying)
CHIEF KING: Chuck, there's another tradition in the military. I don't know if we're going to do that. It's very painful when you get promoted.
ASSISTANT CHIEF ATKINSON: No, I --
CHIEF KING: Some of the paratroopers in the

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audience might know that.
MAYOR JENKINS: I've seen John get whooped up pretty bad when you got colonel.

- - -

(Photo session)

- - -

CHIEF KING: Now, Mayor, if you don't mind giving Chuck his new oath of office and we'll make it legal.
MAYOR JENKINS: Raise your right hand. I --
ASSISTANT CHIEF ATKINSON: Charles D. Atkinson.
MAYOR JENKINS: -- do solemnly swear or affirm that I will support and defend the Constitution of the United States of America and of the State of Georgia and that I will in all respects observe the provisions of the Charter and Ordinances of the City of Doraville; and I will to the best of my skills and abilities faithfully and justly perform the duties and obligations of a peace officer without fear, favor or affection.
I do further swear that I am not the holder of any public monies due the State, any political subdivision or government authority unaccounted for; that I am not the holder of office of trust under the

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1 government of the United States, any other states, or
2 any foreign state which I am by the law of the State
3 of Georgia prohibited from holding; and that I am
4 otherwise qualified to hold the office of peace
5 officer according to the Constitution and laws of the
6 State of Georgia.
7 ASSISTANT CHIEF ATKINSON: So help me God.
8 - - -
9 (Applause)
10 - - -
11 COUNCILMEMBER PACHUTA: Murray, do we need
12 to redo that with the correct --
13 COUNCILMEMBER PITTMAN: For the record?
14 MAYOR JENKINS: You want --
15 ATTORNEY WEED: Yeah, I would just correct
16 it for the record. You need a motion and a second;
17 just restate the section.
18 COUNCILMEMBER PITTMAN: Okay. I make a
19 motion to approve the position pursuant of 3.1.2, of
20 Assistant Chief of Police.
21 MAYOR JENKINS: 3 point what?
22 3.102?
23 COUNCILMEMBER PITTMAN: Point 2.
24 COUNCILMEMBER PACHUTA: I think we stated
25 the wrong code section earlier.

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1 COUNCILMEMBER PITTMAN: 3.1.2. So we're --
2 MAYOR JENKINS: Second?
3 COUNCILMEMBER FLEMING: Second.
4 MAYOR JENKINS: Call the roll.
5 ASSISTANT CLERK BRYANT: Councilmember
6 Alexander?
7 COUNCILMEMBER ALEXANDER: Yes.
8 ASSISTANT CLERK BRYANT: Councilmember
9 Bates?
10 COUNCILMEMBER BATES: Yes.
11 ASSISTANT CLERK BRYANT: Councilmember
12 Fleming?
13 COUNCILMEMBER FLEMING: Yes.
14 ASSISTANT CLERK BRYANT: Councilmember
15 Pachuta?
16 COUNCILMEMBER PACHUTA: Yes.
17 ASSISTANT CLERK BRYANT: Councilmember
18 Pittman?
19 COUNCILMEMBER PITTMAN: Yes.
20 ASSISTANT CLERK BRYANT: Councilmember
21 Roche?
22 COUNCILMEMBER ROCHE: Yes.
23 MAYOR JENKINS: Luke, I believe you got the
24 grant contract?
25 MR. HOWE: Mayor, if it's all right with you

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1 and the Council, if Lynn could go in front of me, that
2 way, I can take care of my three items at the same
3 time.
4 MAYOR JENKINS: Okay. Lynn, come on up,
5 please. National Library Week proclamation.
6 MS. WATANABE: Next week is National Library
7 Week, and this proclamation is in honor of that.
8 Proclamation: National Library Week, 2010.
9 Whereas, libraries are places of opportunity and life-
10 long learning for everyone, offer an environment
11 filled with resources to explore and play a vital role
12 in supporting the quality of life in their
13 communities; whereas, our nation's school, academic,
14 public and special libraries provide excellent and
15 invaluable service to library users regardless of age,
16 ethnicity or socioeconomic background; whereas,
17 librarians and library support staff provide
18 knowledgeable support in person and online helping
19 people of all ages and backgrounds find and interpret
20 the information they need to live, learn and work in a
21 challenging economy; whereas, libraries play an active
22 role in the building the community by offering a place
23 where people may learn together, and preserving local
24 history and heritage by hosting programs and exhibits
25 that introduce new cultures, perspectives and ideas,

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1 by collaborating with specific organizations,
2 nonprofit agencies and community groups and by serving
3 as crucial technology hubs for people in need of free
4 web access, computer training, and assistance finding
5 job resources; whereas, libraries make books and
6 technology available to children in their schools and
7 communities where they might not have access
8 otherwise; whereas, professional school librarians
9 have demonstrated a significant role in their schools'
10 higher student achievement scores; whereas, library
11 use continues to rise nationwide among all types of
12 library users; and whereas, libraries, librarians,
13 library workers and supporters across America are
14 celebrating National Library Week and the fact that
15 communities thrive at your library, now therefore the
16 Mayor and the City Council of the City of Doraville,
17 Georgia, hereby proclaim April 11th through the 17th,
18 2010, proclaim National Library Week in Doraville,
19 Georgia. So proclaimed this 5th day of April, 2010.
20 MAYOR JENKINS: All right. Do I have a
21 motion?
22 COUNCILMEMBER ALEXANDER: So moved.
23 MAYOR JENKINS: Second?
24 COUNCILMEMBER ROCHE: Second.
25 COUNCILMEMBER PITTMAN: Second.

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MAYOR JENKINS: Any more discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll, please.

ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

ASSISTANT CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MS. WATANABE: Thank you.

And can I just make one comment; in with

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National Library Week, the Friends of Doraville Library will be having a book sale next Saturday, April 17th, and that happens every year during National Library Week.

COUNCILMEMBER FLEMING: What's the time, please?

MS. WATANABE: 10:00 a.m. to 3:00 p.m.

COUNCILMEMBER FLEMING: 10:00 to 3;00. Thank you.

- - -

(Applause)

- - -

MAYOR JENKINS: Donna, you want to go ahead with yours?

COUNCILMEMBER PITTMAN: Yes, sir. On May 15th, we will be having another Movies Under the Stars. It will start at 6 o'clock, from 6:00 to I believe 9:00. And we will be showing Wizard of Oz this time.

So if you've never been to one of these, they are a lot of fun. People bring their picnics and just come a little early. There's usually games and other things. So we hope everybody can come out, and if you could spread the word, please.

And Mayor, I believe Mr. Bates had an

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announcement as well.

MAYOR JENKINS: Okay.

COUNCILMEMBER BATES: Thank you.

Just as a reminder, on May the 22nd --

UNIDENTIFIED SPEAKER: Can you speak up?

COUNCILMEMBER BATES: Sure. Is that okay?

To reiterate what Ms. Pittman said, on May the 15th is Movies Under the Stars at 6:30. We'll be showing Wizard of Oz.

COUNCILMEMBER PITTMAN: 6:00.

COUNCILMEMBER BATES: 6:00. Wizard of Oz this year.

And on May the 22nd will be the City of Doraville Night with the Atlanta Silverbacks. They will be doing promotional tickets, $3.00 per person, and we are working with some of the local business community members to see if they will purchase some tickets in bulk to give to our local schools to give them away for free for kids, recognize them for perfect attendance and things like that.

So May 22nd is Doraville Night at Atlanta Silverbacks.

MAYOR JENKINS: Okay. Is that all?

COUNCILMEMBER PITTMAN: Yes, sir.

MAYOR JENKINS: Okay. Luke?

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MR. HOWE: The first item is for the Council's approval of the ARC-MARTA Offset Grant Contract. This money was made available to MARTA through the Federal government to cover operating costs. As a stipulation, MARTA had to take 25 million of that Federal funding and devote it to improvement projects within a half-mile radius of all their stations.

We applied for LCI prequalified projects. We received $700,000 for the design of New Peachtree corridor improvements as well as the design of park improvements. The material improvement we'll be getting out of this is the demolition of the existing sidewalk on the police department side and the installation of new sidewalks.

The New Peachtree corridor and park corridor improvements are a 3 million dollar enterprise, so this will be the first phase of what will probably be a three-phase project.

MAYOR JENKINS: Do you need a motion?

COUNCILMEMBER ROCHE: What is it going to cost us?

MR. HOWE: It's going to cost us nothing.

COUNCILMEMBER ROCHE: Is any of this applied to the Central Avenue sidewalk?

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MR. HOWE: This is a totally different grant.
COUNCILMEMBER ROCHE: I make the motion that we accept the MARTA Offset Grant Contract.
MAYOR JENKINS: Second?
COUNCILMEMBER FLEMING: Second.
MAYOR JENKINS: Any more discussion?
Call the roll.
COUNCILMEMBER ALEXANDER: I did have one --
MAYOR JENKINS: Excuse me.
COUNCILMEMBER ALEXANDER: -- question. I'm sorry, Mayor.
When I was reading in the contract, it specifies that when we send the invoices for reimbursement or whatever, they're numbered consecutively?
UNIDENTIFIED SPEAKER: We can't hear back here. Can you turn your mikes on or something?
COUNCILMEMBER BATES: They're on.
UNIDENTIFIED SPEAKER: They're not working. We can't understand anything.
COUNCILMEMBER ALEXANDER: Can you hear us now?
UNIDENTIFIED SPEAKER: That's better.
UNIDENTIFIED SPEAKER: That's better. Thank

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you.
COUNCILMEMBER ALEXANDER: That the invoices be sequentially number when they're submitted for reimbursement. Are you going to coordinate that or does Ms. Wilson need to?
MR. HOWE: Yes, ma'am. And we will include that in our contract with the consultant.
COUNCILMEMBER ALEXANDER: Thank you.
MR. HOWE: Every grant that we deal with, I mean it's pretty much the general rule of thumb is if you're paid back on a -- it's a reimbursement. So every invoice that comes in, we need to make a copy of that invoice and the check that we send out, and that's the only way we get reimbursed, so --
ATTORNEY WEED: If I could, I would advise the Mayor and Council that because this is the formal approval of the contract, that you actually modify the agenda, technically, just to have that on the record that you did so, to avoid any question in the future.
COUNCILMEMBER ROCHE: It's on the agenda.
COUNCILMEMBER BATES: It's on the agenda.
ATTORNEY WEED: I guess I have a different agenda. I'm sorry.
COUNCILMEMBER PITTMAN: Yeah, there is a different agenda.

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ATTORNEY WEED: Okay. I don't have that. Thank you. That's great news. Okay. Thank you.
MAYOR JENKINS: Go ahead, Luke.
MR. HOWE: I'm done on that one.
MAYOR JENKINS: We need to call the roll.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MR. HOWE: Next, we need to be thinking about the LCI Steering Committee. We also need to

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think about who you would like to select as the Council liaison to that committee.
I want to take this opportunity to tell everybody that the RFP -- the LCI RFP that was on -- that got posted online and was given to you was the first draft. It's riddled with grammatical mistakes, and I apologize. I was in training Thursday and Friday. So when I sent it to Murray to proof read, I copied Rhonda on it, so she posted -- she gave y'all the original draft. So the final version is on our Web site. And I apologize for that.
But the RFP's going to be due on May the 3rd for the LCI. That coincides with a Council meeting where you-all will open the packages.
We can wait on a committee. I think it would be prudent to wait because, you know, we have yet to contact or talk to potential committee members.
So if the Council wants to go ahead and select a liaison, I think that would be appropriate, but we can wait on putting together that committee.
COUNCILMEMBER ROCHE: So what's the process going to be to chose this committee? You said you were going to contact people?
MR. HOWE: Well, first we need to have -- the Council needs to elect someone to interact with

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this committee. I think that Council member can propose -- select the way we select these people.

It's really up to you all, but I think the first step is nominating a Council member to interface with the committee.

MAYOR JENKINS: We're going to have a Council member put all the other committee members on; is that correct?

MR. HOWE: Or he can suggest a way to go about doing it, whether each Council member nominates one or two. It doesn't matter.

All I ask is that we select one person from unincorporated Dekalb and one person from the city of Chamblee just because this is going to be a multi-jurisdictional LCI study.

But usually LCI steering committees are a nine-member body.

MAYOR JENKINS: Nine?

MR. HOWE: Yes, sir.

COUNCILMEMBER ROCHE: I would think each Council member should be able to nominate someone and put it on the committee.

MR. HOWE: And that's up to you-all.

COUNCILMEMBER ROCHE: That way, there's a broad spectrum of citizens available to serve on this

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committee.

MR. HOWE: Sure.

MAYOR JENKINS: Do you want each Councilman to nominate one, and you say you want Chamblee?

MR. HOWE: One person from the city of Chamblee -- that can be anybody, a resident -- and one person that resides in unincorporated Dekalb preferably close to the city limits of Doraville.

COUNCILMEMBER ROCHE: And then that --

MAYOR JENKINS: You said nine. That would be eight.

MR. HOWE: The original LCI study area that I proposed stopped at our border, which is Peachtree Road. ARC suggested we amend the LCI study area to include a chunk of unincorporated Dekalb west of Peachtree Road.

What has happened since then is that Chamblee has put forward an annexation proposal which has passed the General Assembly. Provided those people in that area vote to join the city of Chamblee, then we will not be bordering Dekalb County and it will be all city of Chamblee on the west side of town.

But we don't know if the voters are going to approve that, so I think it would be appropriate to invite someone, a resident from unincorporated Dekalb

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to participate.

COUNCILMEMBER FLEMING: I think we also -- in this group of selectees, we should also consider putting one of our property owners on this committee as well.

COUNCILMEMBER FLEMING: Fine with me.

COUNCILMEMBER ROCHE: So it needs to be nine people, and one of those people would be a Council person or would that be 10 people including the liaison?

MR. HOWE: I would leave the Council member off the committee. I would have the Council member interface with the committee and report back to the rest of the Council. I think it should be all residents and/or business owners.

COUNCILMEMBER ROCHE: All right. Well, how about I make a motion that we have -- we form a committee of nine people consisting of one property owner within the city of Doraville -- that's a commercial property owner -- one resident of Chamblee, one resident of unincorporated Dekalb, and one each to be nominated by each City Councilperson. That'll give us nine people.

MAYOR JENKINS: Okay. Do I get a second?

COUNCILMEMBER ALEXANDER: I think perhaps we

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should, on the person from Chamblee, maybe get a recommendation from Mayor Fortson?

COUNCILMEMBER ROCHE: That's fine with me.

MAYOR JENKINS: I think we'd go through him and let him nominate it, wouldn't you think?

COUNCILMEMBER BATES: Second.

MAYOR JENKINS: Any more discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll.

ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

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COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: Thank you.
MR. HOWE: I'm going to make this quick. I've got -- I've been putting off a project for months, and my girlfriend's begging me to install a ceiling fan, so I'm going to make this short and sweet.
But there's been a lot of talk about economic development lately. Councilwoman Pachuta has placed an item on the agenda. I've read the descriptions, and none of those cities get it right. In fact, cities our size rarely get it right when it comes to economic development.
Economic development originated in Mississippi in 1936 when the first revenue bonds were issued under the state's balancing industry with agriculture program. Public financing is essential to economic development, one of the components I want to touch on here tonight.
Economic development defined; in a nutshell, it's the creation of the wealth. It's a process, not an event. And to illustrate this process, this is

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something that Georgia Power puts out (indicating). Georgia Power employs community and economic developers. They have a financial interest in seeing us grow. More power means more money for them. They have one assigned to our area, and they've put together this pamphlet, and this is the pyramid of the process. At the foundation is leadership, then strategy, then services, then marketing and, finally, rewards.
Historically, it has only meant industrial improvement. It still is, to an extent, but those industries are more innovation oriented, such as life sciences, information technology, digital media, aerospace technology, et cetera.
More and more, the focus on economic development is being placed on small business development. I can't recall much if anything at all about small business development from the descriptions provided.
So a modern economic developer is more of a cultivator or a grower rather than a fisherman whose sole job is to reel in industry.
Just a quick fact: there are only 2,500 certified economic developers in this country. Most are on the county and regional level and state level,

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institutional level. I guess you could include Georgia Power within the institutional realm.
Today it's about multiple strategies. Small business development, tourism, retaining and retention of existing industry, downtown development, leisure, cultivating minority business, strengthening regional partners. In its essence, economic development is about collaboration. It's about working with the County. It's about working with the State, the chambers, the Metro Chamber, the Dekalb Chamber. You've got to work with these people in order for all the pieces to come into place.
Let's talk about the pyramid. As I said, it's a process. It's a methodical, collaborative approach. Economic development is the sum of all working parts and its process is best illustrated by this pyramid.
Let's talk about leadership. Leadership on the state, regional, institutional and local levels. It's leadership among the business community, the Council and the staff. And as a staff member, I have shown poor leadership in this area. Part of my responsibility is to educate the Council and the people on what exactly is economic development all about. And I've been a little late to the game, and I

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apologize for that.
To do it right, the first thing I would suggest is to start an economic development committee composed of elected officials, business leaders and county and regional partners. This way, all the key players get to interface.
I would like to see less Council meetings and more committee meetings. That's where the sausage-making takes place.
Strategy. We have to have a strategy in place in order to move forward, and we've taken steps to do that. We're currently working on a joint application for an EDA Planning Grant. That's the Economic Development Agency under the Department of Commerce. We're working with the County Office of Economic Development on that, and we will also be conducting a market analysis through the LCI process.
Now, you ask why aren't we just applying for it ourselves? Well, we're not an entitlement community, we're less than 50,000 people, which, as a result, we either have to go through the County or the State to get our grants.
Third thing I wanted to touch on in services. These are wide-ranging, and we can talk all night about everything we can do. But I wanted to

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1 highlight to you in particular, the first is work
2 force development and the second is economic
3 development financing.
4 For work force development, we have to draw
5 on regional talent to manage our clusters or targets.
6 What we can do as a small city is contribute to the
7 regional work force. That's why we've been talking up
8 charter schools. That's why we talked about satellite
9 college campuses, vocational opportunities, work-ready
10 programs. There's a severe shortage of HVAC
11 technicians, electricians, plumbers.
12 We can use this site to help contribute our
13 small part to the overall work force. If we do
14 attract industries like digital media, information
15 technology, biotech, then we're drawing on a regional
16 work force. We're not using our own.
17 Second is the need to create public
18 financing mechanisms, and I can guarantee you all that
19 development will never happen without public
20 financing. It won't happen. I talked to a colleague
21 that works for the Atlanta Development Authority, and
22 she said there was -- all in all, there was 250
23 million in public financing that went into the
24 development of Atlantic Station.
25 There are private bonds. There are recovery

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1 bonds that the County has been given by the Federal
2 government -- essentially, treasury bonds -- and we're
3 entitled to that as much as anybody because we're a
4 city within Dekalb County.
5 Other than issuing bonds, there are other --
6 Let me step back. Essentially what we have to do is
7 create a Doraville Development Authority. We have to
8 do that. One thing the development authority -- Or a
9 redevelopment corporation. We could also -- those are
10 pretty much the same thing.
11 But what a development authority can do is
12 issue bonds. They can do everything the City can when
13 it comes to bonds. And they can also -- they're also
14 eligible for the same grants we're eligible for, like
15 the CDBG Grant, Community Development Block Grant. As
16 of now, the City can only apply for one CDBG Grant per
17 year. We have to focus -- you know, I've put our
18 focus on these grants on infrastructure and building
19 the basic public amenities that potential residents
20 and businesses are going to be attracted to in the
21 first place. But a development authority can apply
22 for the same CDBG Grant and use it for projects like a
23 revolving loan program for small businesses.
24 Not many people know this, but publicly-
25 owned banks -- that's banks that are traded on the

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1 stock exchange -- are under a Federal mandate to
2 invest in small businesses, particularly in under-
3 deserved or minority areas. You take the funds from
4 the CDBG Grant, combine that with bank contributions,
5 and you have a good size revolving loan fund that is
6 replenished with principal and interest payments.
7 On average, this is just a fact, it takes approxi-
8 mately 10 to 15 thousand dollars to start a business.
9 The fourth level of the pyramid's marketing.
10 I'm not going to get into marketing tonight. Again,
11 we can go on all day. But everything -- once all
12 those are in place, then we get rewards, and I don't
13 need to tell you what the rewards are.
14 So just to sum up, you know, we can talk
15 about retail. Retail is a very, very small piece of
16 economic development. It's a very small component.
17 Retail is a product of rooftops and demographics.
18 The people that are best equipped to attract
19 retail are developers and real estate specialists, and
20 I would be very surprised if New Broad Street didn't
21 have potential tenants already lined up. If they're
22 not already lined up, they're thinking about it.
23 So I'll end on that note and take any
24 questions. But I wanted this to be the first of many
25 discussions with you-all on this. I would like to --

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1 I plan as part of the LCI process is to organize a
2 forum where we invite panelists from Georgia Power,
3 the State Department of Economic Development, the
4 County, and the chambers to come here and talk more
5 about it. And I think that's something we can do.
6 But at this time, I'll take questions.
7 MAYOR JENKINS: We got a copy of your thing
8 here so we should be able --
9 MR. HOWE: Well, and that's -- I put
10 together an abbreviated version this afternoon just to
11 save on time, and I can post that online as well if
12 y'all would like to look at it.
13 MAYOR JENKINS: Okay, Luke.
14 MR. HOWE: One more thing that relates to
15 the LCI that I would like to talk about, because I got
16 to go after this, about this, the consultant to
17 oversee the development, I would like to leave you
18 with this thought. Here's the thing: we've already
19 issued the RFP for the LCI. We've gotten a number of
20 interested parties calling, some of the best
21 developers, and in some cases, teams of some of the
22 best developers in the metro area.
23 We're getting $100,000 from the Federal
24 government to conduct this study. I would suggest
25 holding off on an overall consultant and using these

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1 -- these -- whoever you select as the LCI consultant
2 to lean on for expertise until that grant is exhausted
3 and the study complete, and then at that time, we can
4 revisit or we can re-sign, or if we don't like the way
5 they, you know, conducted the LCI, we can go after
6 somebody else. But I think that would be the most
7 efficient and cost-effective way to go about this, and
8 I don't want that RFP to draw talent away from the
9 LCI, and that could be an unintended consequence.
10 So I'll leave that with you, and I thank
11 y'all for this opportunity.
12 MAYOR JENKINS: Thank you, Luke.
13 COUNCILMEMBER PITTMAN: Thank you.
14 COUNCILMEMBER FLEMING: Thank you.
15 MAYOR JENKINS: Okay. Next item is Mayor
16 Pro Tem. I did talk to Jill Chambers today, and our
17 bills are up for to be looked at on I believe she said
18 April the 12th. They only got a one-day session. She
19 hopes there's three. And it's a possibility they'll
20 get them all through on the 12th; but otherwise, it
21 may be -- I don't know when the next session will be.
22 But she does have those bills before the House. Okay?
23 So in that line, we have tonight --
24 Actually, if we get the Charter change, we'll go with
25 Mayor Pro Tem on January the 1st. But our Charter

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1 reads April, so we will -- tonight we will choose a
2 Mayor Pro Tem.
3 ATTORNEY WEED: And Mr. Mayor, if I might
4 intercede real quickly. the relevant section is 2.04,
5 and it holds that the Council at the first regular
6 meeting in May will select the Mayor Pro Tem. It's
7 certainly fine that you discuss it tonight, but your
8 final selection, you'll have to do it in May.
9 MAYOR JENKINS: Cannot do it tonight?
10 ATTORNEY WEED: My opinion is that the
11 Charter's pretty specific and it says May. I think
12 you can certainly discuss it tonight, and then you
13 could, you know, finalize it in May at the first
14 meeting.
15 COUNCILMEMBER BATES: Thank you. Well, I
16 think Donna has done a great job this past year, and
17 I'll be supporting Ms. Pittman for Mayor Pro Tem.
18 COUNCILMEMBER FLEMING: I agree.
19 COUNCILMEMBER PITTMAN: Thank you.
20 MAYOR JENKINS: Is that in the form of a
21 motion?
22 COUNCILMEMBER BATES: I can't make a motion,
23 no, sir.
24 MAYOR JENKINS: Any more comments?
25 COUNCILMEMBER PACHUTA: Can we make a motion

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1 effective May?
2 ATTORNEY WEED: Sure. You can always make a
3 motion. Just you'll have to make it again in May --
4 COUNCILMEMBER PACHUTA: Oh.
5 ATTORNEY WEED: -- but that's fine.
6 COUNCILMEMBER ROCHE: Might as well wait
7 till May.
8 COUNCILMEMBER PACHUTA: So we can't make a
9 motion to take effect in May?
10 ATTORNEY WEED: Yes, you can do that.
11 COUNCILMEMBER BATES: Then, I'll make a
12 motion to reelect Councilwoman Pittman as Mayor Pro
13 Tem effective --
14 ATTORNEY WEED: The first regular meeting in
15 May.
16 COUNCILMEMBER BATES: -- the first regular
17 meeting in May.
18 COUNCILMEMBER PACHUTA: I'll second.
19 COUNCILMEMBER FLEMING: Second.
20 MAYOR JENKINS: Okay. Call the roll.
21 ASSISTANT CLERK BRYANT: Councilmember
22 Alexander?
23 COUNCILMEMBER ALEXANDER: Yes.
24 ASSISTANT CLERK BRYANT: Councilmember
25 Bates?

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1 COUNCILMEMBER BATES: Yes.
2 ASSISTANT CLERK BRYANT: Councilmember
3 Fleming?
4 COUNCILMEMBER FLEMING: Yes.
5 ASSISTANT CLERK BRYANT: Councilmember
6 Pachuta?
7 COUNCILMEMBER PACHUTA: Yes.
8 ASSISTANT CLERK BRYANT: Councilmember
9 Pittman?
10 COUNCILMEMBER PITTMAN: Abstain.
11 ASSISTANT CLERK BRYANT: Councilmember
12 Roche?
13 COUNCILMEMBER ROCHE: Yes.
14 MAYOR JENKINS: All right.
15 COUNCILMEMBER PITTMAN: Thank you.
16 MAYOR JENKINS: Recreation Department. We
17 put out bids on the new air conditioner for the
18 recreation department, and we gave it to Carol to talk
19 with Bobby and get together and see who was the best.
20 And Carol has chosen United Maintenance, Incorporated,
21 which is actually the low -- $100 above the low bid.
22 So I need a motion that we go ahead with
23 United Maintenance on the air conditioner for the
24 arena.
25 COUNCILMEMBER FLEMING: I'd like to make a

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1 motion to contract with United Maintenance to install
2 a new conditioning unit in the Forrest Fleming
3 Arena --
4 COUNCILMEMBER PITTMAN: Second.
5 COUNCILMEMBER FLEMING: -- in the amount of
6 $16,230.36.
7 MAYOR JENKINS: Any more discussion?
8 - - -
9 (No response)
10 - - -
11 MAYOR JENKINS: Call the roll.
12 ASSISTANT CLERK BRYANT: Councilmember
13 Alexander?
14 COUNCILMEMBER ALEXANDER: Yes.
15 ASSISTANT CLERK BRYANT: Councilmember
16 Bates?
17 COUNCILMEMBER BATES: Yes.
18 ASSISTANT CLERK BRYANT: Councilmember
19 Fleming?
20 COUNCILMEMBER FLEMING: Yes.
21 ASSISTANT CLERK BRYANT: Councilmember
22 Pachuta?
23 COUNCILMEMBER PACHUTA: Yes.
24 ASSISTANT CLERK BRYANT: Councilmember
25 Pittman?

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1 COUNCILMEMBER PITTMAN: Yes.
2 ASSISTANT CLERK BRYANT: Councilmember
3 Roche?
4 COUNCILMEMBER ROCHE: Yes.
5 MAYOR JENKINS: Lynn? Library information
6 on bathroom renovations.
7 MS. WATANABE: Thank you. I have just today
8 gotten some new information from another architect
9 that was recommended by Dekalb County, and it's making
10 me not rethink the renovation but rethink pushing for
11 the one from Texas.
12 And what I would like to do is go to a free
13 -- I just became aware of a free design institute that
14 is happening on April 30th sponsored by Library
15 Journal here in Atlanta, and there will be architects
16 from this area as well as the southeastern region of
17 the United States. And I would like to go to that and
18 make some comparisons and network, and then in May,
19 make a decision on an architect and proceed with the
20 project.
21 COUNCILMEMBER FLEMING: So would you like us
22 to put it on the agenda for May 3rd or May 17th?
23 They may not be able to give you an RFP or the
24 information you need on site, so which would you
25 prefer?

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1 MS. WATANABE: I would say May 17th.
2 COUNCILMEMBER FLEMING: Okay.
3 COUNCILMEMBER BATES: Very good. Thank you.
4 COUNCILMEMBER PITTMAN: Thank you.
5 MAYOR JENKINS: Okay. We allow three
6 minutes, Public Comments on Agenda Items. You have a
7 copy here. Look at the agenda items. We give each
8 person three minutes to discuss it.
9 MS. CRAWFORD: Susan Crawford, Oakcliff.
10 I'm preempting myself on the agenda. I'm on the
11 agenda, but things have changed considerably since I
12 put myself on the agenda.
13 The Mayor has subsequently offered I guess
14 the old Clinicare building to the community as a
15 cooperative community center.
16 MAYOR JENKINS: Let me clear that up,
17 please, ma'am.
18 MS. CRAWFORD: Excuse me?
19 MAYOR JENKINS: Yes, ma'am. You're right.
20 But I say after the Council approves of it.
21 MS. CRAWFORD: I was going --
22 MAYOR JENKINS: I do not --
23 MS. CRAWFORD: -- to say that.
24 MAYOR JENKINS: -- have the option to tell
25 you you can have it. The Council can.

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1 Go ahead.
2 MS. CRAWFORD: Oh. Well, then should I --
3 Shall I keep going or --
4 MAYOR JENKINS: Yeah.
5 COUNCILMEMBER ROCHE: Keep going.
6 MS. CRAWFORD: I'm just going to keep going.
7 Okay. So we are looking into a 501(c)(3)
8 and the mission statement. I'm just going to run it
9 by you so you sort of get an idea what this is about.
10 The Doraville Cooperative Community Center
11 is a city-wide organization whose purpose is to
12 incorporate its great diversity in promoting
13 educational and cultural growth within the community.
14 And what we're going to offer there are
15 classes. We already have some volunteers who would
16 like to teach. We have artists. We have yoga and
17 meditation instructors. We have photographers. We
18 have different people who can add different elements
19 to that part. Also we'd like to do a sort of tea
20 shop, coffee shop place. And chess club, yoga, film
21 study, poetry readings, and center for the seniors,
22 and also we've had some business community people
23 offer to do mentoring to students. So we can really
24 bring together the school part of the community, the
25 residents and hopefully the businesses and I think add

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1 quite a bit of something cultural and educational to
2 the city, and I think it would be good to have
3 everybody working together for a common thing.
4 Okay. Money. We're going to try to get
5 some grants. We'll make money from the tea shop,
6 hopefully, fundraisers and donations, and we're
7 looking into other sources.
8 What I'm asking, I guess, is that you come
9 through with what you offer, if it's okay with the
10 Council, and that we get a two-year commitment if --
11 if within three months we can show that we are holding
12 up our part of the deal, if we can get enough people
13 that will be involved, if we can get the funds, and if
14 we can get the insurance. And without that, we will
15 not open our doors, so --
16 And Ben is going to do the second part
17 because my three minutes are up.
18 MAYOR JENKINS: Let me give a little
19 background on that. They'd come to me about using our
20 small 911 building. And I called Ben and Susan and
21 said, "I have another place that I believe would be
22 much better. Closer to the pool, much more room and
23 everything." And I took them over there, and this is
24 the first I've heard about this, that they actually
25 really would rather use that particular building.

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1 Is that what you're getting at?
2 MR. CRAWFORD: I believe that's what the
3 young lady said.
4 Mayor, City Council, my name is Ben
5 Crawford.
6 MAYOR JENKINS: Oh, is that what she said?
7 I'm sorry.
8 MR. CRAWFORD: I said that's what the young
9 lady said, Mayor.
10 MAYOR JENKINS: Go ahead.
11 MR. CRAWFORD: I'd like to cover a few items
12 that we're going to cover on the 501(c)(3), but before
13 I start that, I'd like to mention something that John
14 Adams said when he was getting ready to help to draft
15 the Constitution of the United States and the
16 Declaration of Independence. He said government was
17 created for the happiness of the people, and the best
18 form of government was the form of government to
19 create the most happiness for the people. And I think
20 the City of Doraville has a chance to do that here
21 tonight.
22 I'd like to add this: that we have some
23 steps for establishing a 501(c)(3). There are 11
24 items that we have to do; we have four items that
25 we're also going to do. One that was presented

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1 tonight was formulate a mission statement.
2 We're going to form a board of directors
3 that's a compilation of business people, people in the
4 community with experience that we can pull from to
5 make this thing work. We're going to draft some
6 bylaws. We're going to develop a strategic plan,
7 going to develop a business plan, going to develop a
8 budget, develop a record-keeping system, develop an
9 accounting system. We're going to file for the 501(c)
10 status. We're going to get our Federal I.D. number.
11 We're going to file for state tax exemption. We're
12 going to file for local tax exemption and we're going
13 to fulfill the charitable (inaudible) law require-
14 ments.
15 So we're looking forward to working with the
16 City of Doraville, and hopefully the City Council will
17 see fit to let us use that space. Thank you for your
18 time.
19 MAYOR JENKINS: Next?
20 MS. BINKLEY: Good evening. I want to thank
21 you for your time. I'm Connie Binkley, and I'd like
22 to say that I am in support of the community center.
23 I am a product of a previous community center that we
24 had in Doraville when I was growing up, and it has
25 extremely impacted my life as well as the lives of

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1 many of my generation and other generations.
2 In regards to the clinic center, yes, that
3 does provide and is conducive to the space which we
4 would need now and for the future as we grow.
5 Also, the objective is to confirm if
6 possible tonight that we can go forward with the idea
7 that has been created for this building. We will take
8 the month of April to put together all the documen-
9 tation, information and so forth that you will be
10 needing for our plan to make it a reality as well as
11 showing you the support of the community activities
12 that is active in it. We would like to present all of
13 that information confirming that we're a go-ahead in
14 May in the meeting to show that we're on board with
15 everything.
16 Also we have -- the time period that we
17 have, we also would like to ask you to work with us
18 getting your inside -- your knowledge and leadership
19 to direct us so that we maintain our objective in a
20 productive manner in which to make it successful for
21 the community and the citizens, for everyone.
22 Thank you.
23 MAYOR JENKINS: Thank you.
24 Next?
25 MR. HART: They've got five pages of

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1 signatures here supporting this cooperative center,
2 and I'd like to step back here a couple years.
3 - - -
4 (Inaudible)
5 - - -
6 MAYOR JENKINS: Excuse me just a minute.
7 Who's going to talk?
8 MR. CRAWFORD: That's fine. I apologize,
9 Mayor. My fault.
10 MAYOR JENKINS: Go ahead.
11 MR. HART: You want me to start now? All
12 right. There's about five pages of signatures here of
13 people supporting the cooperative center.
14 But let me stand back a couple years here.
15 Used to be downtown Doraville was a beehive of
16 activity. Businesses used to go to the downtown, go
17 to the Post Office downtown and get their mail at the
18 Post Office; go next door to Tommy's hardware store
19 and have a cup of coffee and pick up the day's needs
20 and head off to work, okay, and it represented
21 probably 25 small businesses here in the city.
22 And what we have now on New Peachtree Road
23 is basically a MARTA station, and all the businesses
24 have dried up. There's no Post Office that's the
25 central congregating area. There's no Tommy's

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1 hardware and there's no coffee pot any more.
2 So what we need is -- in 2006, I brought
3 Northern Coffee from Norcross down here to open up a
4 coffee shop because Northern Coffee was the key to the
5 success of downtown Norcross. The same thing needed
6 to be done in Doraville, so we suggested maybe
7 Northern Coffee could build a store here. It didn't
8 happen, because he wanted money to open that store.
9 Then we got a guy that was the hot dog stand guy,
10 convinced him to open a coffee shop at the same
11 location. Again, because of whatever reason, it
12 didn't open. And the downtown area doesn't have a
13 congregating spot for its businesses and its citizens.
14 It doesn't have a downtown park anymore and it doesn't
15 have the Braves Caves for the high school kids to
16 congregate.
17 So this cooperative extension center is
18 important, and also a coffee shop and a Post Office
19 are also important. Thank you.
20 MR. ANDERSON: Stuart Anderson.
21 I too am behind the co-op. I think it's a
22 good idea. I've published a couple things, posted a
23 couple things on the web supporting it, and I'm
24 definitely behind it and will try to help with it.
25 The other issue is in item seven,

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1 Ms. Pachuta's RFP for economic development. I guess I
2 ask for that to be a discussion about what we brought
3 up about the LCI consultant, changing it to that,
4 looking for the RFP for that, get that going.
5 Thank you.
6 MAYOR JENKINS: Next?
7 MS. KOONTZ: Hi. I'm Steph Koontz from
8 Oakcliff, and Susan called me up about this
9 cooperative center, and I think it's a really good
10 idea.
11 I know some of the people that grew up here,
12 went to the community center that used to be downtown,
13 which no longer exits. And as I recall, the City
14 provided that service to the citizens, having that
15 community center.
16 And I don't know exactly how this is going
17 to get worked out or what involvement the City'll have
18 in helping this get established, but I think it's
19 something that needs to be done.
20 MS. HOFFMEISTER: Honorable Mayor and City
21 Councillors, this is the most exciting thing I've
22 heard in the last two years. It's been recommended
23 previously by Murray when we were discussing the hot
24 dog stand is somehow to get funds in here to get some
25 economic development downtown.

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1 As you know, I served on the original
2 planning commission when we were organizing a planning
3 commission, journeying up to Chattanooga. One of the
4 things they said is get a sandwich shop or something
5 downtown.
6 This is the most exciting thing I've heard.
7 You now have citizens willing to do this, and I hope
8 you support it. Thank you.
9 MAYOR JENKINS: Thank you.
10 MS. BIRD: Kay Bird.
11 This is really exciting because there's been
12 some efforts all along with citizens who support it to
13 bring some sort of eating and drinking -- not alcohol,
14 but place to gather. And I admire the courage of
15 these people.
16 I won't be here to help, but I highly
17 encourage you to give yourself more than three months
18 to prove this is going to work. You have a lot of
19 faith in the speed of your bureaucracies and working
20 things out cooperatively.
21 So I would ask the City Council if you do
22 support this -- and I assume you probably will -- that
23 you create a lot of room and space and support time
24 frames, et cetera, to go through all the twists and
25 turns. It's not exactly the same as doing a business

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where you have a business plan with one person who has the financing lined up, et cetera.

So it'll be an interesting process that will take a lot of patience and working together, but I think it's really exciting for the people that want to do this. So thank you.

MAYOR JENKINS: Thank you.

Anybody else?

- - -

(No response)

- - -

MAYOR JENKINS: Okay. Go into the first item, new business. Bob Roche.

COUNCILMEMBER ROCHE: Well, Mayor, I think that since people are here, I'd like to go ahead and make a motion that we deal with agenda item number 11 next since we're already talking about it and then we can come back to my agenda items later. There's people here. We don't want to make them have to sit through the whole meeting.

MAYOR JENKINS: Okay. Fine with me if it's all right with the Council.

COUNCILMEMBER ROCHE: That's in the form of a motion.

MAYOR JENKINS: Can I get a consensus of the

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Council? Yes or --

COUNCILMEMBER BATES: Is that a motion, Bob?

COUNCILMEMBER ROCHE: Yes, that's a motion.

MAYOR JENKINS: Okay. Second?

COUNCILMEMBER BATES: I'll second it.

MAYOR JENKINS: Call the roll.

ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

ASSISTANT CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: Susan Crawford.

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MS. CRAWFORD: Susan Crawford, Oakcliff.

Yeah. Kay was right. I meant in three months we can see if we've reached the benchmarks, if we have -- I mean it could be that hopefully everybody will be on board and there will be a lot of people volunteering and that sort of thing. If not, you simply or we simply give it up, you know, and say, well, I guess this isn't the time for us. I feel very strongly that it is and that people will be excited and that in these economic times this is just the sort of thing that we want to be known for doing, for working together to help people improve their lives and to make them happy, to give them something to look forward to.

So I would ask you to allow whichever building. You decide or we decide -- I know the petition was actually for the other building, but Clinicare was offered by the Mayor -- and let us see if it works, with the understanding that we will pay no rent, as you said, but we will try to do what we can to get the insurance under control and that sort of thing.

MAYOR JENKINS: I'm sure we'll give you plenty of time. We don't have to set it at three months.

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MS. CRAWFORD: Okay. Great.

COUNCILMEMBER ROCHE: Yeah. But we have some questions. At least I do. And part of this will be directed to our city attorney.

But I think when you want to form a nonprofit organization, you can always begin with just forming a corporation and then apply for the 501(c) status?

ATTORNEY WEED: That's correct.

COUNCILMEMBER ROCHE: I was saying what you can always do is just form a regular corporation and just not make any money, you know. That's a nonprofit organization. So things that could get you started, you know, as far as that's concerned. I realize that it make take a while for the 501(c) part.

ATTORNEY WEED: They can form a nonprofit corporation right off the bat and then they'll apply for their 501(c)(3) status, and I've done a number of those things. And one of the things that they'll need to demonstrate would be their outreach programs and brochures that they've printed and programming that they've done and that sort of thing. That's what the IRS will look for.

COUNCILMEMBER ROCHE: Well, from the legal -- to cover this paper, what would be entailed as far

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as the City is concerned?
ATTORNEY WEED: Well, we would need to know what entity -- If I were going to give them advice, and I'm not, but hypothetically, if they formed a nonprofit corporation, then we would know what entity the City is going to be -- will have a license with. We would not rent the facility to them; we'd have a license. And this would be part of the programming of the City. I would advise that we put it underneath the recreation department -- that seems logical to me; that that seems that's this kind of a program -- and we move, we trek down that road.
So the initial documentation would be they would determine what kind of organization they want to be, they would approach us with that. We would have a license agreement with them, which would be similar to a tenancy. But the consideration would not be rent; it would be the benefits of the programming that they will produce. And then we would do that underneath the auspices of the recreation department, so it would be a City outreach program.
COUNCILMEMBER ROCHE: How would this differ from the gardens, the DUG thing, the DUG program?
ATTORNEY WEED: It would be very similar to that. The real issue -- the thorny issue with DUG was

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dealing with the produce. And at different points, there was conversation about the sale of the produce: who owned the produce.
In that case, the produce came off of city land. It was literally part of the city that was being -- you know, we had to deal with an issue of who would get it and how they would get it to some third party because we would -- the question was, we're taking the city's property that belongs to everybody and we would be ultimately giving it to one or two or however many people.
But here, I think we can avoid those issues at the outset by carefully dealing with it being a City program through a nonprofit organization and do it underneath the recreation department. And hopefully, they won't be growing things that they're selling to people on our property.
COUNCILMEMBER ROCHE: Well, I saw a guy just the other day driving a Rolls Royce from all the money he made selling carrots from the DUG program. No.
ATTORNEY WEED: I don't make these things up. You know, the produce belongs to the land, the land belongs to the City, and it comes down to a question of who owns the produce? who owns the land? We all do. That's as simple as that. No different

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than taking down that flag and giving it away to some private citizen.
COUNCILMEMBER ROCHE: Is there going to be any kind of concern as far as if we provided maybe utilities or rent or whatever other than space?
ATTORNEY WEED: Which is why we would need to do it via a recreation program or other departmental program. It would be program of the City, that we're simply using that organization to provide that service.
MS. CRAWFORD: Hopefully, we have autonomy? Would we be able to set up or own programs or would we be --
ATTORNEY WEED: That's to be decided, I suppose. That's up to the Council, not me.
There would be a level of autonomy but it would be an official City program in order to move it away from these other issues about, you know, violation of the anti-gratuities clause. If it's our program, then ultimately the Mayor and Council are going to have some say.
MAYOR JENKINS: Murray?
ATTORNEY WEED: That's --
MAYOR JENKINS: Excuse me.
ATTORNEY WEED: Yes, sir.

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MAYOR JENKINS: We have comments before we start the agenda items now?
- - -
(Inaudible)
- - -
MAYOR JENKINS: Thank you. Go ahead.
MS. CRAWFORD: I guess my concern would be that we get a lot of people to put a lot of time and energy and blood, sweat and tears into this, and then be told that, "Oh, well, this is really nice but now you can go home." I mean I wouldn't want that to happen.
ATTORNEY WEED: Ms. Crawford, I appreciate that. There's no guarantees in life.
I would say this: Another way of doing this to increase the level of autonomy would be if you formed a downtown development authority or if you had an economic development authority. They essentially have all the powers of a city but they are not bound by the same constraints with regard to use of their facilities.
So you could -- if you formed such an entity, you could lease that building to the downtown development authority or the economic development authority, and then they could contract, without the

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1 same constraints that you have, to whoever they wanted
2 to. And so that's one of the reasons why I've been a
3 long-time proponent of forming a downtown development
4 authority or an economic development authority: to
5 avoid these same issues coming up again and again and
6 again.
7 COUNCILMEMBER ROCHE: All right. So
8 assuming we're not going to form a DDA specifically
9 for this, then they would need to form a nonprofit
10 corporation; right?
11 ATTORNEY WEED: That would be --
12 COUNCILMEMBER ROCHE: I'm just trying to
13 understand. I don't want a situation and I don't
14 think we want a situation where they go away and they
15 come back, you know, a week from now and we say, "Oh,
16 wait a minute. Now you need this." And then they
17 bring that; "No, now you need something else," or
18 maybe "You went the wrong way" or whatever. I'm just
19 trying to get --
20 I think that -- I hope that everyone up here
21 supports this idea, to make it as easy as possible for
22 the citizens to be able to put this together and have
23 this actually happen and not go the wrong direction or
24 constantly have to bring in this and then bring in
25 that and then something else, et cetera, et cetera.

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1 So is it possible to get maybe a list or
2 something of the basic requirements that it would take
3 to set this up?
4 ATTORNEY WEED: Yes.
5 COUNCILMEMBER ROCHE: I mean I think you
6 have a handle on the requirements as far as forming a
7 501(c) nonprofit organization. I'm wondering what
8 else might be necessary. I mean is there liability
9 issues? Is there -- what else?
10 MS. CRAWFORD: Well, I'm sure there are; and
11 like I said, we would not open the doors unless --
12 COUNCILMEMBER ROCHE: I understand.
13 MS. CRAWFORD: -- we have liability
14 insurance.
15 So I guess what I'm asking on behalf of the
16 community is that we be able to have that piece of
17 property for a period of two years if after three
18 months it looks like everybody's on board and happy
19 with what's going on, to have a coffee shop, a tea
20 shop, you know, at least a few classes which would be
21 hopefully under the 501(c)(3).
22 And I'm not doing this for my -- I mean this
23 would be for the city. It would be something --
24 COUNCILMEMBER ROCHE: Of course.
25 MS. CRAWFORD: -- that would augment the

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1 entire city and bring people together. And I see
2 people over here tonight that I've never seen here
3 before, because they're interested.
4 COUNCILMEMBER BATES: If I could, if you
5 could --
6 MS. CRAWFORD: You may.
7 COUNCILMEMBER BATES: Thank you.
8 If you could put the list of activities and
9 mission statement and the to-do list down in writing,
10 get those over to Mayor so that he can get with
11 Mr. Weed from the front end, and we can look at
12 crafting the program and where it would fit within the
13 City early, because I think this --
14 MS. CRAWFORD: It's right here. Shall I
15 just march it over to the Mayor right now?
16 COUNCILMEMBER BATES: Sure.
17 MS. CRAWFORD: (Presenting)
18 COUNCILMEMBER BATES: I think the earlier we
19 can get in front of this -- and your three-month time
20 frame I think is terrific. And I'm absolutely in
21 support of you guys moving forward. I just want to
22 make sure that we get this done in a very efficient
23 but legal manner. So the earlier we can get Mr. Weed
24 involved in helping craft it and make sure that it
25 meets both parties' objectives, I think that's great.

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1 ATTORNEY WEED: There are a half dozen legal
2 ways of doing it. The quickest and easiest way of
3 doing it would be to simply have an understanding at
4 the Council level or at a department-head level that
5 this is a program of the City. And that department
6 head has got the legal right -- the Mayor has got the
7 legal right to create programming, to do programming
8 and contract with people to do that programming; for
9 example, that we contract out our lifeguard services
10 and our pool management services. That's clearly a
11 recreation program, but we have a contractor who does
12 the work. We can certainly do the same thing here.
13 There are a half dozen ways of doing it. It
14 all depends on what you prefer. That's the easiest
15 way that I can think of here at the meeting.
16 COUNCILMEMBER ROCHE: Well, in that case,
17 would it be reasonable, then, to just appoint someone
18 to be the director of this community program? I mean
19 have the Council --
20 ATTORNEY WEED: I don't even know you -- I'm
21 not sure that you have to even bother doing that. I
22 think that if you want to do this program, the Mayor
23 can simply say this is a recreation program or this is
24 a public works program or whatever he thinks, as the
25 manager of the city, is the best place to put it. But

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you could do that.
MS. CRAWFORD: Actually, I think don't we have to -- I believe we have to have a director and a board in order to apply for the 501(c)(3) anyway.
COUNCILMEMBER ROCHE: Well, he's saying without doing even that.
MS. CRAWFORD: Oh.
ATTORNEY WEED: You'd get there ultimately. But I'm just saying about the very base way of doing this to make it as easy as possible would be you could simply make this a program of the City, and then who -- and then ultimately you would be going through to get all of that stuff, and we'd contract it through this entity, whatever entity it's going to be. But that's the quickest and easiest way of doing it.
COUNCILMEMBER ROCHE: So how would you put that in a motion, for instance?
ATTORNEY WEED: I would suggest you make a motion that you would like to activate a cooperative community center that had programming to include but not be limited to various classes including yoga, film, poetry. It might include a tea shop, coffee shop, activities for seniors, mentoring the students, and a chess club. And that at a time to be decided, you'll figure out who's going to be -- and you may

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contract out with an entity to provide all the services.
COUNCILMEMBER BATES: I would really be much more comfortable to let Susan and their group get together and further flush out and formulate and get with Mayor and Mr. Weed and build the guts of this before we move down that path. That would -- that's my preference.
COUNCILMEMBER FLEMING: I'm very supportive of the Doraville community co-op center. I'm very supportive of it.
As far as it being an entity of the Doraville Recreation Department, I do have issues with that --
MS. CRAWFORD: Actually --
COUNCILMEMBER FLEMING: -- because I do not believe that Carol Stephens and her two people need to be trying to coordinate services for the community center. I think it's necessary for you volunteers, you citizens that have gotten together. And this is a community project; let it stay a community project and not have a Doraville employee being the director.
So that is my opinion, and I just wanted to voice that very strongly. So I mean it's very similar to what we presently have right now with the Dekalb

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Extension Center where it's an entity inside our building that we are not overseeing, but it is our building and we are maintaining that building for them.
So I look at this project with heartfelt thanks to all of you for doing it, and I'm sure there's a way that it can be done.
COUNCILMEMBER ROCHE: Well --
MS. CRAWFORD: Thank you, Pam. That was my feeling too. This would be for the city, but if the City wants to do it, then the City should do it. I mean if we're going to do it, it is for the city but we would really like to be able to be creative.
ATTORNEY WEED: And I don't want there to be any misunderstanding. Certainly I was not suggesting in any way that Carol Stephens nor her staff would run this program.
COUNCILMEMBER ROCHE: Right.
ATTORNEY WEED: I was suggesting that it would be treated the same way we contract out with the lifeguards or the pool maintenance folks. They have their own program. They're in charge of it. It would fit departmentally under some wing of the City.
COUNCILMEMBER ROCHE: Well, would another alternative be for them to -- for Susan Crawford to

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form a group of people and go towards the thing of forming a corporation, then the City would simply rent the building for like a dollar a month?
ATTORNEY WEED: Yes.
COUNCILMEMBER ROCHE: And that way, it would be very -- you'd have a lot of autonomy.
ATTORNEY WEED: We wouldn't technically rent it. We would do a license, legally.
COUNCILMEMBER ROCHE: Or something, okay.
ATTORNEY WEED: But there is a way to do that. And what we would be getting out of it would be the programming services. That would be part of what's called the quid pro quo benefit that we'd get to avoid the anti-gratuities clause. So yes, we can do that.
COUNCILMEMBER BATES: Again, I would really like for you guys to get together. And I think the steps that you're taking to move this forward are absolutely right in line. And whatever mechanism is worked out, you know, at that point in time, I think it should come back to Council for a vote at that time.
MS. CRAWFORD: Well, Mr. Bates, we have actually gotten together and this is what we've come up with --

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COUNCILMEMBER BATES: I --
MS. CRAWFORD: -- and the offer was made by Mayor Jenkins --
MAYOR JENKINS: Yeah.
MS. CRAWFORD: -- with the understanding that it had to be --
All we're asking for is a little time to get our ducks in a row to sort of see if we do have the participation and the interest and the money and the liability insurance and all of that, with the understanding that if we do, to everyone's satisfaction -- everyone's satisfaction -- that we then be entitled to be able to use that piece of property for, say, two years.
MAYOR JENKINS: I think you need more -- give yourselves more than three months.
MS. CRAWFORD: Well, three months --
MAYOR JENKINS: I'm sure --
MS. CRAWFORD: -- not to open the doors --
MAYOR JENKINS: -- you can do it in --
MS. CRAWFORD: -- and have people, you know, sliding in and out but to see if we can make it work. It doesn't have to be working, but have some benchmarks that we've met.
COUNCILMEMBER BATES: Just so I'm clear,

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you're asking for three months to get your ducks in a row before you open the doors.
MS. CRAWFORD: Well, it may not take three months.
COUNCILMEMBER BATES: Right; up to.
MS. CRAWFORD: Yes. But what I want to not happen is to have all of these people get excited and working and, you know, this is what we're going to do, and getting people to come in -- and we have a photographer who's going to teach; you know, all of this stuff happening -- and then not -- and then have a glitch at the very last minute.
So that's why I'm coming before you now before we get started with -- We all have jobs and lives and things and commitments. So before we really commit to putting our time and efforts into this, I'd like your assurance that if it goes as planned and to your satisfaction and to ours, and it looks like we have the interest and the participation we need, may we then have that building for two years to use as a community center?
COUNCILMEMBER ROCHE: Would we need a motion to allow Ms. Crawford to meet with the Mayor and the city attorney to kind of sit down and hash out maybe the best way of going about doing this?

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ATTORNEY WEED: I don't think so. I mean you can do that. You can always do that. But I mean we're -- I know that I'm happy to do that, and I'm sure the Mayor is. We're glad to do that any time you want to.
COUNCILMEMBER ROCHE: Well, could we -- could you guys get together and then we could postpone this to the next agenda or the next Council meeting and see where you're at? Would that work?
MAYOR JENKINS: Be fine with me.
COUNCILMEMBER ROCHE: I mean that way, you're going to meet with the Mayor and, you know, whoever's going to meet with the Mayor and the city attorney and say, well, here's option A, here's option B, here's option whatever and kind of hammer out maybe the best way to go about doing that. And then we'll leave it active on the agenda so that it'll be on the next agenda so that -- just two weeks from now or whatever.
COUNCILMEMBER PITTMAN: Susan, what were you trying to accomplish from us tonight?
COUNCILMEMBER FLEMING: Permission to use the building.
COUNCILMEMBER PITTMAN: Is that all you really wanted from us is permission to use the

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building?
MS. CRAWFORD: Yes. And two weeks --
COUNCILMEMBER PITTMAN: And to then move forward with discussion?
MS. CRAWFORD: -- can go by and people will be on vacation or taking up with new lovers or whatever. They're not going to be as interested. And you know, let's strike while the iron's hot.
COUNCILMEMBER PITTMAN: So basically you want permission contingent --
ATTORNEY WEED: I like that plan. I'm supportive of that.
COUNCILMEMBER PITTMAN: I'm just going to say, can we make a motion to allow them to use the building contingent on -- I don't know the proper wording we need, but them getting together and formulating a plan that they bring back to us?
ATTORNEY WEED: Yes, ma'am. If the Council wants to --
COUNCILMEMBER FLEMING: We could give them a signed contract.
ATTORNEY WEED: If the Council wants to approve this, you can approve that you will enter into some form of agreement as yet to be decided with some entity as yet to be decided to accomplish the goals

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that Ms. Crawford has stated. You could make it as vague as that.

COUNCILMEMBER ROCHE: As long as the agreement's signed within 90 days, and if the agreement's signed within 90 days, it would be for a term of two years.

ATTORNEY WEED: You could do that. And of course the agreement's going to be in much more detail.

MS. CRAWFORD: I don't even care if you sign. I mean just your okay tonight. We'll get started. We'll see. If it doesn't work, if it's a real nightmare, we're not going to want to do it either; and if it does work, it's going to benefit you as well as us. So it seems like --

COUNCILMEMBER ROCHE: Well, yeah.

MS. CRAWFORD: -- it's, you know, pretty much a no-brainer.

COUNCILMEMBER ROCHE: I'm just trying to figure out the best way to make a motion to make this happen.

COUNCILMEMBER BATES: How about if we make a motion that the City ceases to market that building to additional tenants?

MS. CRAWFORD: Well, the Mayor has already

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promised to do that.

COUNCILMEMBER BATES: Again, I will be comfortable moving forward with this when we know the name of an entity and you guys are comfortable with the possible legal agreements between the City and your entity. Those are the two pieces --

MS. CRAWFORD: The Doraville Cooperative Community Center.

COUNCILMEMBER BATES: And when that gets incorporated and when there's -- we can, you know, attach that to a piece of paper, I will be, you know, making this happen.

That's why I thought that your request for up to three months to get your things in order before we formally move forward was a very good one. If that happens in the next, you know, 30 days, you get incorporated as the Doraville What-Not and it's on the May 3rd agenda, I'll vote for it.

But I really do want to see an entity and I want you guys to be comfortable with the legal arrangements that will need to be between the City and you in order for you to operate autonomously. Does that make sense?

MS. CRAWFORD: I'm sure to somebody else, it'll make sense. I don't know what you're --

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COUNCILMEMBER BATES: In --

UNIDENTIFIED SPEAKER: May I?

COUNCILMEMBER BATES: Hold on. Hold on.

In order for Brian to be happy and comfortable moving forward -- I'm just one of six. So if this comes up for a motion and it passes five-to-one, it will pass five-to-one. In order for Brian to get on board, I want you to be incorporated like you've said you were going to be, whether that's as a nonprofit and then move to (c)(3) status down the road; that's great.

MS. CRAWFORD: That can be a lengthy process.

COUNCILMEMBER BATES: You can incorporate in a couple days.

ATTORNEY WEED: Couple of days.

MS. CRAWFORD: Really?

COUNCILMEMBER BATES: Yeah.

And has been discussed, there are several options of creating an arrangement between the community center organization and the City whether that is a license at a dollar a month, whether that's operating under the auspices of the Doraville Recreation Department, whether that's -- I mean there's several options there. And I want

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the Mayor and Mr. Weed and you or somebody to sit down and say, "We like Option C,"and everybody move forward in whatever Option C is. Those are the two things that I think need to be put in place for us to enter into any kind of a formal agreement between the City and the community center.

I think it's a tremendous idea, it has my support, but I want those two places to be in place. Does that make sense?

MAYOR JENKINS: Do you want that put in a motion?

COUNCILMEMBER BATES: No.

MS. CRAWFORD: How about an informal?

COUNCILMEMBER BATES: You have my support.

MAYOR JENKINS: You have all of us.

MS. CRAWFORD: Because like I said, it's going to take a lot of work, so we don't want to get started if it's not pretty much --

MAYOR JENKINS: Get started.

MS. CRAWFORD: -- a sure thing that if we do our part, then --

COUNCILMEMBER BATES: Those two pieces.

COUNCILMEMBER PACHUTA: But I think at this point, at least we need to have you and the Mayor and Mr. Weed sit down and at least make sure everyone's

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1 comfortable with whatever agreement we can come up
2 with, because if you -- you find you might not be
3 comfortable with the legal requirements. I would feel
4 more comfortable knowing that all that was discussed
5 before moving forward.
6 I mean I think it's a great idea, but I
7 think there's some background information that's
8 missing, that we need to get together.
9 COUNCILMEMBER PITTMAN: And in the meantime,
10 not market the building until we get --
11 MAYOR JENKINS: We won't market the
12 building.
13 COUNCILMEMBER PACHUTA: That's fine. Yeah.
14 MS. CRAWFORD: I mean if all this can be
15 worked out, then may we have that property for two
16 years? Because if we're going to make a commitment,
17 and it's okay, it's going well, we need a commitment
18 that, you know, you won't say --
19 MAYOR JENKINS: You said at least.
20 MS. CRAWFORD: -- in five months, well, this
21 looks really nice but let me put it back on the
22 market.
23 MAYOR JENKINS: We wouldn't throw you out
24 anyway.
25 MS. CRAWFORD: That would be part of the --

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1 Okay. Well, thank you.
2 So are you all -- Do you think it's --
3 MAYOR JENKINS: You let me know --
4 MS. CRAWFORD: -- a good idea, just
5 informally?
6 MAYOR JENKINS: Let me know when you can
7 meet with Murray and I, you, maybe Ben and you, or one
8 of your other people, and we'll sit down and talk.
9 COUNCILMEMBER ROCHE: Let me try here. I
10 make a motion that Ms. Susan Crawford will meet with
11 the Mayor and Attorney Weed, that we will remove the
12 property -- Clinicare property off the market for at
13 least three months, and upon the successful completion
14 of a suitable agreement between the City and the
15 Doraville --
16 COUNCILMEMBER FLEMING: Cooperative
17 Community Center.
18 COUNCILMEMBER ROCHE: -- Cooperative, that
19 the building will be available to them for two years.
20 MAYOR JENKINS: Second?
21 COUNCILMEMBER FLEMING: Second.
22 MAYOR JENKINS: Call the roll.
23 ASSISTANT CLERK BRYANT: Councilmember
24 Alexander?
25 COUNCILMEMBER ALEXANDER: Yes.

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1 ASSISTANT CLERK BRYANT: Councilmember
2 Bates?
3 COUNCILMEMBER BATES: Yes.
4 ASSISTANT CLERK BRYANT: Councilmember
5 Fleming?
6 COUNCILMEMBER FLEMING: Yes.
7 ASSISTANT CLERK BRYANT: Councilmember
8 Pachuta?
9 COUNCILMEMBER PACHUTA: Yes.
10 ASSISTANT CLERK BRYANT: Councilmember
11 Pittman?
12 COUNCILMEMBER PITTMAN: Yes.
13 ASSISTANT CLERK BRYANT: Councilmember
14 Roche?
15 COUNCILMEMBER ROCHE: Yes.
16 MAYOR JENKINS: Break time. Ten-minute
17 break.
18 - - -
19 (Recess)
20 - - -
21 MAYOR JENKINS: Okay, Bob.
22 COUNCILMEMBER ROCHE: Thank you, Mayor.
23 The next item on the agenda was the Request
24 for Qualifications for City Attorney. We've had the
25 same city attorney for a couple of years. And this

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1 was discussed at our retreat, and we decided to go
2 ahead and see about putting out a new RFP, I think.
3 Anyway, the RFP -- I have a copy of the
4 original RFP that we used, I think it was a year and a
5 half ago. There was no date on it. March 10th, 2008.
6 And I was going to just make a couple of
7 modifications, and I think most of this we discussed
8 at the retreat: that we would be looking for -- the
9 main change would be that we'd be looking for a flat
10 rate cost every year instead of an hourly rate.
11 Now, typically means that means that certain
12 services are at an hourly rate, and obviously the
13 response would have to list what those services are
14 and what that rate would be.
15 And the other change would be that the
16 contract would run until the end of this Council,
17 which is December 31st of 2011.
18 And I looked over the sheet itself, and with
19 the exception of adding those two things, the only
20 other thought was the last page where we submit it to,
21 I think it would be submitted to the City Clerk as far
22 as the responses. So that was going to be -- you
23 know, pending the acceptance of the rest of the
24 Council.
25 I wanted to go ahead and make a motion that

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we issue a request for an RFP for professional legal services, for a city clerk --

COUNCILMEMBER FLEMING: Huh-uh, city attorney.

COUNCILMEMBER ROCHE: I'm sorry -- city attorney, with the two changes; that the bid will mention that in the RFP that we want an annual flat rate and respondents must specify services not covered under the flat rate as well as any hourly rate, and the other change would be that the contract will run to 12/31/2011, and the last change would be that the responses would be sent to the City Clerk of Doraville.

MAYOR JENKINS: Who wrote up the changes?

COUNCILMEMBER ROCHE: Hm?

MAYOR JENKINS: Who wrote the changes to the RFP?

COUNCILMEMBER ROCHE: Well, there are no changes yet. I'm making a motion that we accept this RFP with those changes.

MAYOR JENKINS: With two changes, you said.

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: Who made the changes?

COUNCILMEMBER ROCHE: Well, we kind of discussed them at the --

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COUNCILMEMBER PACHUTA: I don't remember that discussion at all at Strategic Planning. We did not discuss --

COUNCILMEMBER ROCHE: Well, then, don't --

COUNCILMEMBER PACHUTA: -- the RFP at --

COUNCILMEMBER ROCHE: -- vote for the motion.

COUNCILMEMBER FLEMING: I --

COUNCILMEMBER PACHUTA: I know you mentioned it, but we didn't discuss it in any detail at all.

COUNCILMEMBER ROCHE: Well, so that's why I'm making the motion. Now we can discuss it.

MAYOR JENKINS: Okay. Do I get a second?

COUNCILMEMBER FLEMING: Second.

MAYOR JENKINS: Okay.

COUNCILMEMBER FLEMING: And I thought we did discuss on a two- -- a two-year basis.

COUNCILMEMBER ROCHE: Right.

COUNCILMEMBER FLEMING: That we were going to do contracts on a two-year basis.

COUNCILMEMBER BATES: We discussed that in a very generic concept but not specific to any particular RFP that was going out. We talked about sanitation, we talked about -- That was the main gist of the conversation when we were talking about things

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that were going out for proposal.

Mr. Roche brought it up, brought up the city attorney, but we didn't discuss anything beyond what Mr. Roche just -- I mean there was no discussion.

COUNCILMEMBER FLEMING: Okay.

COUNCILMEMBER ROCHE: Yeah, and I sent out a --

COUNCILMEMBER PITTMAN: That's true.

COUNCILMEMBER ROCHE: Obviously we had this, and I sent out an e-mail 7:30 on April 1st saying that those were the changes I was proposing.

So I mean that was the motion. Obviously we can amend the motion if there's some part of that motion that we don't like.

MAYOR JENKINS: I'd like the audience to know that I was not at the first day of the retreat for obvious reasons, so I was not aware of this at all.

Do I get a second?

COUNCILMEMBER FLEMING: Yes, sir, I did.

MAYOR JENKINS: Any more discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll.

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ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: No.

ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: No.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: No.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: No.

ASSISTANT CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: So Mayor, may I ask a question at this point?

So we're not going out for RFP for our city attorney. Is that what I understand this Council to have made the decision on?

MAYOR JENKINS: I believe so.

COUNCILMEMBER FLEMING: Because I believe,

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if I'm not mistaken, that we also discussed at the retreat anything that's over $5,000, we were going to do RFPs.

COUNCILMEMBER BATES: And Mr. Weed's contract is not up. It is through the end of June. It is April first.

COUNCILMEMBER FLEMING: I didn't know that it was through June. I thought it was in May.

COUNCILMEMBER BATES: Is it June?

ATTORNEY WEED: It's June.

COUNCILMEMBER BATES: June 30th.

COUNCILMEMBER FLEMING: Okay.

COUNCILMEMBER ROCHE: Well, the reason to put out the RFPs now would be to have plenty of time to look at the responses. And like I said, I --

MAYOR JENKINS: That was voted down. We'll go to the next item, please.

COUNCILMEMBER ROCHE: Okay. RFP for Space Planning Consultant. This was something that was also, I thought, discussed.

COUNCILMEMBER PACHUTA: This was discussed.

COUNCILMEMBER ROCHE: And I believe that my job was just to get it on the agenda. And I have a draft here that seems in order.

The concern as discussed before was that

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there was not -- we were running out of space, that we have a lot of document storage over in the courthouse building, and we looked at some photographs, et cetera, et cetera.

I've thought about this since then. I think maybe the problem is that we're looking for space to store things that we don't necessarily need to keep. Documents typically have, you know, a legal retention rate -- you know, retention schedule or whatever. And like I said, the more I'm thinking about it, it may be better to consider coming up with a legal retention schedule and coming up with a process by which we can go out and purge our old records, and then once we've done that, see what we have.

Now, it's not that simple of a thing, obviously, because people have to know what they're throwing away and what they're keeping, et cetera, et cetera.

But as far as the space utilization and design study for the City of Doraville, again, I said that I would put it on the agenda just like I agreed to put the RFP for city attorney on the agenda. So it's on the agenda if anyone else wants to discuss it.

COUNCILMEMBER BATES: Thank you, Bob. I appreciate that.

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The purpose and objective, one of the things that's on the deliverables is to do a retention schedule, so that is -- that is in there, and I appreciate you bringing that up.

The other problem that we had discussed was the layout of where our staff is, and the efficiencies of utilizing the existing space -- City Hall, court-room or the city courts -- and to help us identify a plan to better utilize that space from an efficiency standpoint.

Mr. Weed, there's one question for you. And in the study, would they be asked to look at compliance with State and Federal laws specifically like ADA compliance and things like that?

ATTORNEY WEED: Yes. Well, if you move this forward, that would of course be part of it, which is why it's limited to architects at this point: because in order to do it properly and do it once, you're going to need to identify the wet walls, you know, the heating and cooling mechanisms, all the wiring, et cetera, to identify whatever better configurations that might be customer-friendly, that might be -- so yes, sir.

COUNCILMEMBER BATES: I guess the basic of this for me is I don't know that we've ever or I don't

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know that we've got a thorough audit of our buildings and, you know, if we're utilizing them in their most efficient and best way.

So I'm in favor of at least getting an RFP to see what it would cost us to get that evaluation, and that doesn't mean that we need to move forward, but -- you know, not a big fan of analogies, but you don't just go out and get your roof fixed. You get somebody to give you estimates on how much it's going to cost to get your roof fixed, and you make sure you can afford it. So I'll be curious as to what it would cost us.

COUNCILMEMBER PACHUTA: I have a question. We're requesting an architect for this RFP. And relating back to the retention schedule and storage of records, is that something we already have? I know we haven't been practicing it, or my understanding is we have things --

ATTORNEY WEED: Well, I wouldn't go that far.

COUNCILMEMBER PACHUTA: Well, I mean I think we have -- don't we have things that we could have already destroyed or thrown away that we've still been keeping?

ATTORNEY WEED: My understanding of the

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1 facts from the retreat is that the Clerk's staff are
2 very well aware of the State laws pertaining to
3 records retention for cities. They are very
4 thoroughly trained on that. They've got the book;
5 I've got the book.
6 I think frankly, as far as pure records
7 retention, it's a matter of flesh applied to project
8 and cost thereof. It's as simple as that.
9 Can they do it? Sure. Will you have to pay
10 them to do it? Absolutely. And how are they going to
11 carve out the time to get it done? Because once
12 again, as Councilman Roche wisely pointed out, before
13 we throw it away, we're going to have to look at every
14 document. So it can be done, but it's a -- it's a
15 mountain to climb. You're going to have to apply
16 manpower to documents to do it. And that will make a
17 big difference, I think.
18 COUNCILMEMBER PACHUTA: So is that something
19 you think we need to authorize separately whether it's
20 temps that come in and help or --
21 ATTORNEY WEED: I would --
22 COUNCILMEMBER PACHUTA: -- authorizing
23 overtime?
24 ATTORNEY WEED: Yeah. I would ask the Clerk
25 that question in the sense of, you know, you've got a

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1 Clerk and a Deputy Clerk that are certified or very
2 close to being certified with regard to that subject.
3 In my personal experience, they're going to
4 have to closely man the temps to the point where
5 having temps won't really do them any good. So --
6 COUNCILMEMBER PACHUTA: I'm just thinking of
7 the mound of documents we have.
8 ATTORNEY WEED: I would say you authorize it
9 separately than this.
10 What this deals with really is your physical
11 space. Is there a better way of doing business? Is
12 there a better way to man the front counter to make it
13 easier for people to come up there and deal with
14 things? You know, is there more office space you can
15 squeeze out of the building? That's what this is for.
16 The record retention part of it was just to
17 -- you know, if we could offload 10 filing cabinets,
18 that'll make a difference. That might be an office.
19 But that's secondary to the main goal in my opinion.
20 COUNCILMEMBER ROCHE: Well, at some point, I
21 mean, a record retention process needs to be
22 implemented anyway, I mean even if it starts from
23 today. And I have found in -- you know, in the past,
24 I've seen where if you get the right -- if you get
25 decent temps. I mean sometimes you send back five of

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1 them before you get three good ones but --
2 ATTORNEY WEED: And I don't disagree. I
3 don't -- I'm not downing temps.
4 COUNCILMEMBER ROCHE: I understand, right,
5 yeah.
6 But a lot of times, that's cheaper than --
7 the most expensive way to do it is to put out RFPs for
8 someone to come in and look at all your documents and,
9 you know, deal with it and scan it and all that. That
10 gets very, very expensive because they're going to use
11 all their people and they're going to bill their
12 people at 85 bucks an hour or whatever. So it's
13 usually not the best way to go; it's usually a
14 combination.
15 The other thing, I guess, as far as the
16 space planning is that the -- I don't know if there's
17 been any changes, but I saw something that's very,
18 very preliminary as far as potential plans for the GM
19 property, and I think there was -- there was mention
20 of some municipal buildings over there. And so if
21 we're going to be building municipal buildings over
22 there, potentially, we may want to wait and see what
23 that's going to do. Why would we inventory what we
24 have when we're going to change our inventory?
25 COUNCILMEMBER BATES: Well, I --

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1 COUNCILMEMBER ROCHE: And I guess the last
2 thing and I'll just --
3 COUNCILMEMBER BATES: No.
4 COUNCILMEMBER ROCHE: -- and that'll be it
5 is we had -- the 911 was available, and in fact I
6 think was what the whole thing with the coffee house
7 was about. And to my understanding, the 911 building
8 currently is open. I don't think the Council's made
9 any official decisions as to what to do with that
10 building. So as far as just basic raw storage space,
11 I mean we do have places we can store things.
12 COUNCILMEMBER BATES: Yeah. I don't
13 disagree with you as far as the new municipal building
14 potential, but that's five/six/seven years away, and
15 we've got some probably short-term -- not "probably"
16 -- we do have some short-term needs especially up in
17 the court side.
18 I would say that City Hall could use a good
19 review of space planning and efficiencies and all that
20 stuff, so --
21 COUNCILMEMBER PACHUTA: And I would say that
22 is incorporated in the RFP, that there is the
23 possibility of relocating, and what our concerns are,
24 our immediate concerns, not necessarily the long-range
25 concerns.

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COUNCILMEMBER ROCHE: Well, I can support putting out the RFP and getting some numbers. You know, we'll have to see what happens then.
COUNCILMEMBER BATES: Yeah, and that's all that we can ask right now.
So I'll make a motion to put the RFP out for space utilization.
COUNCILMEMBER ROCHE: And I'll second that.
MAYOR JENKINS: Any more discussion?
COUNCILMEMBER FLEMING: Yes, sir. In this RFP, we have not identified the existing buildings that are going to be considered, and I don't think that we necessarily need to have every single building that the City owns be considered, that we need to specify which buildings we're referring to.
Also in regards to the awardee, who's going to be telling that person what we would like to see or could we see in this specific building, and so I have concerns about that. If we give him or her a blank palette and not give them any idea as to what our vision is, they're not going to be able to tell us whether they can utilize our vision or not or formulate a design to accommodate our vision.
So I think those two items need to be included, particularly what buildings, because these

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people may come to our buildings just -- you know, if we indicate what buildings that we're referring to, they may want to come and review and look at the building presently before they even make an RFP. So that's my opinion.
COUNCILMEMBER BATES: Mr. Weed, regarding that, it mentions "campus." Do we need to enumerate the buildings in the campus?
ATTORNEY WEED: You certainly can.
As we've talked about before, philosophically, because I don't want to presume what you want to do, I try to write the most expansive thing I can because I know you could always narrow it down. So if you want to identify particular buildings, you certainly have every right to, and we'll certainly do that.
One thing that I would mention is that it's not the Council's intention nor was it communicated to me to displace anybody that you currently, you know, have any kind of contract with, but we own a number of buildings that, depending upon how much they want to -- these bids come in on, we'll probably want to look at all the buildings you own. And right now, this contemplates all the buildings, but obviously you can narrow it down to however many you want to and name

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them.
COUNCILMEMBER ROCHE: Well, I'm not sure we wanted to include like the public works building or the recreation buildings.
ATTORNEY WEED: That's fine with me.
COUNCILMEMBER PACHUTA: I mean I've spoken to Ms. Stephens before, and I know that she has some ideas of how to make her space more efficient, so I think she'd like to benefit from this.
COUNCILMEMBER BATES: In the proposal, would it be a lump sum or could we ask for a cost per building?
ATTORNEY WEED: You certainly can. Either one.
COUNCILMEMBER BATES: I would be in favor of having the proposal look at the campus as a whole and ask them to provide a cost per structure. That would be my preference. So at the end, if we decided we only wanted to do a space planning analysis on two of the 12 or whatever buildings, we would know what that cost would be versus a compilation.
ATTORNEY WEED: That's legal in my opinion.
COUNCILMEMBER BATES: I'll amend my motion to ask the consultants to do a per-building cost.
COUNCILMEMBER ROCHE: And I'll second that

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amendment.
ATTORNEY WEED: A lump sum for campus and a per-building cost so you could pick a la carte if you wanted to.
COUNCILMEMBER BATES: Yes.
MAYOR JENKINS: Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: No.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.

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ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: Okay. CT Zoning District Follow-Up on Work Session Date, is that yours, Murray?
ATTORNEY WEED: No, sir, it's not.
COUNCILMEMBER FLEMING: It's mine, sir, but I would like Mr. Weed to discuss it also because I feel that we need to move forward on the CT zoning district. I believe we need to have another follow-up work session, schedule a date, have the corrections put into another draft number two so that we can have another successful work session.
COUNCILMEMBER ROCHE: Do you want a work session or do you want a regular session-session so we can get this thing rolling and start voting up and down on changes and actually maybe have something ready for a city -- sorry -- public hearing or something we can at least get to -- you know, send to the Planning Commission?
COUNCILMEMBER FLEMING: Well, the Planning Commission was part of our work session, so --
COUNCILMEMBER ROCHE: Well, we still need to go through the process of any text amendments need to go through the Planning Commission first.

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I'm not against the idea of having a work session. I'm just thinking if we skip the work session and go straight to the session-session, you know, and get something knocked out, that, you know, maybe if we need to have a work session to kind of go item by item and make motions and vote up or down, do we add this? do we take this out? or whatever so we have something for the city.
COUNCILMEMBER FLEMING: Mr. Weed, if we request to have it on one of our regular nights, because that's what we voted to do now, that we have three regular meetings, the third is designed for but not limited to zoning issues, would the follow-up discussion on a regular meeting require a public hearing notice to go out in the newspaper and put a -- you know, a whole bunch of signs up and down New Peachtree because it's going to be a brand new district? And could you help me out with that, please?
ATTORNEY WEED: Yes, ma'am. It depends upon what you want to accomplish. If you feel that the ordinance based upon the joint workshop with the Planning Commission is in a form after you make relevant changes that came out of that meeting to move forward to the next level, then you can simply tell us

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to do that.
And I'll coordinate all the changes that were discussed at the workshop with the planner, we'll send a draft document to all of you and to the Planning Commission, and it can go ahead and be scheduled for the Planning Commission.
If you feel that it needs more work at the workshop level, then you could certainly do that too.
The only time you're going to need to advertise for a formal meeting is when you're ready to have a public hearing to take formal action, and that -- and you can do that whenever, but the minimum time is no less than 15 days preceding that meeting.
So it really comes down to what you want to do. Do you feel comfortable with the version that you've got now if the changes that were talked about at the work session -- workshop -- pardon me -- are included? If that's the case, then you could go straight to the Planning Commission with it.
COUNCILMEMBER FLEMING: How soon can the CT district be updated as second draft?
ATTORNEY WEED: Mr. Haeberlin is on -- I think he's got a vacation day again tomorrow, or he's out, so -- and I want to talk to him about it, of course. So Wednesday? I could do it in a day if you

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want me to. Probably Wednesday -- Or Thursday morning, I'd feel more comfortable promising you that.
COUNCILMEMBER BATES: Do we know what's already --
ATTORNEY WEED: I'm sorry. Sandra's telling me he's out Wednesday, too. So Thursday or Friday. By the end of the week, by 5 o'clock, I promise you you'll have it by then. I don't want to -- I don't want to do that without talking to him or talking with him.
COUNCILMEMBER BATES: Do we know what's been advertised for the 26th?
ATTORNEY WEED: Unfortunately, I don't know off the top of my head. Mr. Haeberlin handles that. I could find out.
COUNCILMEMBER BATES: Because I'm with Ms. Fleming. The sooner that we can move this and get this addressed, the better off.
ATTORNEY WEED: Then in that case, the fastest thing you can do is by Thursday or Friday, whenever I can -- when I have him available --
And I can try to call him and talk about it with him tomorrow over the phone if I can find him.
And it would be -- we'll get a version out by the end of the week to the Planning Commission and

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to you, and hopefully it'll capture everything you talked about in your workshop. And then the Planning Commission can hear it, and then we'll move on forward.

COUNCILMEMBER FLEMING: So the Planning Commission would be hearing it, if I am correct --

Mr. O'Connor, would that be April 22nd?

MR. O'CONNOR: 22nd.

COUNCILMEMBER FLEMING: It would be?

ATTORNEY WEED: And that meeting technically doesn't have to be advertised, although I think the planner always does, because they've got nonbinding authority. But he's in the habit of advertising it, which is a good idea. It's not legally required.

COUNCILMEMBER FLEMING: Mr. O'Connor, again I'm sorry, do you know if there's anything else on your April 22nd agenda off the top of your head?

MR. O'CONNOR: I believe they're a couple of other -- a couple of other zoning matters.

COUNCILMEMBER FLEMING: Okay.

COUNCILMEMBER ALEXANDER: Ms. Fleming, I believe that when we left that meeting that we had some additional information that we had requested regarding the fire marshal and some questions we had. And then also I believe some measurements were

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supposed to be taken specifically on one property because their roll-up door was of a --

ATTORNEY WEED: Check the size --

COUNCILMEMBER ALEXANDER: -- different size.

ATTORNEY WEED: -- of the door, and I don't know that that action has taken place either.

ATTORNEY WEED: I'm not privy to that information, so I don't know if it's been done yet or not.

COUNCILMEMBER FLEMING: So I'm with Council on this. My preference would be to allow the -- even though at a public hearing you are allowed to speak, I want it to be that open-dialogue setting again like we had. I think it was very successful. And if there are changes to be made, you know, and information coming back to us from the business owners, that it should be in that type of setting.

Now, whether we call it a work session or call it a regular meeting, it doesn't make any difference to me.

COUNCILMEMBER BATES: Because they've already got a number of things on their agenda, I would be in favor of -- I'm not normally in favor of us adding work to our -- meetings to our schedules, but this one I think we need to --

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COUNCILMEMBER FLEMING: I do as well.

COUNCILMEMBER BATES: -- move, and it's important enough that I think it will warrant some longer discussion than what I think the Planning Commission to do justice with it in a night, so --

ATTORNEY WEED: My advice procedurally would be to call it a workshop. That would suspend the more formal rules that you put in place on yourselves with regard to your meetings. So I'd call it a workshop for that reason.

COUNCILMEMBER FLEMING: Everybody want to look at their calendars for next week?

COUNCILMEMBER BATES: I don't have mine available.

COUNCILMEMBER FLEMING: Okay.

COUNCILMEMBER PITTMAN: I'm not available the 15th.

COUNCILMEMBER ROCHE: I'm open.

COUNCILMEMBER FLEMING: The only thing I would like to say is I'm not going to set a definite date at this time. Let's get with Council and our calendars, but I think we need to move forward.

Mr. Weed, if you don't mind, get with Mr. Haeberlin and update the draft that we first have, and this will be considered the second draft --

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ATTORNEY WEED: Yes, ma'am.

COUNCILMEMBER FLEMING: -- and have the P.C. also have theirs available to them as well.

ATTORNEY WEED: It will be done by Friday.

COUNCILMEMBER FLEMING: And we'll try to coordinate. We'll try to coordinate another meeting very soon.

COUNCILMEMBER ROCHE: And get the draft on the Web site so people can review it, please.

COUNCILMEMBER FLEMING: Thank you.

MAYOR JENKINS: All right. Maria?

COUNCILMEMBER ALEXANDER: Mayor and Council, this item -- these two items were brought to our attention from Mr. Weed on last year. Specifically, the Alcohol Beverage Amendment, Version 1, dated 17 of August of '09. Mr. Weed had reviewed the existing alcohol ordinance on our books and he discovered some passages that he felt were preempted by State law.

I would like for us to address the legal issues we have with our current ordinance. I still think it is important for us to review the entire Code rewrite that he proposed to us, but I want us to have time to review that. And if we could all e-mail our questions to Mr. Weed by April the 26th and then have that particular ordinance back on the agenda for May

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1 3rd.
2 But I think it's important because I believe
3 that staff is having issues with people coming in and
4 trying to get alcohol beverage licenses, and because
5 they are bound by the ordinance that's on the books, I
6 believe it's causing them issues and possibly that
7 some people are being turned down that perhaps should
8 not be.
9 So Mr. Weed, if you would like to elaborate
10 on the corrections that need to be made based on the
11 17 August draft?
12 ATTORNEY WEED: Yes, ma'am.
13 The shortest version I could tell you is
14 that there were essentially 12 important changes that
15 I believe the case of Folson v. City of Jasper and
16 other Constitutional provisions would cause us to want
17 to reconsider in very short order.
18 We currently have a residency requirement to
19 get an alcohol beverage license. The State statute at
20 Title 3 does not allow that. What it does allow is
21 that you can have a local resident agent who is
22 responsible for -- someone to serve process on and who
23 can be made responsible for the license, but you can't
24 require a licensee to be a resident. For example,
25 Hilton Hotel, their home office may be in wherever

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1 their home office is. You can't make them have
2 someone live here. But what you can do is have their
3 registered agent be a member of the community. That's
4 fine.
5 The other most important change would be
6 underneath the sections that deal with your character
7 requirements and prior penalties and whether or not a
8 license can be issued to people with a certain number
9 of penalties. The current ordinance doesn't
10 necessarily rationally relate those penalties back to
11 the purpose of the ordinance itself, and the Folson v.
12 City of Jasper case requires that: that you certainly
13 can have these character requirements, and if a person
14 commits a felony offense or some other offense that
15 you specifically list, that that can prevent them from
16 getting a license; however, it can't be so broad and
17 expansive where the person's convicted of the
18 misdemeanor of spitting on the sidewalk. Some of
19 these ordinances are written so vaguely that that
20 would technically prevent them from the issuance of a
21 license, and the courts have found that that's too
22 broad and too vague. So the draft ordinance more
23 clearly specifies which penalties would actually
24 prevent you from getting a license.
25 The only other two things that are in here

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1 deal with there's a current prohibition about council
2 members and I believe even family members of council
3 from applying for or receiving alcohol beverage
4 licenses. I think that's an unfair restraint of
5 trade, and my opinion is that's unconstitutional.
6 And the other measure that I have noted as a
7 deletion would be there's some regulation on coin-
8 operated amusement machines and there's a State
9 statute that very thoroughly deals with that now, and
10 I think that section should be deleted from this
11 particular code.
12 The reason why the ordinance is 14 pages is
13 because the way your ordinance is organized, you've
14 got repetitive section after repetitive section. For
15 example, dealing with residency, it's found in 3-571,
16 3-108, 3-153 and 3-207. So in order to capture all
17 the variety of sections that are spread throughout the
18 ordinance, that's why it's 14 pages. The 78-page
19 ordinance draft, which is actually shorter printed
20 than would be what you currently have in your books
21 eliminates all that duplication.
22 COUNCILMEMBER BATES: On the residency, if I
23 remember correctly, you indicated that we could have
24 that residency requirement be anywhere -- county,
25 state, country.

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1 ATTORNEY WEED: That's correct.
2 COUNCILMEMBER BATES: So under your analogy
3 of Hilton Hotels, while they might be headquartered in
4 Delaware, this would require if they wanted to open up
5 a hotel and sell alcohol to have a designee live
6 within the city and have lived within the city for a
7 year.
8 ATTORNEY WEED: That is correct.
9 COUNCILMEMBER BATES: So if their agent was
10 -- if their agent was Freeman, Mathis & Gary, one of
11 Freeman, Mathis & Gary's law persons would need to
12 have lived in the city for a year in order for them to
13 get their liquor license.
14 ATTORNEY WEED: That is correct.
15 Once again, bear in mind, under the theory
16 that I always operate under, I gave you the most
17 conservative approach.
18 COUNCILMEMBER BATES: I'm just trying to --
19 ATTORNEY WEED: You can always do less.
20 COUNCILMEMBER BATES: I'm just trying to get
21 in my head as to what this would do.
22 So if we were to change that to resided
23 continuously in the state of Georgia for one year
24 preceding the application, that would be legal.
25 ATTORNEY WEED: That is my opinion.

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COUNCILMEMBER BATES: Thank you.
COUNCILMEMBER ROCHE: I'm sorry. I didn't see that in here. This says the state of Georgia. I didn't see where you had to be a resident of the city.
COUNCILMEMBER BATES: 3-571.1, 3-108 on page 6.
COUNCILMEMBER ROCHE: But I thought that was the point of fixing this was that you didn't necessarily have to be a resident of the city of Doraville.
COUNCILMEMBER BATES: Well, the one part that did get fixed was the applicant that no longer is required to live in the city, but this is requiring the applicant to have a designee that lives --
COUNCILMEMBER ROCHE: Oh, that's right.
COUNCILMEMBER BATES: -- within the city. Am I summarizing that correctly?
ATTORNEY WEED: You are correct.
COUNCILMEMBER BATES: Okay. So I would be in favor of amending this further to have the designee be within the state of Georgia for a year. I think that makes much more sense than --
COUNCILMEMBER ROCHE: Yeah.
COUNCILMEMBER BATES: -- being in the city.
COUNCILMEMBER FLEMING: I agree.

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COUNCILMEMBER BATES: So I'll make the motion to adopt the Chapter 3 alcohol beverage ordinance dated 17 August of '09 with the change of residency of applicant's designee to read: who has resided continuously in the state of Georgia for the one-year period next preceding the year.
COUNCILMEMBER FLEMING: Second.
MAYOR JENKINS: Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember

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Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
ATTORNEY WEED: Councilman, just as a point of clarification, do you also want the citizenship of the United States and/or resident alien status reduced from three years down to one year on those as well or did you prefer to leave them three years? I only bring that up just either to make it consist or not. You don't have to. But while you're doing it, I want to throw that out there.
COUNCILMEMBER BATES: They all say three years, don't they?
ATTORNEY WEED: Yes, they all say three years consistently throughout.
COUNCILMEMBER ROCHE: I was fine with --
ATTORNEY WEED: So do you want --
COUNCILMEMBER ROCHE: -- the three years.
ATTORNEY WEED: -- make them -- Oh, okay. I mean that's fine with me.
COUNCILMEMBER ROCHE: That's me.
ATTORNEY WEED: I just wanted to ask.
COUNCILMEMBER BATES: Yes. Yes.

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ATTORNEY WEED: Okay. So it'll be 3-3-1.
COUNCILMEMBER BATES: Yes.
ATTORNEY WEED: All right.
MAYOR JENKINS: All right. Brian?
COUNCILMEMBER BATES: Yes, sir, Mayor. At the --
COUNCILMEMBER ROCHE: Excuse me. I'm sorry. Don't we have another? We didn't pass both of these, did we?
COUNCILMEMBER BATES: No.
COUNCILMEMBER ALEXANDER: No, sir. You have till April 26 to submit your comments to Mr. Weed on the big one.
COUNCILMEMBER ROCHE: I see. Well, I did have one comment on it on page 61 out of 78. I mean there's probably some other things. I thought we were just changing the --
If I remember correctly our discussion as far as the offenses, they were up to whatever they are. For instance, first offense would be suspended up to 15 days, but we had that -- we would have that discretion?
COUNCILMEMBER ALEXANDER: Correct. In his e-mail I believe that accompanied this, he told us it did not include the last penalties that we passed.

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COUNCILMEMBER ROCHE: So we can get that.
COUNCILMEMBER ALEXANDER: So I think that needs to be addressed.
ATTORNEY WEED: Right. And it will be.
COUNCILMEMBER ALEXANDER: Okay.
COUNCILMEMBER ROCHE: All right. Thank you.
COUNCILMEMBER BATES: Thank you, Mayor.
At the retreat, we talked about doing an RFP for planning, programming and design consultant and management for the General Motors redevelopment program. Mr. Weed has crafted an RFP for us to review, so I will turn that over to Council to further discuss.
COUNCILMEMBER ROCHE: I'm very much in favor of this. I've been putting it on the agenda for a long time. And since it's your agenda item, I'll let you if you want to do the motion but I'd be happy to second the motion or even make the motion to pass this.
COUNCILMEMBER BATES: I'll make the motion to put out an RFP for planning, programming, design consultation and management of the proposed redevelopment project by New Broad Street.
COUNCILMEMBER ROCHE: And I will be happy to second that motion.

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I think we did have one or two minor changes on the e-mails but I think that was taken care of? It just had to do with who it was submitted to.
ATTORNEY WEED: Oh. Correct.
COUNCILMEMBER ROCHE: Yeah, but that was --
COUNCILMEMBER ALEXANDER: So should that say City Clerk now?
ATTORNEY WEED: Let me just confirm that. I think I did that. I've got a draft number 2, of 1 -- April 10 where I've got the clerk throughout.
COUNCILMEMBER ROCHE: Right. Okay.
ATTORNEY WEED: So that should be -- that should have been done. I think I got it.
MAYOR JENKINS: Brian, is this a firm or is this an individual person?
COUNCILMEMBER BATES: Sir, the way that the RFP is crafted is it would be required to be a firm and not an individual.
MAYOR JENKINS: And it wouldn't be an employee --
COUNCILMEMBER PITTMAN: No.
MAYOR JENKINS: -- of the City. It'll be a contractor.
COUNCILMEMBER BATES: It would be a contract, sir, yes.

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MAYOR JENKINS: Thank you.
This person will of course report to the Mayor and Council; is that correct?
COUNCILMEMBER BATES: Yes, sir. They would need to work hand in hand with all the staff. I mean this is not something that's out on an island. I just don't want us to lose sight -- I don't want our staff to lose sight of the rest of the city while this behemoth is out there happening. You know, I've got a fear, and I want to make sure that the city is looked at and reviewed and taken care of while the GM plant is being redeveloped, so --
MAYOR JENKINS: Any more discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Didn't we have a motion and a second?
COUNCILMEMBER ALEXANDER: Yes, sir, uh-huh, I believe so.
MAYOR JENKINS: Call the roll, please.
ASSISTANT CLERK BRYANT: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
ASSISTANT CLERK BRYANT: Councilmember

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Bates?
COUNCILMEMBER BATES: Yes.
ASSISTANT CLERK BRYANT: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pachuta?
COUNCILMEMBER PACHUTA: Yes.
ASSISTANT CLERK BRYANT: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
ASSISTANT CLERK BRYANT: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: Brian?
COUNCILMEMBER BATES: Yes, sir. Item 6. When we were up in Suwanee at our retreat, they had a wall that was -- it was called Snap Suwanee, and it was a photo contest that they held last year for residents and business owners and whomever to submit a photograph that captured the body and the spirit of Suwanee.
I thought it was a great idea, so I stole it. And this afternoon, I'm actually excited to say that Jimmy Cushman called and said that the Doraville

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1 Business Association would like to run with this.
2 This was exactly what I hoped would happen, that, you
3 know, a development authority or the business
4 association would pick this up and, you know, work
5 with us to make it happen.
6 So really nothing for us to talk about
7 except that it's out there and the DBA will be coming
8 forward with their own version, guidelines, submission
9 requirements, deadlines in the not too distant future.
10 MAYOR JENKINS: All right. That's all on
11 that?
12 COUNCILMEMBER BATES: That's it, sir. Short
13 and sweet.
14 MAYOR JENKINS: Karen?
15 COUNCILMEMBER PACHUTA: Also at our
16 Strategic Planning Meeting we discussed the
17 possibility of hiring an economic development director
18 which is a position a lot of our surrounding cities do
19 have. And we talked mainly -- we wanted this to be an
20 employee, we wanted it to be someone who could really
21 work to market the city and to work with the existing
22 businesses and attracting new businesses to the city.
23 I did do some research, the 2009 Municipal
24 Wage and Salary Survey. This is a voluntary survey so
25 it does not incorporate all cities in the state that

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1 do have economic development positions, but you can
2 see some comparative salary ranges by population for
3 each city.
4 I also pulled some very recent job descrip-
5 tions that have been posted for surrounding communi-
6 ties for such position. Obviously not all this
7 applies to us.
8 But what I wanted at this point -- we didn't
9 make any motions at Strategic Planning, but I wanted a
10 motion to approve hiring an economic development
11 director and having staff sit down and work on a job
12 description and working with Ms. Wilson for salary and
13 budgeting. Most of this, I can imagine we will budget
14 in next year's budget. There may be a month or so in
15 this year's budget that we'll need to determine where
16 that money is coming from.
17 Any comments?
18 COUNCILMEMBER ALEXANDER: Do we need to make
19 a motion to create the position or her motion is going
20 to --
21 ATTORNEY WEED: It sounded like the
22 Councilman's motion would cover both. I mean it would
23 create it and fund it under 3.2.1 -- or 3.1.2.
24 COUNCILMEMBER PITTMAN: 3.1.2.
25 ATTORNEY WEED: Thank you. 3.1.2.

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1 COUNCILMEMBER ROCHE: I guess my only
2 concern about this is that I'm not sure if we want --
3 I don't know if we need a work session. We're running
4 out of time. It would be great to be able to spend a
5 little more time and agree on what the position's
6 going to do and what the qualifications are for the
7 position instead of just saying we create a position
8 and qualification could be high school education or
9 something. Is it possible to consid- -- would you
10 consider postponing this until our next Council
11 meeting and be first on the agenda?
12 COUNCILMEMBER PACHUTA: Well, I would like a
13 motion to move ahead so, you know, staff can also sit
14 down and the Mayor can sit down and work with Murray
15 and come up with a potential list that we can, you
16 know -- then e-mail out to Council.
17 COUNCILMEMBER ROCHE: Do you need a motion
18 for that?
19 ATTORNEY WEED: If you want to create the
20 position and fund it, you have to do that by a motion
21 and a second.
22 COUNCILMEMBER ROCHE: Right. But to sit
23 down and kind of work out what would be the part of
24 the job description and what the qualifications would
25 be, I would just feel weird about creating a position

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1 and we don't even know what the job descriptions'
2 going to be yet.
3 ATTORNEY WEED: We could write that whenever
4 you tell us to.
5 COUNCILMEMBER ROCHE: That's what I was
6 saying. So I'd prefer to have a job description in
7 front of me before we made a motion to --
8 COUNCILMEMBER PACHUTA: But we discussed it
9 quite a bit at Strategic Planning, you know, some of
10 those job descriptions, and a lot of that is going to
11 be marketing the city and working with existing
12 businesses and bringing businesses into the city.
13 Obviously, this is a new position so it's
14 going to be I think a lot -- it's going to be
15 evolving, I believe.
16 COUNCILMEMBER ROCHE: I'd much rather have
17 something more firm before I vote on this.
18 COUNCILMEMBER BATES: Just so I'm clear,
19 Mr. Roche, you'd like to see the job description
20 flushed out before you voted to --
21 COUNCILMEMBER ROCHE: Exactly.
22 COUNCILMEMBER BATES: -- make it happen.
23 COUNCILMEMBER ROCHE: I mean, yeah, we voted
24 to create a position tonight, but I mean we know -- we
25 pretty much know what an assistant to the chief is.

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But this is something that, again, there are two or three different job descriptions here, and I think we had one that basically said: Okay. This is our job description, and obviously we'll be passing around e-mails in the meantime to consider and make changes or whatever so that at the next meeting, which is only, what? two weeks from now, we could say, you know, yea or nay on it.

COUNCILMEMBER BATES: Yeah. I'm okay with doing that as long as Council is actually going to, you know, send suggestions and recommendations on job descriptions and things like that.

Karen, would you be willing to be a point person?

COUNCILMEMBER PACHUTA: That's fine.

And I'll also sit down with staff and talk to Murray also on some of the descriptions that are out there.

COUNCILMEMBER ROCHE: It's just with the market, the job market out there right now, I think we can hold out and get someone that's very skilled and has a lot of experience, maybe even a master's degree. I don't know. But I think we need to hire the most qualified person we can get. And right now, like I said, the -- so I think that we should set high

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standards and set a high bar for who we're going to hire for this situation.

MAYOR JENKINS: Do you agree with that, Karen?

COUNCILMEMBER PACHUTA: Yeah, that's fine.

COUNCILMEMBER BATES: Thank you.

MAYOR JENKINS: Okay.

COUNCILMEMBER ROCHE: So do we need a motion to postpone it to the next -- I want to make sure it's on the next agenda.

COUNCILMEMBER PACHUTA: Yeah. I'll make sure.

ATTORNEY WEED: It will come under old business automatically.

COUNCILMEMBER ROCHE: Okay.

MAYOR JENKINS: We need to extend the meeting a few minutes, maybe 30 minutes including the citizen comments.

COUNCILMEMBER PITTMAN: So moved.

MAYOR JENKINS: Second?

COUNCILMEMBER BATES: Second.

MAYOR JENKINS: Call the roll.

ASSISTANT CLERK BRYANT: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

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ASSISTANT CLERK BRYANT: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

ASSISTANT CLERK BRYANT: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pachuta?

COUNCILMEMBER PACHUTA: Yes.

ASSISTANT CLERK BRYANT: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

ASSISTANT CLERK BRYANT: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

MAYOR JENKINS: Murray?

ATTORNEY WEED: Mr. Mayor and members of Council, this is an old-fashioned housekeeping and house cleaning ordinance.

In doing some other work for the City, I discovered that the current penalty provision in your current code for curfew violation is up to $2,500. That is not compliant with Georgia law. I advise you to reduce the penalty to the appropriate amount, a maximum of $1,000.

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I have discussed the matter with the Chief, and he's confirmed with me that it is his opinion that the City should retain a curfew ordinance for minors.

COUNCILMEMBER PITTMAN: So moved.

COUNCILMEMBER ROCHE: Well, before we get there, the first -- the first offense is $500. That just seems pretty high.

COUNCILMEMBER FLEMING: Not to exceed.

COUNCILMEMBER ROCHE: Okay. That's fair.

COUNCILMEMBER BATES: I read that, and I'll tell you I would be perfectly fine with P.D. charging every underage gang-banger that they arrest --

COUNCILMEMBER PITTMAN: I couldn't agree more.

COUNCILMEMBER BATES: -- $500.

COUNCILMEMBER ROCHE: But if Councilwoman Pittman's daughter is running a little late to get home, are we going to nail her for 500 bucks?

COUNCILMEMBER BATES: Up to; sure.

Donna?

COUNCILMEMBER PITTMAN: And again, you know, they'd still take it to court, judge's discretion, you know, wouldn't you think?

ATTORNEY WEED: That's correct. All this does is set the maximum fines, and the judge can

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1 assign them to a work gang for 90 days.
2 COUNCILMEMBER PITTMAN: Right.
3 ATTORNEY WEED: He's got that authority.
4 COUNCILMEMBER PITTMAN: It's just the tools
5 in the event of like what Mr. Bates said.
6 ATTORNEY WEED: And I personally don't care
7 what you set it at as long as it's not $2,500.
8 COUNCILMEMBER BATES: Do we need to waive
9 first reading of this?
10 ATTORNEY WEED: I believe it has not
11 appeared on a previous agenda, so yes, sir, I think
12 that's correct, if you want to adopt it tonight.
13 COUNCILMEMBER BATES: Move to waive first
14 reading.
15 COUNCILMEMBER PITTMAN: Second.
16 MAYOR JENKINS: Call the roll.
17 ASSISTANT CLERK BRYANT: Councilmember
18 Alexander?
19 COUNCILMEMBER ALEXANDER: Yes.
20 ASSISTANT CLERK BRYANT: Councilmember
21 Bates?
22 COUNCILMEMBER BATES: Yes.
23 ASSISTANT CLERK BRYANT: Councilmember
24 Fleming?
25 COUNCILMEMBER FLEMING: Yes.

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1 ASSISTANT CLERK BRYANT: Councilmember
2 Pachuta?
3 COUNCILMEMBER PACHUTA: Yes.
4 ASSISTANT CLERK BRYANT: Councilmember
5 Pittman?
6 COUNCILMEMBER PITTMAN: Yes.
7 ASSISTANT CLERK BRYANT: Councilmember
8 Roche?
9 COUNCILMEMBER ROCHE: Yes.
10 MAYOR JENKINS: Motion to pass it, Brian?
11 COUNCILMEMBER BATES: Move to adopt.
12 COUNCILMEMBER PACHUTA: Second.
13 COUNCILMEMBER PITTMAN: Second.
14 MAYOR JENKINS: Call the roll?
15 ASSISTANT CLERK BRYANT: Who seconded?
16 COUNCILMEMBER PACHUTA: Either one.
17 COUNCILMEMBER BATES: Donna.
18 COUNCILMEMBER PITTMAN: Yes.
19 ASSISTANT CLERK BRYANT: Councilmember
20 Alexander?
21 COUNCILMEMBER ALEXANDER: Yes.
22 ASSISTANT CLERK BRYANT: Councilmember
23 Bates?
24 COUNCILMEMBER BATES: Yes.
25 ASSISTANT CLERK BRYANT: Councilmember

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1 Fleming?
2 COUNCILMEMBER FLEMING: Yes.
3 ASSISTANT CLERK BRYANT: Councilmember
4 Pachuta?
5 COUNCILMEMBER PACHUTA: Yes.
6 ASSISTANT CLERK BRYANT: Councilmember
7 Pittman?
8 COUNCILMEMBER PITTMAN: Yes.
9 ASSISTANT CLERK BRYANT: Councilmember
10 Roche?
11 COUNCILMEMBER ROCHE: Yes.
12 MAYOR JENKINS: All right. Ginny Calvert.
13 MS. CALVERT: I'm Ginny Calvert from
14 Doraville.
15 Upon watching the news reports on T.V., I
16 think they unintentionally are giving us a black eye,
17 but it is something we must deal with. Because of the
18 different crimes that are being created -- committed
19 in the unincorporated areas of Dekalb plus Dekalb
20 County that have a Doraville address, they're putting
21 out on the news that it's Doraville that's got these
22 crimes.
23 I think we really need to do something about
24 this. I will get in touch with Sheriff Brown because
25 I do volunteer work over there at the office, and I

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1 think he needs to -- if they're going to put out the
2 reports to the media, they need to tell them that it
3 is not Doraville just because they have an address of
4 Doraville, that it is Dekalb County or the unincor-
5 porated areas of Dekalb County.
6 I would like to challenge everyone,
7 especially the Council, to each and every one of you,
8 either write letters, make phone calls, do something
9 so that this does not continue to happen.
10 Also this is a hearsay type of thing, but I
11 have very good confidence in this person that told me
12 this. But a neighbor has sold their house, and it's
13 been up for sale for a very long time, for probably
14 over a year. The real estate agent tells this seller
15 that this is a high crime area so we need to lower the
16 payment.
17 I don't like that. I don't know what we can
18 do about this unless we could get in touch with all
19 the real estate agents or the board or something and
20 tell them that this is what is happening. I don't
21 agree to this at all. I think we need to do something
22 about it one way or the other.
23 - - -
24 (Applause)
25 - - -

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COUNCILMEMBER BATES: Thank you. A real quick note on that, I did have very good luck with an ADJ reporter several weeks ago. They had -- there was a story about the guy who murdered someone and they were in -- anyway, they were referencing it as a Doraville address. And I e-mailed the reporter and said, "No, sorry. That's Northlake, not Doraville," and they changed it very, very quickly.

So if we are aggressive in going after the reporters and saying, "No. Report it correctly. That is unincorporated Dekalb," or "That is Chamblee," or "That is Norcross," I think if we send a unified message, that will help.

The other thing that -- it's very ironic that you brought this up. I asked Luke to look into a few weeks ago -- and hopefully he'll get the Mayor's permission to do so -- what it would take to create a Zip code that was specific for the city so that instead of, you know, 30340 and 30360 extend well outside our city borders, and anybody with a 30340 is quote/unquote Doraville even though it's on the opposite side of I-85, and 30360 goes up to Dunwoody.

COUNCILMEMBER FLEMING: And Gwinnett County.

COUNCILMEMBER BATES: Exactly, and Gwinnett County.

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So we get painted with a very broad brush on everything that happens outside of our city when I really only want it to be reported as to what's happening within the city that's called Doraville.

So I don't know that it's remotely feasible to get the USPS to change Zip codes, what the rami-fications would be, what the costs would be. I'm sure it's astronomical and exorbitant, but I think it's worth, you know, exploring, so I'll just throw that out there.

COUNCILMEMBER ROCHE: Yeah. And I've sent e-mails in April sometimes, well, go ahead and fix that on the Web, too, as far as Doraville.

And I could say, I guess I had an idea. mean we're talking about the unincorporated Dekalb County that's called Doraville. Well, we could always rename the city of Doraville to something else.

MS. CALVERT: Yeah.

COUNCILMEMBER ROCHE: And that way, when they said Doraville, they'd only be talking about the unincorporated.

MAYOR JENKINS: Thank you, Ginny.

Mr. Leete?

MR. LEETE: Good evening. I'm Anthony Leete, owner of Axis Impound. I wasn't here when you-

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all passed the ordinance for the booting.

I've got a couple of questions and problems with the ordinance that's been passed.

I've done everything you've requested, I've jumped through every hoop that you guys have asked me to do, and I'm still not working. The reason why I'm not working is because of the ordinance. You're asking the city planner and the police department to approve my signage.

So I go to the city planner, I give him my sign proposal. He tells me that he has no power to determine what signs get put on the property, that he can't sign off on it.

So I'm not quite sure what to do. I can't get signs posted; therefore, I can't work. I've paid you all your money, I've jumped through all the hoops. I don't know what else to do, but I'm still not working.

MAYOR JENKINS: Murray, can we --

MR. LEETE: Did y'all get a copy of the ordinance? I asked the Clerk to make sure you-all had a copy of the ordinance. Did you-all get one? Has anybody seen the actual ordinance that got passed, I mean? because in talking to the city planner, he's never even seen the final ordinance yet.

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But I've got just a few problems in here, and I don't know if my five minutes is going to cover it.

You're telling me that I have to have one hour on my signs before you get booted. I'm trying to figure out who is it that delegates that hour? I mean how do I prove that they've been there for an hour? You-all have set in another part of the ordinance that says that I can't do any videotaping, I can't do surveillance on the property. So how do I know how long these people have been there if I can't videotape and monitor? I just don't know what to do.

COUNCILMEMBER PITTMAN: Do you not tag them with the time or date that you came by the first time?

MR. LEETE: No, no, because we're going to be basically on a -- we'll just come by and check the property. We have a contract with the property owner; therefore, according to your ordinance, I'm okay to go ahead and do drive-bys.

But I'm not going to sit there and drive by every hour of every day for Doraville when you-all regulated me down to $150.

I don't even know if I'm going to be able to make an income yet. But I did everything you requested because I'm going to go ahead and try it.

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But I honestly don't know what to do, folks, and I need your help.

I mean you-all asked for reasonable regulation on this ordinance. This is so unreasonable that you-all take me from my normal, standard fee down to $150, I go and get permitted, and then you still do not allow me to work. I don't know what to do. I need some help.

I gave a letter to the Mayor to give to all the City Councilmembers to see if I could just sit down and have a minute with you to tell you what it is I do and how we operate. None of you responded. None of you.

In the meantime, I'm permitted, I'm licensed, but I'm still not working. So if someone could please give me a minute of your time and tell me what it is that I need to do to make the City happy, I would greatly appreciate it.

MAYOR JENKINS: Murray, do you remember the ordinance about the sign? He says he cannot put up signs.

ATTORNEY WEED: Yes, sir, I remember the ordinance.

MAYOR JENKINS: I mean tell us about it. What is the problem?

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ATTORNEY WEED: Sir, I don't know. I'm not here everyday, and I don't know what this gentleman's done or not done, and I don't know who he's talked to or not talked to. I'm happy to look into it on behalf of the City.

COUNCILMEMBER PITTMAN: And if would, who approved -- who is supposed to approve the signage?

ATTORNEY WEED: Correct. That is, his statement is correct. The signage needs to -- he has to go to the police department and to the planner to look into the signage.

COUNCILMEMBER PITTMAN: Who actually signs off on it allowing him to put the signage?

ATTORNEY WEED: My opinion would be both of those entities at a minimum. And the concept would be to make sure the signage is not too far out into the right-of-way, that it didn't obstruct traffic, it didn't cause visual impairment.

MAYOR JENKINS: What did he tell you the problem with the signage was?

MR. LEETE: There is not a problem with the signage, sir. The problem is is that he cannot tell people on private property where they have to post signage is what he told me.

ATTORNEY WEED: I'm taking this gentleman at

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his word. I'm happy to talk to Mr. Haeberlin about it when he returns, and we'll discuss it. I'll discuss it with him.

MAYOR JENKINS: We'll talk to him Wednesday and call you. Okay?

MR. LEETE: All right.

ATTORNEY WEED: I don't necessarily agree with that, but I don't disagree with it because I wasn't in the room when they had the conversation, so I don't --

COUNCILMEMBER PITTMAN: As far as the hour, I mean you're not willing to tag it and mark a time on it?

MR. LEETE: Well, the problem --

COUNCILMEMBER PITTMAN: I mean it's --

MR. LEETE: -- I have with that --

COUNCILMEMBER PITTMAN: -- not that big of an area.

MR. LEETE: -- is that I've already -- I've already seen that you-all really don't want my service in your city. Okay? You've regulated me so strictly that it was almost impossible to get done, and it still seems to be impossible to get done because I'm still not working.

But for us to go out and keep patrolling

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this area for basically no money, I don't know that it's going to be worth it or not. I mean this is all just -- I'm going to try it. I --

COUNCILMEMBER PITTMAN: So my question was you couldn't tag it and come back?

MR. LEETE: In an hour?

COUNCILMEMBER PITTMAN: Uh-huh.

MR. LEETE: Probably not.

COUNCILMEMBER PITTMAN: So how would you comply then?

MR. LEETE: Well, that's the whole thing; You've set it up for me not to comply.

COUNCILMEMBER PITTMAN: But there is a way you can comply, by tagging it is what I'm asking. Would you not do that?

MR. LEETE: If I went by and did that, if I went by and did that and anyone from the police department came by, and that guy just took the tag and threw it away, I would have no proof.

COUNCILMEMBER PITTMAN: So you're saying a police officer would come by and throw it away?

MR. LEETE: Absolutely.

COUNCILMEMBER PITTMAN: Okay.

MR. LEETE: Absolutely.

MAYOR JENKINS: Okay.

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COUNCILMEMBER PITTMAN: Thank you.
MAYOR JENKINS: We'll check on it by Wednesday for you.
MR. LEETE: So I still don't know where I'm at. I guess I'm still unemployed, and I guess I have to wait until the next City Council meeting to find something out? I mean where do I stand?
COUNCILMEMBER ALEXANDER: Mr. Weed is going to check into the sign issue.
MR. LEETE: Uh-huh.
COUNCILMEMBER ALEXANDER: And I doubt very seriously that one of our police officers would remove a sticker on anyone's car, sir.
MR. LEETE: Well, I'm not saying just the police, but the individual owner, the individual car owner.
COUNCILMEMBER PITTMAN: So you wouldn't keep a record or a carbon copy of what you put on there?
MR. LEETE: No. Why would I do that? It's a simple window tag that identifies to them that their vehicle's been booted.
COUNCILMEMBER PITTMAN: But I would want a record of it.
MR. LEETE: You would want a record of what?
COUNCILMEMBER PITTMAN: I would want a

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record of it if I was the person doing that, tagging it. I'd want a record of what I put on the vehicle.
MR. LEETE: Well, what we do normally is we videotape, but you've taken that away from me. I can't video.
COUNCILMEMBER PITTMAN: Okay. Thank you.
MAYOR JENKINS: All right.
ATTORNEY WEED: Sir, here's my card (presenting). I can assure you that someone will be in touch with you by Friday at the end of the week. You may not like what we have to say, but I promise you someone will call you. And if you don't hear from us, please call me.
MR. LEETE: Well --
MAYOR JENKINS: Okay. Public comments. Three minutes on public comments.
MS. HOFFMEISTER: Bonita Hoffmeister, Oakcliff Estates. I am unfamiliar with how many trucks are in the Oakcliff area, but one is one too many. We do not need trucks parked in our businesses because they're going for lunch when we have a truck stop about two miles away.
I would think that you as City Councillors would do whatever it takes to stop this problem. Thank you.

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MAYOR JENKINS: Next? Come on up.
MR. HART: This booting guy sounds like a -- it sounds like a broken record. We went through the same thing with the coffee shop guy. You offer him a permit, then you can't open the business, and you can play this little game with the planner and the City Council and back to the -- you know.
If you wonder why Ginny Calvert -- you talked about the city getting a black eye. We've got this truck stop that's called Buford Highway. The business and property owners are trying to do something about it, and the City Council sits there and won't help. They won't help.
I mean the obvious solution -- and Pam offered the solution, which is to charge what the State of Georgia allows, and clean the place up.
We've got holes in parking lots where the stuff is all caved in at K-Mart. We tried to work with K-Mart when I was on the City Council to get rid of the trucks.
Maria Alexander, you went nuts about the trucks in the parking lot. Get on the City Council? Nothing.
So I mean this is a familiar scenario that we play with these business people over and over and

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over and over again. If you want to improve the image of this city, then you have to take your job seriously as a Councilperson and do something about it.
But this guy's got the same problem the guy with the coffee shop had, the same exact problem. You refuse to do something about it. Thank you.
- - -
(Applause)
- - -
MAYOR JENKINS: Next?
MR. LIVINGSTON: Charles Livingston.
I know that all of you up here and most of you in the audience will remember what I said to those that were responsible for the atrocity that was perpetrated against Tom Hart back on April 15th leading to his false arrest and false imprisonment.
Now I made those comments in a meeting soon after his arrest on April 15th. And then at a subsequent Council meeting, I was approached by Susan Fraysse at a break, where she said, "What kind of an upbringing did you have that you could say that sort of thing to these people?" And before I could answer her, the meeting was called back to order or something and I didn't get to answer.
And I'd like to tell you right now. I was

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raised in a loving Christian family where truth, honesty and integrity was a part of our everyday lives. We lived it. And that sort of thing didn't allow for false arrest and false imprisonment and that sort of thing.

Not only -- you know, everybody knows what happened with Tom Hart. He was found not guilty in a trial.

But that sort of goings on has not slacked off at all. This thing with Eric Bart and the hot dog stand has cost him. I know that he's out at least $7,000 still because of shenanigans by the City, maybe more than that, plus all of his time, and everybody up here acts like it's nothing to it.

There is a lot to it. This guy has been treated terribly by the City. And it's this type of goings on here that leads the city to have the reputation that it does. It's just terrible. You guys, I've talked to you before, and a lot of you up here, it's like talking to a stump. It just rolls right off of you. You don't care.

I would hope that some of you do. I know that the first two here do. The rest of you, I'm not so sure. Sometimes it seems to me like you're dedicated to run the city into the ground, and I got

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to tell you, you're succeeding. Sometimes I don't know how you sleep at night.

I want you to know how we feel, and I'm not alone. Thank you.

- - -

(Applause)

- - -

MAYOR JENKINS: Next?

MR. FEIDLER: Raymond Feidler, Oakcliff Estates, Doraville.

I have to take umbrage with the remarks Mr. --

UNIDENTIFIED SPEAKER: Charles Livingston.

MR. FEIDLER: I want to say Livingston but I think Charles.

I take umbrage with your remarks, Charles. I want you to think back. You were brought up in a Christian family, a loving family and all that. You think about the letter that you wrote this Mayor and some of the things that you said nasty about the Chief of Police of this city back about a month before he left to go overseas. You think about that, sir. Don't criticize unless you can be criticized too.

MAYOR JENKINS: Thank you.

MR. ANDERSON: Stuart Anderson.

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Try to hold my rhetoric down, but I do agree with Mr. Leete. I've read that ordinance, and it's exclusionary. It certainly keeps him from doing business in several different ways. Their standard SOP is to use video cameras, et cetera, et cetera. Every page has several objections, and I won't go into that any more. We do have a pattern of making it difficult on business, and I seem to be one of them we're being difficult with. We'll get to that later sometime.

To the space planning RFP/building audit/records retention, it was brought up earlier, and that's why I'll mention it, that a lot of this stuff seems to be compartmentalizing this situation and a lot of it overlaps. Dunwoody right now is discussing retention for felonies and misdemeanors and how long they should be kept. We mentioned record-keeping as part of the building audit/et cetera, space planning RFP.

A lot of that needs to be -- it wasn't discussed enough is what I'm saying. It needs to be brought together in a work session or whatever. This can be streamlined a little bit in my opinion.

I certainly appreciate Murray Weed's participation and agreement with the co-op and his

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offer to help, and I applaud that. I was going to ask for that earlier but finally got around to it.

But having said that, I also come with a question I didn't hear earlier: when it is we're going to do an RFP on the city attorney, what the date was or how we're going to do that.

Once again, the GM consultant situation and the LCI consultant situation once again seems to me they can be streamlined or brought together. That really wasn't discussed too much. They were, once again, compartmentalized, and I think that we can combine some of that economic. And that's why I stood up in the first place and asked Karen to possibly think about putting her economic development person at a later date, that the information that will lead to that person could certainly come out of the information we get from the LCI study coordinator and the GMA coordinator. We'll have a lot of information that way, and then we can segue that into an employee for that project or for that effort.

I guess that's it. Thank you.

MAYOR JENKINS: Next?

MS. CALVERT: Ginny Calvert again.

I think we need to be a little more careful about how we spend our money. You know, we need

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1 people -- We had a study, if I remember right, a long
2 time back, a few years ago, and they said that we
3 needed more people in our office and that the ones
4 that were in there were grossly underpaid for the
5 amount of work that they do. So I think instead of
6 hiring somebody in right now, we need to try to wait
7 on this and help the City out in other ways instead of
8 -- I believe it would cost us a good deal of money to
9 hire somebody in on this project of Karen's. Sorry,
10 Karen.
11 MAYOR JENKINS: Next?
12 MS. CRAWFORD: I just wanted to thank
13 everybody for indulging me and for your help tonight.
14 And while I'm up here, I too agree that our
15 downtown area has really, really got a lot of big
16 trucks in it. And I don't know what it'll take to
17 alleviate that, but I would just have you look at
18 other cities our size, and it probably is happening in
19 places like that, and let's do what we can to get this
20 guy back in business.
21 MAYOR JENKINS: Motion we adjourn?
22 COUNCILMEMBER ALEXANDER: So moved.
23 MAYOR JENKINS: Second?
24 COUNCILMEMBER PITTMAN: Second.
25 MAYOR JENKINS: Call the roll.

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1 ASSISTANT CLERK BRYANT: Councilmember
2 Alexander?
3 COUNCILMEMBER ALEXANDER: Yes.
4 ASSISTANT CLERK BRYANT: Councilmember
5 Bates?
6 COUNCILMEMBER BATES: Yes.
7 ASSISTANT CLERK BRYANT: Councilmember
8 Fleming?
9 COUNCILMEMBER FLEMING: Yes.
10 ASSISTANT CLERK BRYANT: Councilmember
11 Pachuta?
12 COUNCILMEMBER PACHUTA: Yes.
13 ASSISTANT CLERK BRYANT: Councilmember
14 Pittman?
15 COUNCILMEMBER PITTMAN: Yes.
16 ASSISTANT CLERK BRYANT: Councilmember
17 Roche?
18 COUNCILMEMBER ROCHE: Yes.
19 - - -
20 (Meeting adjourned at 9:30 p.m.)
21 -o0o-
22
23
24
25

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1 C E R T I F I C A T E
2 STATE OF GEORGIA]
3 COUNTY OF DEKALB]
4 I hereby certify that the foregoing transcript
5 was taken down, as stated in the caption, and the
6 proceedings were reduced to typewriting under my
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10 proceedings.
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12 or employee or attorney or counsel to any of the
13 parties, nor financially or otherwise interested in
14 this matter.
15 This the 13th day of April 2010.
16
17 _____
18 Theresa Bretch, CCR
19 Permit No. B-755
20
21 [SEAL]
22
23
24
25

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