In The Matter Of:

City of Doraville
State of Georgia

City Council Meeting
March 19, 2009

American Court Reporting Company, Inc.
52 Executive Park S, Suite 5201
Atlanta, Georgia 30329
800-445-2842
WWW.ACRGA.COM

Original File 57897-1.TXT, Pages 2-262 (261)

Word Index included with this Min-U-Script®

This Page Intentionally Left Blank

CITY COUNCIL MEETING
CITY OF DORAVILLE
STATE OF GEORGIA
* * *

Transcript of the proceedings 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 6:30 p.m. on Thursday, March 19, 2009.

* * *

APPEARANCES:
Doraville City Council:
Hon. Ray Jenkins, Mayor
Councilmember Maria Alexander
Councilmember Brian Bates
Councilmember Robert Spangler
Councilmember Donna Pittman
Councilmember Bob Roche
Councilmember Pam Fleming

Murray J. Weed, City Attorney

Ms. Rhonda Blackmon, City Clerk

P R O C E E D I N G S

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

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Here.

CLERK BLACKMON: Councilmember Bates?

COUNCILMEMBER BATES: Here.

CLERK BLACKMON: Councilmember Fleming?

COUNCILMEMBER FLEMING: Here.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Here.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Here.

CLERK BLACKMON: Councilmember Spangler?

COUNCILMEMBER SPANGLER: Here.

MAYOR JENKINS: We got the minutes over with at the last meeting, and I'm going to bring up this item that I've put on before because it's a cost-cutting item. I believe in it. But I just want to bring it up again. I believe we should go to a work session and then have one voting meeting. That will cut down on the court recorder. And if Mr. Spangler gets his two

hours through, we'll be in good shape.

But anyway, we brought it up before. Could I get a motion?

- - -

(No response)

- - -

MAYOR JENKINS: Do I get a motion?

- - -

(No response)

- - -

MAYOR JENKINS: Next item on the agenda is Mr. Bart.

I'd like to put Mr. Bart under my comments because he was not on the agenda. Do I have permission of the Council?

COUNCILMEMBER SPANGLER: Yes.

COUNCILMEMBER ROCHE: I make a motion that we add Mr. Bart to the agenda as part of the Mayor's comments.

MAYOR JENKINS: Do I get a second?

COUNCILMEMBER SPANGLER: Second.

MAYOR JENKINS: Call the roll, please.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

Page 5

CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: I don't know how far along we are. Mr. Bart told me he was supposed to get an estimate back today, which he did not.
But did the gentleman give you any idea of a close proximity to what it would cost?
MR. BART: Yes. The electrician figured that the cost to rewire the whole building and bring it up to the 200 service would run about $7,000.
MAYOR JENKINS: What else do you have to talk about?
MR. BART: Basically I have my copy of the business proposal that I gave to everybody.
MAYOR JENKINS: We have that, yes.

Page 6

MR. BART: That's basically it. Just asking for a vote whether or not we can go ahead and proceed with this.
MAYOR JENKINS: Yeah. Well, that's the reason we brought it up. And I know it'll cost the City between seven and ten thousand dollars plus the work we've already done, plus we're having to make the sidewalks five feet and build them up for handicapped access, and we've got some lighting to put in. It's hard to estimate.
But one thing I want to bring up to the Council is the situation about the parking.
Your proposal was, I believe, five or six spaces up in front of the Civic Center.
MR. BART: That was Scott's recommendation. He said that they were going to be able to switch out some of the spaces from the Civic Center, especially the ones that were down the hill.
MAYOR JENKINS: Well, there's a number of them down the hill. Why wouldn't we consider that? Because we use that up there for senior citizens, really, and I wouldn't want the parking taken up with the civic center especially during the functions that we have.

Page 7

MR. BART: Well, the reason being for the downstairs or the parking down would be if there was more people that needed handicapped spaces than were allowed. They would --
MAYOR JENKINS: Yeah, but we have handicapped up at the top of those. They can actually use those, yes.
MR. BART: Right. And there should be one in front of the DUI building. It would just be easier access for people that might have a problem coming up that walkway to come into --
MAYOR JENKINS: You mean there's not any over -- I thought there was some on this upper side. There's not?
MR. BART: No.
MAYOR JENKINS: Well, we can do that.
MR. BART: Okay.
MAYOR JENKINS: Where's Scott? How many parking places does he have to have, Scott?
MR. HAEBERLIN: In the zoning ordinance, he's required to have one parking space for every three seats. But obviously, this is City property and I guess the City could do whatever they chose to do with this location.
MAYOR JENKINS: Thank you.

Page 8

Do we have anymore comments from the Council?
COUNCILMEMBER FLEMING: Yes, sir. I need to ask a question. The installing of the wiring that needs to be done for the appliances, is that the $7,000 that you were referring to?
MR. BART: No. That's just the City's part to bring the building up.
The estimate that I got from him to put in the 240s and so forth would be about $3,500.
COUNCILMEMBER FLEMING: So that's --
MR. BART: And that would be included in that.
COUNCILMEMBER FLEMING: That's --
MR. BART: I had put the $10,000 in the proposal.
COUNCILMEMBER FLEMING: I wasn't sure whether we were overlapping with that item on yours and then with the Mayor starting out with the estimate of the electrical wiring. I wasn't sure whether we were overlapping with items there.
MR. BART: No, we're not.
MAYOR JENKINS: No. That would be on the City bringing the wiring up to Code and

Page 9

[1] getting the handicapped and the lighting for the
[2] exits and all.
[3] And he had some that I think he's going
[4] to --
[5] You said $3,500 for what?
[6] **MR. BART:** To bring up the -- for the
[7] appliances that I'm going to have. The electric
[8] stove, the exhaust fan, the coffee brewers --
[9] **MAYOR JENKINS:** That would be on you.
[10] **MR. BART:** -- all need a 240.
[11] Right. That would be on me.
[12] **COUNCILMEMBER SPANGLER:** My question is
[13] have we drawn up any kind of a contract that Mr.
[14] Weed has looked at or is he looking at it now --
[15] **MAYOR JENKINS:** No.
[16] **COUNCILMEMBER SPANGLER:** -- as we
[17] speak?
[18] **ATTORNEY WEED:** Mr. Spangler, when this
[19] matter first came forward, there was a copy of a
[20] draft lease which I assume Mr. Bart prepared,
[21] that was sent to me, which I have reviewed, and
[22] we need to make some revisions to it, and that's
[23] where that is that.
[24] What I'm looking at now would be his --
[25] apparently it's his business plan.

Page 10

[1] **MAYOR JENKINS:** Are there any more
[2] comments?
[3] **COUNCILMEMBER FLEMING:** Yes, sir.
[4] First of all, I want to thank you for
[5] your presentation. It was an excellent presen-
[6] tation, much better than previous ones that
[7] we've gotten.
[8] I really do like the idea of a coffee
[9] shop in the middle of town, and I can see where
[10] it could be utilized by even the residents that
[11] would be going to the library, so I think you'd
[12] get some flow there.
[13] The one thing I did not see in this
[14] proposal, though I don't think, on my behalf,
[15] that you need to list the anonymous
[16] contributors, I still did not see any listing of
[17] your operating capital, and that concerns me.
[18] So I don't know whether you are ready
[19] to give us what your financial statement is as
[20] far as your operating capital is concerned,
[21] because, without that, I would like to defer it.
[22] So that's my comment.
[23] **MAYOR JENKINS:** We also need to work
[24] out the time limit on the contract and the
[25] amount before we can make a motion.

Page 11

[1] Is that right, Murray?
[2] **ATTORNEY WEED:** Well, Mr. Mayor, in my
[3] opinion, the time frame would be dictated by
[4] State law. The contract would have to be for a
[5] period of a single calendar year and then it
[6] could have automatic renewal provisions in it up
[7] to a time frame that you elected; therefore, the
[8] City could get out of it at the end of every
[9] calendar year with notice to the tenant.
[10] **COUNCILMEMBER SPANGLER:** Or Mr. Bart
[11] could get out of it at the end --
[12] **ATTORNEY WEED:** That is correct.
[13] **COUNCILMEMBER SPANGLER:** -- of the
[14] calendar year.
[15] **ATTORNEY WEED:** We would certainly
[16] build in there a clause for him that if he
[17] wanted an early out for some reason, you know,
[18] we could do that, too, if he wanted and you
[19] agreed.
[20] **MAYOR JENKINS:** And you need to see if
[21] you can deal with the amount each month.
[22] **COUNCILMEMBER SPANGLER:** What do you
[23] mean, Mayor?
[24] **MAYOR JENKINS:** How much we're going to
[25] charge him for the building each month.

Page 12

[1] **COUNCILMEMBER BATES:** Oh, rent?
[2] **COUNCILMEMBER SPANGLER:** Well, he
[3] agreed to the $750 which I think is a fair
[4] price.
[5] I mean we haven't been getting any
[6] revenues out of the building for a period of
[7] time, so I think it would be a good investment
[8] on our part. Some of these things, we're going
[9] to have to do anyway as far as the handicapped
[10] and the sidewalk and all that, so it's not
[11] moneys that we were not going to have to spend.
[12] **MAYOR JENKINS:** Murray?
[13] **ATTORNEY WEED:** Yes, sir.
[14] **MAYOR JENKINS:** You say hold off on the
[15] motion until you get the paperwork or what?
[16] **ATTORNEY WEED:** Well, no, sir. I don't
[17] think that's necessary. I think it's up to the
[18] Council to decide they want to make a deal with
[19] Mr. Bart and the basic terms of it. In this
[20] case, the basic terms that seem to remain
[21] undecided yet would be the City's contribution
[22] to the facility and what that would cost, and
[23] what the rent would be and then the length of
[24] term. So as soon as I get that information if
[25] the Council votes to do it, I'll do a draft

Page 13

contract and send it to Mr. Bart and/or his legal counsel, we'll negotiate the finer points of the law, and that will be that.

MAYOR JENKINS: Okay.

ATTORNEY WEED: Or I'm happy to do a draft contract on the front end and give it to Mr. Bart and his counsel, and we can work it the backwards way. Either one will work. Either one is legal.

COUNCILMEMBER SPANGLER: I think at this point, you know, it's time we go ahead and make a motion. I don't think we need to wait. I think Mr. Bart has agreed to pay $750 a month rent for the top part. We've agreed to spend up to what, Mayor? $10,000?

MAYOR JENKINS: Well, I mean if it --

COUNCILMEMBER SPANGLER: Or more?

MAYOR JENKINS: -- takes more, we'll have to do it to bring the electrical up because he can't --

COUNCILMEMBER SPANGLER: Okay.

MAYOR JENKINS: -- and I won't let him move in till that's done.

COUNCILMEMBER ROCHE: And we're not going to worry about the no operating capital?

Page 14

I mean I've been a landlord, myself. I've rented a place for a long, long time. And I always made sure that before I rented anything -- rented my place to anybody, I made sure that they had some kind of a credit check or something.

I mean the thing that I noticed that was missing from this business proposal was there were no numbers. There were no numbers as far as saying this is how much I have in the bank, this is what I have for contingency, this is how many people I'm going to hire, this is how much I expect it to cost every month, this is what my budget and expenses are, this is my projected revenue. None of that's there. There's not even any capital there.

I mean there's nothing there that says I've got this much money in the bank to pay the rent, and I think that that's -- I think that it's completely reasonable to ask for that, and I think it would be irresponsible for us not to ask for that. That would be like renting out my house to someone and not even seeing if they have any kind of revenue. So that's my only comment.

Page 15

MAYOR JENKINS: Do you agree with getting that for us?

MR. BART: Yes.

MAYOR JENKINS: Do you want to hold up on the motion until we get that?

COUNCILMEMBER SPANGLER: No. I'd like to go ahead and make the motion. We can include this in with the motion, and Mr. Weed can help me with this motion.

MAYOR JENKINS: Contingent.

COUNCILMEMBER SPANGLER: Contingent on the credit report and the length of the contract.

You said it would be a year.

ATTORNEY WEED: It seems to me that the basis would be right now that he would pay at least $750 a month rent, that the rental would be for a period of a calendar-year basis with automatic renewals, you know, pending termination by him or the Council with usually 60 days' notice. And then also I would say -- I don't know how long you want to -- if you want to do this for two years -- in other words, the remainder of this calendar year and then one year -- or just say you'll do it until December

Page 16

31st and see how it works out. That's up to you.

COUNCILMEMBER ALEXANDER: That would be encumbering a future council.

ATTORNEY WEED: I'm sorry. Pardon me?

COUNCILMEMBER ALEXANDER: That would be encumbering a future council.

ATTORNEY WEED: Not the way I'm going to write it because we'll still have the multi-year contract terms in there, Title 36. So you could do a three-year period of term or a two-year period of term, but Mr. Bart would understand and you would understand that at the end of every calendar year, the deal automatically dies but it springs back to life like a phoenix, legally, and then you go on unless you give him 60 days' notice or he gives you 60 days' notice. That's how you do that, legally.

But you're right. Other than that, it would be a problem.

COUNCILMEMBER ROCHE: Is this going to be a month-to-month rental agreement or is this going to be a lease, a 12-month lease?

ATTORNEY WEED: I would recommend a

Page 17

lease for, you know, the remainder of this year or whatever time period you want to do after that. I'd put it the form of a lease, not month-to-month.

But you could do a month-to-month tenancy. There might be some advantages to that, too, depending upon how secure you feel with Mr. Bart and his business plan. Once again, that's a client decision, not a lawyer decision.

And then you were talking about how much you would agree to spend, City dollars, on the facility.

So I think the remaining two most important things other than the other contingent items, you know, them being turned in to the Council and the Council making some sort of final approval based upon those contingencies, I would craft a motion, if you want to do this, at $750 a month for the rent, and remainder of this calendar year term with maybe one additional 12 months thereafter in 2010, and that the City would agree to spend X-dollars, however much that is, on the facilities.

COUNCILMEMBER SPANGLER: Well, the

Page 18

Mayor sort of left that unlimited; whatever we need to do to make it fit. Okay?

ATTORNEY WEED: That's fine with me.

COUNCILMEMBER SPANGLER: But you can put a limit on it up to $15,000? I would feel more comfortable, I think. Again, it's money we're going to have to spend anyway.

COUNCILMEMBER FLEMING: Mr. Mayor?

MAYOR JENKINS: Yes, ma'am.

COUNCILMEMBER FLEMING: Is the electricity that has to be rewired something we do have to do?

MAYOR JENKINS: Yes.

COUNCILMEMBER FLEMING: It is.

MAYOR JENKINS: It's only got a small 150 amp --

UNIDENTIFIED SPEAKER: (Inaudible)

MAYOR JENKINS: -- like a --

Excuse me?

In other words, that house was built in 1929 or '30 and --

ATTORNEY WEED: I'm sorry, folks. I can't hear the Mayor, and I need to hear this.

MAYOR JENKINS: The house was built in 1920 or '30 and it's got I believe it's 150 amp.

Page 19

And I talked to an electrician and he said we should at least go to 200, possibly more.

And I questioned him about putting that much power on the wiring, and he said that would be fine. But there is some grounding problems, from the one that I talked to. So he's going to have to check that.

But I think seven to ten thousand dollars would be fine.

COUNCILMEMBER SPANGLER: Well, you said, I thought -- and I'm sorry, Mayor.

MAYOR JENKINS: Well, we're going to have some other stuff, yeah.

COUNCILMEMBER SPANGLER: Yeah. We need to make sure that -- whether Mr. Bart gets the lease or not, we need to make sure that that building is safe for whatever --

MAYOR JENKINS: Right.

COUNCILMEMBER SPANGLER: -- needs that we're going to have for it, and even if it costs more than . . .

COUNCILMEMBER BATES: Do we have any written estimates on the electrical work or any other work to be done?

MAYOR JENKINS: He was supposed to have

Page 20

one for today but it didn't come in. He was supposed to get it today.

COUNCILMEMBER BATES: So we've got a verbal estimate but nothing in writing --

MAYOR JENKINS: Right.

COUNCILMEMBER BATES: -- as to the scope?

MAYOR JENKINS: That's right.

COUNCILMEMBER BATES: Do we have just one or multiple estimates?

MAYOR JENKINS: Well, one.

COUNCILMEMBER SPANGLER: Mayor, did you have one yourself? Didn't you have someone?

MAYOR JENKINS: Mr. Noonan.

COUNCILMEMBER SPANGLER: And how much did Mr. Noonan --

MAYOR JENKINS: Mr. Noonan, do you want to comment on this? Come on up if you do.

Mr. Noonan volunteered to look at it and see really what it needed. And we have not hired Mr. Noonan and we haven't hired the other gentleman, either, that he's referring to.

So anyway, can you give us some update about the building, what it needs?

MR. NOONAN: The existing service would

Page 21

not handle a commercial kitchen. It would have to be upgraded to a minimum of 200.

MAYOR JENKINS: Minimum.

MR. NOONAN: Minimum. Now, if we get a load sheet or a sheet of the equipment that he wants to install, then that would determine the size service that needs to be installed in there.

COUNCILMEMBER BATES: Yeah. Would the existing service work for a regular office?

MR. NOONAN: Yes. You have some grounding issues that could be corrected for just a few hours labor, not much at all, under $500, because there's some grounding issues that need to be addressed. And 150 amp service would be adequate for office space.

COUNCILMEMBER BATES: But in your opinion, the more it's upgraded to function as a kitchen, it would need to be rewired or upgraded.

MR. NOONAN: The electrical main service entrance to that building would have to be upgraded, yes, a minimum of 200. And depending on what additional loads he wants to add, that would determine. It could go as high

Page 22

as three. A typical commercial kitchen, like I say, on Buford Highway, around there, it's probably around a 300, you start putting pizza ovens in and such as that.

But just need a list of the equipment that he wanted to install, and that would determine the size service, but no smaller than 200.

COUNCILMEMBER SPANGLER: No smaller than 200. So what would be an estimate of the costs for the 200?

MR. NOONAN: Between five and eight thousand dollars.

MAYOR JENKINS: And if you went on up to three?

MR. NOONAN: Excuse me?

MAYOR JENKINS: If you went on up to 300 amp.

MR. NOONAN: I don't have the numbers in front of me. It's probably nine, nine or --

MAYOR JENKINS: You think we --

MR. NOONAN: -- ten thousand.

MAYOR JENKINS: -- can come under ten, then, on the electrical.

MR. NOONAN: Yeah, somewhere in there.

COUNCILMEMBER BATES: So just to put it

Page 23

out there, at $750 rent,if we were to incur seven, eight thousand dollars of electrical costs to upgrade to a commercial kitchen, it would take us 12 or 14 months to recoup the rent and upgrades to a commercial kitchen.

COUNCILMEMBER SPANGLER: But you would have a building that was worth a little more money because it would be set up for a commercial business.

COUNCILMEMBER BATES: A commercial kitchen.

COUNCILMEMBER SPANGLER: A commercial kitchen or a heavy commercial office load where you had multiple equipment.

So it's an investment that I feel like even if we were not looking at leasing it to Mr. Bart, it's a good investment to the City because it's something that's going to have to be done anyway as far as there's going to have to be some electrical work done, anyway. Why not go ahead and make it the best that it can be?

COUNCILMEMBER FLEMING: I don't have a problem with upgrading the electric system.

The problem that I do have is making

Page 24

contingency type motions based on such-and-such and so forth. And I would prefer to, you know, make a motion and go ahead and upgrade the electrical boxes at our building so that it might be accommodating for Mr. Bart or even other renters.

But until we see -- or until I see. I'm sorry. Not "we." Until I see some operating capital or some type of financial statement in writing, I'm not ready to vote on renting Mr. Bart the building.

MAYOR JENKINS: Thank you, John. I appreciate it.

COUNCILMEMBER ROCHE: And I mean like Councilman Fleming said, I mean I love the idea of having a coffee house there. I mean I really love the idea. But if we fall in love with it without doing due diligence, we could be making a poor decision.

What about drainage? Do we have to have -- I mean you're talking about a commercial kitchen. Don't commercial kitchens usually have things like grease traps and all that? I don't know anything about it, but I don't remember seeing anything about that in the --

Page 25

MAYOR JENKINS: Mr. Bart, he'll have to take care of that.

MR. BART: The grease-trap situation would occur if we were using fryers or anything like that to cook food. And we're really not cooking food. All we're doing is reheating. Everything is precooked. So there is no grease that would be accumulating, so, therefore, the grease trap wouldn't be necessary.

There would be the regular drainage for the hand sink, the three-compartment sink which we run into the sanitary sewer system.

MAYOR JENKINS: You don't have anything to cook French fries or --

MR. BART: No, we're not going to do that, because what we're trying to do is to keep the costs down and the labor cost down. So we decided no fries. We're going to do bagged chips. We're going to do bottled or canned soda so we don't have to worry about a fountain, we don't have to worry about the CO2s and all sorts of water lines and things like that. So it's just to keep the operation at a -- Keeping it simple is basically what it is, not going overboard, not having 7,000 different items on

Page 26

the menu and so on.

COUNCILMEMBER FLEMING: I make a motion to defer decision until you are able to provide us with some type of financial data for us to review.

I appreciate -- like I said, your presentation was excellent, but I really would like to see some financial statement or operating capital.

So I make a motion to defer this decision until April the 6th, which would be the next regular meeting.

MAYOR JENKINS: Do I get a second?

COUNCILMEMBER SPANGLER: Well, I still had a motion on the table, so I guess --

COUNCILMEMBER FLEMING: Oh, I'm sorry.

COUNCILMEMBER SPANGLER: -- I need to withdraw my motion.

ATTORNEY WEED: I didn't know that we'd gotten that far, Mr. Spangler.

COUNCILMEMBER SPANGLER: Well, yes. I did say that I wanted to go ahead and make a motion, and I was asking you what was the best way to word it. But since I don't think we're going to get a vote on this tonight, then I

Page 27

probably should withdraw my motion.

ATTORNEY WEED: That's fine, sir.

And if he does that, Ms. Fleming's motion stands.

COUNCILMEMBER FLEMING: My apologies, Mr. Spangler. I'm sorry.

COUNCILMEMBER SPANGLER: No. That's fine.

ATTORNEY WEED: It currently stands without a second which it needs to go to discussion.

MAYOR JENKINS: Do I get a second?

COUNCILMEMBER BATES: Second.

MAYOR JENKINS: Anymore discussion?

COUNCILMEMBER BATES: Ms. Fleming, if you would be amenable --

Previously I did ask for your expenses or estimated expenses, and I know you indicated that you couldn't provide the gross receipts. But you can certainly, I believe, give an estimate on labor cost, electrical estimates, you know, as far as the monthly electric bill, telephone, any advertisements, insurance, general liability, those types of things that I think you should be able to calculate and

Page 28

provide a rough estimate of your monthly operating expenses.

I concur with Mr. Roche and Ms. Fleming that that's part of the due-diligence process.

MR. BART: According to -- you know, with the estimates for electrical and so forth, when we first had the discussion about the building, I was told that the electrical service and the water would be handled through the City because since they have 14 buildings, that they get a better rate on those things, and at that time, that's what I would pay. And I would have no idea of what that estimate would be to include in any kind of proposal.

COUNCILMEMBER BATES: Well, if that were the case, then the Clerk should be able to provide an estimate from Georgia Power or whomever provides our power for the specific operations of that building.

MR. BART: From what I've had in the past is that if a building has been uninhabited for a long period of time, they really have no basis for an estimate of what that utility cost could be.

COUNCILMEMBER BATES: Swag it.

Page 29

Scientific wild blank guess.
MR. BART: Well, we need to know if that's going to, if the City is going to, in addition to charging me for the rent. I would need to know what those costs were so that way I can put it into the statement.
COUNCILMEMBER BATES: I understand. I truly believe that that is the minor portion of your expenses,where labor and insurance and things would be the major portion of the expenses.
MAYOR JENKINS: Got a motion and a second. Anymore discussion?
COUNCILMEMBER SPANGLER: Before you vote on it, why don't you make it clear to Mr. Bart exactly what he needs to bring before the Council to where he can do it maybe one more time instead of coming back multiple times. And let him write it down or somebody write it down for him.
COUNCILMEMBER FLEMING: Operating capital would be number one.
MAYOR JENKINS: Will you get that, Rhonda?
CLERK BLACKMON: Okay.

Page 30

ATTORNEY WEED: And I assume you want to know the sources thereof; savings, contributions, you know, from outside parties, that type of thing.
COUNCILMEMBER FLEMING: I would prefer the bankings listed as banks. I know that he has some anonymous providers. I don't know how the rest of the Council feels, but I don't need names of anonymous providers.
COUNCILMEMBER ROCHE: A bank statement would be fine.
COUNCILMEMBER BATES: And as I indicated, the monthly estimated operating expenses.
COUNCILMEMBER SPANGLER: And again, you said that could be swagged, Mr. Bates; is that correct?
COUNCILMEMBER BATES: There are many elements that can be swagged.
COUNCILMEMBER SPANGLER: I think most of it could be swagged because he doesn't know at this time what expenses he is going to incur. There may be some fixed expenses but he can still swag all of it.
COUNCILMEMBER FLEMING: Well, Mr. Spangler, I thoroughly agree with you, but in

Page 31

his proposal he was indicating that his revenue -- his estimated revenue for the balance of this year would be $60,000. So if he's giving us that figure, he should at least be able to give us some type of estimated expenditures.
COUNCILMEMBER SPANGLER: That's why I'm saying he can swag that also, Ms. Fleming.
COUNCILMEMBER FLEMING: Yes.
COUNCILMEMBER SPANGLER: I mean he doesn't have to be concise.
ATTORNEY WEED: Mr. Bates, just to follow up, would you still indicate what exactly it is you want? You want his estimated labor costs, I assume to include whatever benefit cost, taxes he's going to pay for labor, other taxes he would pay -- you know, occupation tax or other taxes, you know.
COUNCILMEMBER BATES: Utilities if applicable, general insurance, workers' comp, health insurance, those types of things.
ATTORNEY WEED: Mr. Bart, is that clear enough for you? Do you have a specific list that you feel confident you can comply with?
MR. BART: Yes.
ATTORNEY WEED: Is there anything else

Page 32

from the Council with regard to the list?
COUNCILMEMBER FLEMING: Mr. Bart, did you put down bank statement as well?
MR. BART: Yes, I did.
COUNCILMEMBER FLEMING: Thank you very much.
COUNCILMEMBER SPANGLER: Mr. Weed, can we go ahead and add this to the agenda for the next regular meeting?
ATTORNEY WEED: As part of Councilman Fleming's motion, she did that.
COUNCILMEMBER FLEMING: I did that for April 6th.
COUNCILMEMBER SPANGLER: Well, I wasn't sure.
ATTORNEY WEED: It would go up on old business. It would one of the first items talked about.
COUNCILMEMBER SPANGLER: Does someone want to --
Did you get all of that, Mr. Bart?
MR. BART: Yes, I did.
I just want to make one comment. I think Mr. Weed is looking at a lease proposal that we did for the concession stand that was

Page 33

[1] going to be the pool. So that's really kind of
[2] a little bit outdated since that didn't go
[3] through.
[4] **ATTORNEY WEED:** Well, I was going to
[5] rewrite the lease, anyway.
[6] **MR. BART:** Okay.
[7] **ATTORNEY WEED:** I'll handle that.
[8] **MR. BART:** Okay.
[9] **COUNCILMEMBER FLEMING:** The motion is
[10] to defer this --
[11] **ATTORNEY WEED:** Mr. Bart, if you can --
[12] **COUNCILMEMBER FLEMING:** -- agenda item
[13] until --
[14] **ATTORNEY WEED:** -- come up with a
[15] lease, I'll be glad to look at it. How --
[16] **COUNCILMEMBER FLEMING:** -- April the
[17] 6th.
[18] **ATTORNEY WEED:** -- about that?
[19] **COUNCILMEMBER FLEMING:** My motion is to
[20] defer this agenda item until April the 6th, and
[21] there was a second.
[22] **MAYOR JENKINS:** Call the roll, please.
[23] **CLERK BLACKMON:** Councilmember
[24] Alexander?
[25] **COUNCILMEMBER ALEXANDER:** Yes.

Page 34

[1] **CLERK BLACKMON:** Councilmember Bates?
[2] **COUNCILMEMBER BATES:** Yes.
[3] **CLERK BLACKMON:** Councilmember Fleming?
[4] **COUNCILMEMBER FLEMING:** Yes.
[5] **CLERK BLACKMON:** Councilmember Pittman?
[6] **COUNCILMEMBER PITTMAN:** Yes.
[7] **CLERK BLACKMON:** Councilmember Roche?
[8] **COUNCILMEMBER ROCHE:** Yes.
[9] **CLERK BLACKMON:** Councilmember
[10] Spangler?
[11] **COUNCILMEMBER SPANGLER:** Yes.
[12] **MAYOR JENKINS:** Brian?
[13] **COUNCILMEMBER BATES:** Yes, sir. The
[14] next item is hotel/motel tax.
[15] We have finally received an agreement
[16] between the City of Doraville and the Dekalb
[17] Convention and Visitors Bureau regarding the 2
[18] percent of the hotel/motel tax that we send to
[19] them to promote the city of Doraville. And I
[20] don't know about the rest of the Council, but I
[21] don't know if the County actually does anything
[22] to promote the city with the some 30-odd
[23] thousand dollars that we send to them.
[24] Mr. Weed has reviewed the contract and
[25] he's made a number of comments regarding that.

Page 35

[1] I did want to bring a couple things to
[2] counsel's attention in reviewing this. Unfortu-
[3] nately, the pages are not numbered. It's the
[4] fourth page.
[5] Mr. Weed, do you have your copy, sir?
[6] **ATTORNEY WEED:** I do.
[7] **COUNCILMEMBER BATES:** It's item V or
[8] five, and it would be the -- it says, "The
[9] corporation shall expend the funds received from
[10] the City, Dekalb County and the City of
[11] Decatur."
[12] Does that mean that moneys are coming
[13] from or going to the City of Decatur?
[14] **ATTORNEY WEED:** They should be coming
[15] from the City of Decatur and going back to the
[16] City of Decatur in some form of tourism and
[17] trade function.
[18] **COUNCILMEMBER BATES:** But because this
[19] is an agreement with the City of Doraville, why
[20] is the City of Decatur listed in this agreement?
[21] **ATTORNEY WEED:** I don't know.
[22] Obviously I didn't draft the agreement. It
[23] predates me.
[24] I don't know if it was a typo or if
[25] they just wanted to be aware that we had some

Page 36

[1] sort of consortium between that entity, Decatur
[2] and Doraville. We have to inquire.
[3] **COUNCILMEMBER BATES:** You indicated
[4] under item nine on that same page that State law
[5] stipulates a maximum of 50 years for a contract
[6] to run between intergovernmental agreements but
[7] there's no ending point for this agreement. Do
[8] we need to add some set date certain?
[9] **ATTORNEY WEED:** This is one of those
[10] questions that local-government attorneys have
[11] had debates about.
[12] There's a clear constitutional
[13] limitation in Article IX of the constitution;
[14] that is, 50 years. If I had been the author of
[15] the agreement, I would have mentioned the
[16] constitutional limitation.
[17] On the flip side, however, there is a
[18] regular renewal period that gives the
[19] opportunity to terminate on a regular basis.
[20] There are two of those types of terminations.
[21] Because the termination clauses are in there,
[22] the 50-year limit doesn't keep me up at night.
[23] My preference would be to have the 50-
[24] year limit in it or some time period less than
[25] that that you agree to. I think that's better

Page 37

[1] draftsmanship. As it's written, I will not say
[2] that it's illegal. I think it passes legal
[3] muster but there's a better way of doing it.
[4] **COUNCILMEMBER BATES:** Ms. Blackmon, do
[5] we know if they've ever been able to find a
[6] fully-executed contract agreement?
[7] **CLERK BLACKMON:** The only other one
[8] that they have in existence is the one that was
[9] originally done, and I do not have the year. It
[10] was prior to Mayor Jenkins.
[11] This was an additional. I don't know
[12] what the difference is between the two, why they
[13] drafted a new one in 2005 other than maybe
[14] because we had a new mayor. I do not have a
[15] copy of that.
[16] **COUNCILMEMBER BATES:** But to the best
[17] of your knowledge --
[18] **CLERK BLACKMON:** This is what we are
[19] operating on.
[20] **COUNCILMEMBER BATES:** So it's not
[21] necessarily executed on their end.
[22] **ATTORNEY WEED:** We don't know.
[23] **COUNCILMEMBER BATES:** Okay.
[24] **ATTORNEY WEED:** That's an important
[25] question to ask, as I mentioned in my memo. We

Page 38

[1] need to find that out.
[2] **COUNCILMEMBER BATES:** My next question
[3] is going to be under Exhibit A, which is some
[4] pages down, and it's going to be on page 2 of
[5] Exhibit A under item 3.
[6] This is under the purpose and nature of
[7] the agreement, and it says that the corporation,
[8] meaning the Dekalb CVB, will submit monthly
[9] programmatic and financial progress report
[10] indicating its accomplishment of the program to
[11] the city not later than the 15th day of each
[12] month.
[13] Again to the Clerk, have we received
[14] anything from the County CVB indicating how
[15] they're using the moneys that are being sent to
[16] them?
[17] **CLERK BLACKMON:** Not to my knowledge.
[18] **COUNCILMEMBER BATES:** Next item is
[19] going to be entitled the escrow agreement, and
[20] that's two or three pages further on.
[21] This indicates that the City put in
[22] escrow $134,944 with the Dekalb CVB. It further
[23] goes on on page 2 of the escrow agreement to say
[24] that if nothing was done with those moneys on or
[25] before June 30th, 2008, that the moneys will

Page 39

[1] come back to the City of Doraville.
[2] Do we know if those moneys were in fact
[3] distributed, used to promote tourism, and if
[4] not, if at the conclusion of the agreement, that
[5] those moneys come back? And how do we go about
[6] finding that out?
[7] **ATTORNEY WEED:** If you're asking me,
[8] the agreement has some very clear terms about
[9] the reporting mechanisms and how they are
[10] required and what they are required to report.
[11] What I would advise the City to do
[12] would be send them a letter, send it certified
[13] mail, a friendly letter but nevertheless a
[14] demand letter, pointing out some of the defi-
[15] ciencies and asking them and warning them that
[16] there might be a possibility of breach of
[17] contract, "Please give us the information,"
[18] et cetera, if you want to give them a chance to
[19] cure. If you don't, or if you believe we can
[20] ascertain that these items were never sent and
[21] complied with, I can simply send them a breach
[22] letter. I would advise you to send an attempt-
[23] to-cure letter first because that's --
[24] **COUNCILMEMBER BATES:** A friendly; sure.
[25] Those are the extent of my comments

Page 40

[1] regarding the hotel/motel agreement.
[2] And I will make a motion that we send
[3] the friendly letter to the Dekalb County or the
[4] Dekalb Convention and Visitors Bureau requesting
[5] their compliance with providing us with the
[6] financial reports or financial progress and
[7] monthly programmatic reports, as stipulated, and
[8] to get an understanding of the resolution of the
[9] escrow agreement.
[10] **COUNCILMEMBER SPANGLER:** Are you making
[11] that motion?
[12] **COUNCILMEMBER BATES:** Yes.
[13] **COUNCILMEMBER SPANGLER:** I'll second.
[14] **COUNCILMEMBER ALEXANDER:** And do you
[15] want a corrected version that does not say City
[16] of Decatur?
[17] **COUNCILMEMBER BATES:** Do you think we
[18] need to . . .
[19] Well, I would also include --
[20] **ATTORNEY WEED:** What I will do is
[21] between my memo and your comments, Mr. Bates,
[22] I'll send a letter covering all of the important
[23] items to them and asking them the relevant
[24] questions. There might end up being a series of
[25] letters because I suspect I'm not going to get

Page 41

much of a response, but we'll see how it goes.
COUNCILMEMBER BATES: Ideally I would like to get an executed.
ATTORNEY WEED: That would be the first thing I'm going to ask for.
COUNCILMEMBER BATES: Okay.
COUNCILMEMBER ROCHE: Well, if they can't produce one, can we tell them we want all our money back?
ATTORNEY WEED: Well, we sure can ask for it. No doubt about that.
Part of having an agreement is having a signed agreement. And you have to have a meeting of the minds, but usually something of this, you know, formality in nature, there's an expectation there is a signed agreement.
Now, there may be one where they have fully executed on their side, and there's language in here that, you know, that might be sufficient if we've got one signed and they've got one signed. You know, that's fine, but I'd like to see that.
COUNCILMEMBER BATES: Right; because we're talking upwards of probably 240/250 thousand dollars that's been sent to the County

Page 42

or -- sorry -- to the DCVB, that we've got no record of them actually promoting people to come do business in the city of Doraville.
ATTORNEY WEED: Well, I think that to me is the most disturbing thing: where are the reports that they've agreed to give us? You know, we can demand an accounting under the agreement, and it's probably time that we should.
COUNCILMEMBER BATES: So in theory, they should be able to provide us a reporting of that initial $135,000 in escrow as well.
ATTORNEY WEED: That is correct.
COUNCILMEMBER BATES: So I will amend my motion to include that as part of the correspondence.
MAYOR JENKINS: As far as I know, this out here is all we get.
COUNCILMEMBER BATES: But we're not even listed on that.
MAYOR JENKINS: Yeah. What I'm saying, as far as I know, this is all the advertising.
COUNCILMEMBER BATES: That map that the CVB puts out doesn't even list Doraville on it. So we're sending them --

Page 43

MR. HOWE: They were actually no help with getting the Jaycee convention that will take place this summer. They were no help at all. I don't know how much they do for any of the cities.
COUNCILMEMBER BATES: Just so everybody knows, we've got a line item in our budget that gives the DCVB almost $39,000 this year from hotel/motel taxes. We could do a lot of good in promoting our own city with that $39,000. But we're required by law to give that portion to another entity, as outlined by State law. So we just can't keep it and use it. We've got to have an agreement between a qualified nonprofit or another governmental agency to do that. So there's some hoops that we have to jump through, but I want to make sure that we're getting value for the moneys that are being taxed and collected.
MAYOR JENKINS: You're right. We used to use it at the Arena quite a few years ago. When we sponsored the Shrine parades and all that, we used to get money from them on that. But since we stopped that, I don't know that we've gotten anything on it.

Page 44

COUNCILMEMBER BATES: That's all I have, sir.
COUNCILMEMBER ALEXANDER: Did anyone second the motion?
COUNCILMEMBER SPANGLER: I did.
COUNCILMEMBER BATES: Mr. Spangler did.
MAYOR JENKINS: Anymore discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.

Page 45

[1] **MAYOR JENKINS:** The next one's yours,
[2] Murray, 5?
[3] Or is that you?
[4] **COUNCILMEMBER BATES:** Sorry, that's not
[5] me.
[6] **COUNCILMEMBER FLEMING:** Private
[7] maintenance agreements.
[8] **MAYOR JENKINS:** That's Murray, I
[9] believe, number 5.
[10] **ATTORNEY WEED:** Mr. Mayor and members
[11] of the Council, I have given those who have
[12] asked for them, copies of two stormwater mainte-
[13] nance agreements, one with Magellan Terminals
[14] and the other with Intown Plaza. These agree-
[15] ments were the standard form agreements that the
[16] Council has already approved and that we
[17] regularly use. And as you recall, the purpose
[18] of these agreements is to put the burden of
[19] maintaining long-term maintenance of stormwater
[20] drainage features on developers rather than the
[21] City having to take that burden on.
[22] And so I ask and Ronald Buice has asked
[23] me to ask you, these documents have been signed
[24] by the other side, and we need to ask you if you
[25] want to have those individual developers

Page 46

[1] maintain their stormwater drainage features.
[2] **COUNCILMEMBER BATES:** I'll so move on
[3] both Magellan and Intown Plaza.
[4] **MAYOR JENKINS:** Second?
[5] **COUNCILMEMBER PITTMAN:** Second.
[6] **MAYOR JENKINS:** Discussion?
[7] **COUNCILMEMBER FLEMING:** Are these the
[8] ones that you put in our boxes?
[9] **ATTORNEY WEED:** Yes, ma'am.
[10] **COUNCILMEMBER FLEMING:** I haven't gone
[11] to my mailbox to get it yet.
[12] **MAYOR JENKINS:** Anymore discussion?
[13] **CLERK BLACKMON:** Yeah. I gave it to
[14] you last night in person.
[15] **ATTORNEY WEED:** But it's the same
[16] document you've all seen before.
[17] **CLERK BLACKMON:** I put it right there
[18] in front of you where you were going to sit.
[19] **COUNCILMEMBER FLEMING:** This?
[20] **CLERK BLACKMON:** No, ma'am.
[21] **MAYOR JENKINS:** Call the roll, please.
[22] **CLERK BLACKMON:** Councilmember
[23] Alexander?
[24] **COUNCILMEMBER ALEXANDER:** Yes.
[25] **CLERK BLACKMON:** Councilmember Bates?

Page 47

[1] **COUNCILMEMBER BATES:** Yes.
[2] **CLERK BLACKMON:** Councilmember Fleming?
[3] **COUNCILMEMBER FLEMING:** Yes.
[4] **CLERK BLACKMON:** Councilmember Pittman?
[5] **COUNCILMEMBER PITTMAN:** Yes.
[6] **CLERK BLACKMON:** Councilmember Roche?
[7] **COUNCILMEMBER ROCHE:** Yes.
[8] **CLERK BLACKMON:** Councilmember
[9] Spangler?
[10] **COUNCILMEMBER SPANGLER:** Yes.
[11] **MAYOR JENKINS:** New business is the
[12] next item. I'm going to get the sign-up sheet.
[13] **COUNCILMEMBER BATES:** Next item is
[14] mine, Motor Vehicles for Sale.
[15] Of late, we've noticed a number of cars
[16] showing up on parking lots along Buford Highway
[17] that have "For Sale" on them, and they're not
[18] used car lots.
[19] In talking with Captain Brown regarding
[20] this, there is no ordinance that addresses used
[21] cars for sale in the city of Doraville.
[22] So in looking at this, I found an
[23] ordinance from a city in Florida that did
[24] address that, and I've provided a copy to
[25] Council as a draft ordinance to address vehicles

Page 48

[1] that are marked for sale and on private
[2] commercial property.
[3] I know that Mr. Cushman and Halpern
[4] Enterprises have tried to deal with this. But
[5] they move the cars from lot to lot, you know,
[6] almost every night. So you tag a car, and then
[7] it gets moved to another location.
[8] So the Qualify of Life individuals are
[9] using Ordinance 19-108 which is referring to
[10] inoperative wrecked or junked automobiles, so it
[11] doesn't necessarily apply to a functioning
[12] vehicle that's for sale.
[13] Subsequently, Ms. Alexander contacted
[14] the Department of Motor Vehicles and they
[15] provided State law which is O.C.G.A. 40-2-39.1,
[16] which restricts vehicles for sale.
[17] What I'd like to do is see if the
[18] Council has any questions regarding the draft.
[19] And Mr. Weed, I believe I provided to
[20] you a copy as well?
[21] **ATTORNEY WEED:** You did.
[22] **COUNCILMEMBER ALEXANDER:** Do you have a
[23] copy of the State law?
[24] **ATTORNEY WEED:** Yes.
[25] **COUNCILMEMBER FLEMING:** Are you

Page 49

[1] referring to the draft that you . . .
[2] **COUNCILMEMBER BATES:** Yes. Parking for
[3] purpose of sale.
[4] **COUNCILMEMBER FLEMING:** Item number 3.
[5] **COUNCILMEMBER BATES:** Yes, ma'am.
[6] **COUNCILMEMBER FLEMING:** The for-sale
[7] permit.
[8] **COUNCILMEMBER BATES:** Yes.
[9] **COUNCILMEMBER FLEMING:** I think all
[10] permitting should be handled out of our City
[11] Hall.
[12] **COUNCILMEMBER BATES:** And I originally
[13] had City Hall, and the reason why I changed that
[14] was because part of getting the permit requires
[15] a VIN -- as it sits right now, requires a VIN
[16] identification to ensure that the car's not
[17] stolen, and that needs to be done at the Police
[18] Department. So that was the only reason why I
[19] moved it over to the Police Department versus
[20] City Hall.
[21] If you want to remove that VIN identi-
[22] fication check, I have no problem with moving it
[23] back to City Hall.
[24] **COUNCILMEMBER FLEMING:** No. I think
[25] VIN I.D. needs to be done, but the VIN I.D.

Page 50

[1] would be on their current tag receipt, and I
[2] think that should be required.
[3] **COUNCILMEMBER ALEXANDER:** They're not
[4] tagged. They don't even have dealer tags on
[5] them.
[6] **COUNCILMEMBER SPANGLER:** Well, they do
[7] have a VIN number on them and they do have a
[8] title which has --
[9] **COUNCILMEMBER FLEMING:** Then person-
[10] ally, if --
[11] **COUNCILMEMBER SPANGLER:** -- the VIN
[12] number.
[13] **COUNCILMEMBER ALEXANDER:** Right.
[14] **COUNCILMEMBER FLEMING:** -- if they
[15] don't have a current tag on them, they should be
[16] cited for a junk vehicle, not a vehicle for
[17] sale.
[18] **COUNCILMEMBER BATES:** The only problem
[19] with that is that the junk vehicle ordinance as
[20] written requires 72-hour notice for them to move
[21] it.
[22] So if we can apply the ordinance to the
[23] vehicle so it doesn't matter the location but is
[24] applied to the vehicle, that may help them in
[25] enforcing towing it after 72 hours no matter

Page 51

[1] where it is. But I don't know how you go about
[2] enforcing that element of the ordinance.
[3] Are you with me on that?
[4] **ATTORNEY WEED:** I believe so.
[5] The other aspect of this, too, is the
[6] people can be cited for a zoning violation as
[7] well, the owners. I know a number of commu-
[8] nities that have combatted this problem by
[9] virtue of a zoning code.
[10] Obviously, now, if there are certain
[11] areas clearly zoned for a used car lot, then
[12] that would be problematic. But the used-car lot
[13] zone has been narrowed so much as a permitted
[14] use, but that's an easy way of adding additional
[15] legislation to help combat the problem as well.
[16] **COUNCILMEMBER ALEXANDER:** I guess my
[17] concern with this since we were sent the State
[18] law is the State law has stipulations as far as
[19] shall not authorize more than five used motor
[20] vehicles within any 12-month period.
[21] I guess the way the State law is
[22] written, you're making the property owner, which
[23] in this case is not having control over these
[24] people, responsible for making sure that no more
[25] than five a year are parked on this property.

Page 52

[1] I guess I'm trying to coordinate the
[2] draft and the State law, because I think the
[3] State law said they could be towed within 24
[4] hours.
[5] **COUNCILMEMBER BATES:** It does.
[6] **ATTORNEY WEED:** Well, there's the
[7] general rule of preemption doctrine. If there's
[8] a law, a general applicability that covers the
[9] entirety of the legislative intent at the state
[10] level, then a local government can't do the same
[11] legislation.
[12] However, the local government has an
[13] option to make things more restrictive. They
[14] could never make them less restrictive than the
[15] State law. So if there is determined to be a
[16] need for local legislation on the issue, the
[17] main rule will be it needs to be, you know, more
[18] restrictive than the applicable State law.
[19] **COUNCILMEMBER ALEXANDER:** When you get
[20] a copy of the State law and it has the date in
[21] parentheses, is that when it was passed?
[22] **ATTORNEY WEED:** Well, the best way of
[23] determining when it was passed would be to take
[24] a look at the annotations, for example, the --
[25] **COUNCILMEMBER ALEXANDER:** I think it

Page 53

[1] says 2007.
[2] **ATTORNEY WEED:** -- Official Code of
[3] Georgia Annotated, and then you can tell. It'll
[4] be right there where --
[5] **COUNCILMEMBER ALEXANDER:** So this has
[6] only been in effect, then, since 2007, I guess.
[7] Because it's definitely not fair to the business
[8] owners and it's not fair to the legitimate car
[9] dealerships.
[10] **COUNCILMEMBER BATES:** And it makes our
[11] street look junky.
[12] **ATTORNEY WEED:** They need to go, and
[13] there's ways of doing it. I mean right now
[14] underneath the zone, you could issue zoning
[15] violations. The problem of course would be one
[16] might argue you're penalizing the owners, but
[17] the owners can always haul the things off.
[18] Now, is there a cost for doing that?
[19] True. But if I'm the owner, the ultimate owner
[20] of that vehicle that got towed away, I'm going
[21] to want to know where it is, I would think. And
[22] there is always the risk that those people
[23] aren't going to want to go find that vehicle,
[24] but most of the time, they're going to want to
[25] track down their vehicle.

Page 54

[1] **COUNCILMEMBER FLEMING:** If we are going
[2] to request a permit for sale of a vehicle, then
[3] we just don't give them a permit if there is no
[4] current tag on it.
[5] **ATTORNEY WEED:** Yes.
[6] **COUNCILMEMBER FLEMING:** That's what I
[7] feel: that there should be a current tag on the
[8] vehicle that is for sale.
[9] Also, for proof of ownership, I feel
[10] that they should present the Georgia state
[11] title, a Georgia state title, not another state.
[12] **COUNCILMEMBER BATES:** Is that under
[13] item C?
[14] **COUNCILMEMBER FLEMING:** C, uh-huh.
[15] May I continue?
[16] **COUNCILMEMBER BATES:** Yes, ma'am.
[17] **COUNCILMEMBER FLEMING:** On number E, I
[18] realize this is a Florida ordinance, but it says
[19] that we will supply a special sign for them.
[20] **COUNCILMEMBER BATES:** That's why
[21] there's a permit fee.
[22] **COUNCILMEMBER FLEMING:** The permit fee
[23] of $25.00.
[24] We have a sign fee right now. If
[25] somebody wants a yard sale, they pay $50.00.

Page 55

[1] **COUNCILMEMBER BATES:** That's re- --
[2] **CLERK BLACKMON:** Twenty-five.
[3] **COUNCILMEMBER SPANGLER:** That's
[4] refundable.
[5] **COUNCILMEMBER BATES:** Refundable.
[6] **COUNCILMEMBER FLEMING:** The other sign
[7] fees that we have that you've been listing are
[8] $50.00.
[9] So now we're going to have to purchase
[10] special signs because we're going to put the VIN
[11] number on it and the expiration date on the sale
[12] sign, I believe, and the color and the make and
[13] the model, the state registration number or the
[14] tag number on this special sign. So now we're
[15] going to have to create a new sign, so it's more
[16] cost to us.
[17] So I would suggest if we pursue this,
[18] that the permit fee would be $50.00, if we're
[19] going to give them that special sign, to
[20] accommodate the cost of the sign.
[21] And I'd also like to know in G -- no,
[22] let's stay with F since that's the permitting
[23] fee, is it City revenue or Police revenue?
[24] **COUNCILMEMBER BATES:** General fund.
[25] **COUNCILMEMBER SPANGLER:** Let me ask you

Page 56

[1] a question. Under this proposal on these
[2] changes that you're making, if I have a vehicle
[3] for sale and I have it in my driveway, then that
[4] means I have to come to City Hall and get a
[5] permit in order to be able to sell that vehicle.
[6] **COUNCILMEMBER BATES:** Yes, sir.
[7] **MR. ANDERSON:** I thought you said it
[8] was commercial property.
[9] **COUNCILMEMBER BATES:** This includes
[10] both residential and commercial. As it sits
[11] right now, someone could rent a house and they
[12] could put a used car for sale every day of the
[13] week out there, a different car every week, and
[14] there's not a thing we can do about it.
[15] **COUNCILMEMBER SPANGLER:** But I don't
[16] think that we should penalize the residents for
[17] wanting to sell a vehicle that they chose not to
[18] trade in on another vehicle when they opted to
[19] sell it themselves.
[20] **COUNCILMEMBER BATES:** Sure.
[21] **COUNCILMEMBER SPANGLER:** That resident
[22] shouldn't have to pay to sell their vehicle.
[23] **COUNCILMEMBER BATES:** Right. I am
[24] amenable to modifying this.
[25] **COUNCILMEMBER ROCHE:** I have a couple

Page 57

[1] questions on E, and then I -- I mean I take your
[2] point that Mr. Spangler and Councilwoman Fleming
[3] mentioned. And no, we don't want people, you
[4] know, curb-stoning, you know, selling cars out
[5] in front of the house.
[6] Under E, if we made the special sign, I
[7] can see problems with that. I mean suppose the
[8] sign misidentifies something. Suppose it has
[9] the wrong color, make and model.
[10] I mean I don't know. I mean could we
[11] ever potentially have any -- Because that's
[12] going to have a City seal on it. And could we
[13] ever have any kind of liability for that? I
[14] don't know why or how but --
[15] **ATTORNEY WEED:** I think we'd be okay
[16] with regard to that.
[17] **COUNCILMEMBER ROCHE:** Well, I guess
[18] when someone has a yard sale, they make their
[19] own sign and we stick our sticker on it. I mean
[20] I could see something similar for a car,
[21] whatever the car sign wants to say.
[22] And if it's a resident and they want to
[23] sell their car, they would come to City Hall and
[24] say, "I want to sell my car. I'm told I need a
[25] permit for this or a sticker to go on my sign."

Page 58

[1] And the first time in a 12-month
[2] period, we say, "Here's your sticker," you know,
[3] "Have fun selling your car." The second time,
[4] we charge 25; the third time, we charge 50.
[5] That would take care of the situation where
[6] someone just wants to get rid of a car now and
[7] then without having to --
[8] We're talking about passing an
[9] ordinance that says, "From now on, if you're
[10] going to sell your car, we're going to get fifty
[11] bucks from you."
[12] **COUNCILMEMBER BATES:** Well, and --
[13] **COUNCILMEMBER ROCHE:** I don't know
[14] about governmental intervention, something like
[15] that.
[16] **COUNCILMEMBER BATES:** This is only up
[17] for discussion. I have no interest --
[18] **COUNCILMEMBER ROCHE:** I understand.
[19] **COUNCILMEMBER BATES:** -- no interest in
[20] passing this tonight.
[21] **COUNCILMEMBER ROCHE:** I understand.
[22] **COUNCILMEMBER SPANGLER:** And what I
[23] would like to do, Mr. Bates, is I'd like to
[24] review this a little more with the changes that
[25] we've discussed --

Page 59

[1] **COUNCILMEMBER BATES:** What I --
[2] **COUNCILMEMBER SPANGLER:** -- before we
[3] make a draft. I'm sorry.
[4] **COUNCILMEMBER BATES:** No. What I'll do
[5] is I will actually call the city in Florida and
[6] see if they can provide me with a sample of the
[7] sign that they use and the process that they use
[8] just so we can have that as comparison and see
[9] if, you know, they print that out or if they
[10] have a custom-made sign that they put on or
[11] write on or what-not.
[12] But I'm very much amenable to any
[13] changes regarding the residential side to make
[14] it more favorable, but I want this -- I really
[15] think we need to be very aggressive on the
[16] commercial side to protect the look of the city
[17] and to make sure that we're protecting those
[18] businesses that are operating properly and
[19] legally within the City.
[20] **COUNCILMEMBER FLEMING:** And the only
[21] other comment I had was item G. I would double
[22] the after-the-fact permit to a hundred dollars
[23] if we're going with a $50.00 permit.
[24] **COUNCILMEMBER BATES:** Got you.
[25] **COUNCILMEMBER ALEXANDER:** I guess mayb
e

Page 60

[1] in the state law, Section A may cover that -- in
[2] the state law, maybe that addresses the aspect
[3] of having a house that's used as a used car lot.
[4] Do you know what I'm saying?
[5] It says an owner or lessee of any real
[6] property shall not authorize more than five used
[7] motor vehicles within any 12-month period
[8] displayed or parked on such real property. So
[9] that would, I think, counteract somebody renting
[10] a house and using it as a used car lot.
[11] **COUNCILMEMBER BATES:** Got you.
[12] Any other comments before I --
[13] **COUNCILMEMBER ROCHE:** Other than maybe
[14] if we could proceed with this as far as
[15] commercial properties and get that sorted out,
[16] and then maybe attack residential properties if
[17] we need to afterwards.
[18] **COUNCILMEMBER ALEXANDER:** I will e-mail
[19] the rest of Council about the state law also.
[20] **COUNCILMEMBER BATES:** I'll just hold
[21] this right now and we'll get a revised draft for
[22] the April 6th.
[23] **MAYOR JENKINS:** For commercial or both?
[24] **COUNCILMEMBER SPANGLER:** Both.
[25] **COUNCILMEMBER BATES:** For both.

Page 61

[1] **COUNCILMEMBER ROCHE:** I mean I under-
[2] stand the situation with residential. I mean
[3] somebody could open a car lot in their front
[4] yard.
[5] **MAYOR JENKINS:** Could they be separate
[6] items, Brian, or just on the same?
[7] **COUNCILMEMBER BATES:** Well, they can be
[8] separate, but I'd really like to, if we're going
[9] to do this, let's do it all at once and not
[10] piecemeal it out.
[11] **COUNCILMEMBER SPANGLER:** But I think
[12] what the Mayor meant was is this going to be the
[13] same ordinance or are you going to have two
[14] different ordinances?
[15] **COUNCILMEMBER BATES:** Oh, it'll be in
[16] the same ordinance.
[17] The next item is Municipal Building
[18] Security. We've identified in discussions
[19] through the employment manual review that while
[20] our employment records are locked in file
[21] cabinets and behind the doors back there,
[22] there's not a secure access. Oftentimes those
[23] doors are open and anybody can walk in off the
[24] street.
[25] So the Clerk is investigating some

Page 62

[1] enhanced security measures for City Hall as well
[2] as other municipal buildings. We received a
[3] very brief memo from that. I'll defer this
[4] until we get additional --
[5] **CLERK BLACKMON:** Well, I do have some
[6] additional -- not written information, but I did
[7] speak to the company. He estimated for a
[8] security system, no key carding, for the Library
[9] and City Hall would be approximately $700. That
[10] would have a panel, one entry door with a pad
[11] and four motion detectors, and then it would go
[12] up from there depending on what you wanted to
[13] add to that.
[14] And then the key card, he said he'd
[15] really have to sit down with someone and figure
[16] out what you needed because there's different
[17] types. There's a basic one where it doesn't
[18] hook into the computer. It's just this is your
[19] key card, and it's one in/one out; or it'll be
[20] one up from that is what P.D. has where you
[21] actually assign -- someone's assigning the
[22] person to the card, and the person who does that
[23] can activate or deactivate that card and then it
[24] won't mix up.
[25] So he wanted more information on that,

Page 63

[1] and that would be additional to the security.
[2] You'd still have the key panel, you know, for
[3] burglary, whatever.
[4] And we do have it on three buildings
[5] already, and we thought, one, we do already have
[6] a security system for the Arena, Court and
[7] Maintenance. I called all three of them, and
[8] they are all using their security system.
[9] **COUNCILMEMBER FLEMING:** And they're all
[10] under this particular contract?
[11] **CLERK BLACKMON:** Yes, ma'am. The Arena
[12] is 480 a year, the Court's 300 a year,
[13] Maintenance is 420 a year. We would be more
[14] around what the Court is paying and so would the
[15] Library, about 300. That does not include the
[16] key card system.
[17] **COUNCILMEMBER FLEMING:** I notice on
[18] number 3 of this contract -- well, first of all,
[19] let's start out with the fact that the contract
[20] is 2000. It doesn't even seem like we've
[21] updated it.
[22] **CLERK BLACKMON:** This is not a current
[23] contract. He simply gave me a copy of what he
[24] gives out. It is a liability, he called it.
[25] It's basically just a liability contract. It's

Page 64

[1] not a per se month to month. They don't do
[2] those. This is just to say that they're not
[3] liable for items stolen and blah, blah, blah.
[4] So all I did was get a copy of something they
[5] use. This isn't our contract.
[6] **COUNCILMEMBER FLEMING:** And are you
[7] saying they do not do a contract?
[8] **CLERK BLACKMON:** They just do a monthly
[9] billing. They don't have a per se contract. He
[10] said that he would be willing to talk to Mr.
[11] Weed if we wanted to do that, but that isn't
[12] what they provide as of right now.
[13] **COUNCILMEMBER FLEMING:** Because I have
[14] issue with item number 3 which is assignment,
[15] where it states that they can contract out their
[16] service to a third-party entity. And if we're
[17] going to have our building secured by a company,
[18] I would like to be able to make sure that we
[19] have investigated their services to know that
[20] they are reliable. And contracting it out to
[21] someone else, I don't like that term. I don't
[22] know whether that's common or not.
[23] **COUNCILMEMBER ROCHE:** And I notice the
[24] cancellation, number 14, apparently they can
[25] cancel it but we don't have any way of canceling

Page 65

it. I've run into troubles in my personal house trying to cancel an alarm thing.

ATTORNEY WEED: The first rule of contract law is never sign the other guy's contract.

COUNCILMEMBER ROCHE: I've got a whole long story, and I won't bore you with it. If I start talking about it, I'm liable to use language that I don't want in the transcript.

COUNCILMEMBER ALEXANDER: I guess I would like to see about including the Civic Center also because I think it's actually been burglared and I think some of the Boy Scouts' items were taken. And I know that's going to add another level of anyone wanting to use it. They would have to have an alarm code. But I still think it's relevant to protect that building also.

COUNCILMEMBER ROCHE: I think we should -- as we're getting bids or whatever we're going to do here, we need to think in terms of I think that a key card is appropriate at that level, something that's assigned to everybody, so that if I come and get my mail or whatever. And that way, if it's set up for the Civic Center, we

Page 66

need to run out to the Civic Center, just give somebody a key card. For that matter, you could even deactivate the key card the next day if you really wanted to.

COUNCILMEMBER ALEXANDER: If they don't return it --

COUNCILMEMBER BATES: Yeah.

COUNCILMEMBER ALEXANDER: -- it's very simple.

COUNCILMEMBER BATES: And I would be in favor of getting bids from multiple companies to address all the security issues.

COUNCILMEMBER ROCHE: Right. Of course we may be stuck in these contracts, for all we know, if they're anything like contracts I've seen from security people.

ATTORNEY WEED: I don't know if they've been given to me in the contract documents I've asked for. I don't know if they're in that group, but I'll check.

COUNCILMEMBER ROCHE: I found it cheaper to install my own security system and then pay someone a whole lot less money to monitor it. Of course that's just my personal situation.

Page 67

COUNCILMEMBER BATES: Do we need to make a motion?

COUNCILMEMBER SPANGLER: To review or to put out RFPs?

COUNCILMEMBER ROCHE: Need a motion for RFPs?

COUNCILMEMBER BATES: Rhonda, do you think we're at a position where we can do an RFP?

CLERK BLACKMON: I believe so.

COUNCILMEMBER BATES: Then, I'll make a motion that we submit RFPs for security systems for City Hall, the Arena, Civic Center, Court, Public Works.

COUNCILMEMBER ROCHE: And identify with key cards.

COUNCILMEMBER BATES: Identify with key cards.

CLERK BLACKMON: With key cards. Okay.

COUNCILMEMBER FLEMING: Second.

MAYOR JENKINS: Anymore discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll, please.

Page 68

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK BLACKMON: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK BLACKMON: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

CLERK BLACKMON: Councilmember Spangler?

COUNCILMEMBER SPANGLER: Yes.

COUNCILMEMBER PITTMAN: How about the Library?

COUNCILMEMBER BATES: I will make a second motion to include the Library.

COUNCILMEMBER FLEMING: Ms. Fleming, did you not indicate that the Public Works Department already had theirs?

CLERK BLACKMON: They have just the plain. So does the Arena and the Court. They have just the key panel, but I think he wanted a key card. Correct?

Page 69

[1] **COUNCILMEMBER BATES:** This would be to
[2] bid out all the services, again.
[3] **COUNCILMEMBER FLEMING:** Okay. So you
[4] didn't include the Arena, either, then.
[5] **COUNCILMEMBER BATES:** I did.
[6] **COUNCILMEMBER FLEMING:** Did you?
[7] **COUNCILMEMBER BATES:** I had the arena
[8] but I --
[9] **COUNCILMEMBER FLEMING:** I apologize.
[10] **COUNCILMEMBER BATES:** If you'll accept
[11] a friendly --
[12] **COUNCILMEMBER FLEMING:** Yes.
[13] **COUNCILMEMBER BATES:** -- to add the
[14] Library --
[15] **COUNCILMEMBER SPANGLER:** Yes.
[16] **COUNCILMEMBER BATES:** -- in there.
[17] We don't need to re-vote on that, do
[18] we?
[19] **ATTORNEY WEED:** If you all agree and
[20] nod at me, then no. It'll just be noted that it
[21] was included in the first motion.
[22] **MAYOR JENKINS:** Call the roll.
[23] **COUNCILMEMBER BATES:** We already did.
[24] **CLERK BLACKMON:** We already did. It
[25] passed.

Page 70

[1] **COUNCILMEMBER SPANGLER:** Meetings. I
[2] would like to ask for a motion to limit all of
[3] our meetings, including any special-called
[4] meeting, to two hours. I feel like we can get
[5] as much if not more accomplished in a two-hour
[6] period as what we do in a three- or four-hour
[7] period. I think it'll put a lot more emphasis
[8] on the things that we need to concentrate on or
[9] the more important things that we needed to
[10] concentrate on, and it's certainly more fair to
[11] the citizens who we have sit in the audience
[12] sometimes for two and three hours, especially
[13] when we go into an Executive Session.
[14] **COUNCILMEMBER BATES:** And I'll second
[15] your motion.
[16] **COUNCILMEMBER ALEXANDER:** I had a ques-
[17] tion regarding zoning meetings, though.
[18] **ATTORNEY WEED:** I think ordinarily two
[19] hours would probably be enough, but I do think
[20] that could be a legitimate concern depending
[21] upon the size of the crowd because the statute
[22] is pretty plain about the 10-minute rule, you
[23] know, 10 minutes per side. You can't vary from
[24] that.
[25] You could probably have a general rule

Page 71

[1] about two hours but recognize that for zoning
[2] meetings you might have to suspend the rule, and
[3] you always can vote at any meeting to suspend
[4] that rule and continue on.
[5] **COUNCILMEMBER ROCHE:** I have two
[6] questions or a question and a comment.
[7] First of all, I notice that our meeting
[8] times are in our Charter. I mean it just seems
[9] like the Charter is pretty much written in
[10] stone. It would seem that we wouldn't really
[11] necessarily want to put the meeting times in the
[12] Charter if we could possibly avoid it.
[13] **ATTORNEY WEED:** I don't know why that
[14] was done that way. I would agree with you.
[15] We'd have to change the Charter of
[16] course, but --
[17] **COUNCILMEMBER ROCHE:** Well, right now,
[18] we're in violation of the Charter.
[19] **COUNCILMEMBER FLEMING:** No. We already
[20] signed a resolution to update our Charter.
[21] **ATTORNEY WEED:** That's correct.
[22] **COUNCILMEMBER FLEMING:** So that would
[23] be an item that we could be changing; is that
[24] correct?
[25] **ATTORNEY WEED:** I need to go back and

Page 72

[1] check the Charter resolution and see if I happen
[2] to have included that. I don't want to tell you
[3] that I did without looking at it.
[4] **COUNCILMEMBER ROCHE:** And I mean for
[5] future reference, I think it would be better if
[6] it wasn't in the Charter. That way, we have
[7] some more control.
[8] I personally feel like I understand the
[9] concept of having to stay here late. How about
[10] a compromise and say that we have the meeting
[11] for two-and-a-half hours, however, we begin the
[12] meeting at 6:30 instead of 7 o'clock.
[13] **COUNCILMEMBER SPANGLER:** We tried to do
[14] that before, Mr. Roche, and there was a lot of
[15] the -- or there wasn't a lot, but there was
[16] comments made from the audience that some of
[17] them couldn't get here at 6:30. That's why we
[18] kind of stuck with the 7 o'clock. But 6:30
[19] would be fine with me.
[20] **COUNCILMEMBER ALEXANDER:** The two hours
[21] is for our business, and they still get their
[22] comments? Is that how you're going to do it?
[23] **COUNCILMEMBER SPANGLER:** Well, it
[24] doesn't matter how we do it. We just need to
[25] fix the system that we have now. We do not get

Page 73

any more accomplished in a three- and four-hour meeting --

COUNCILMEMBER ALEXANDER: Correct. I just --

COUNCILMEMBER SPANGLER: -- than what we could get in a one- or a two-hour meeting.

I think we can do it all within two hours, Ms. Alexander, with the exception if there was a problem with a zoning meeting, we can extend that another half hour in order to give everybody the proper time. And if it doesn't last two-and-a-half hours, then we can cut it off at two.

But these meetings, I feel like it's more fair to the audience if we can limit them to two hours. And that's with citizens' comments and everything.

COUNCILMEMBER ROCHE: Well, if we're going to do anything like this, I think we should put some kind of a stipulation that says maybe 15 minutes before the end of the meeting, where we're at, we'll basically stop what we're doing so we can get a chance to get the Police Department, the attorney comments and citizens' comments. Because I'm afraid if we limit the

Page 74

time, you know, we can forget about ever having citizen comments again because it'll always run until 9 o'clock and citizens won't have a chance to say anything.

COUNCILMEMBER PITTMAN: What about two-and-a-half, just two-and-a-half?

COUNCILMEMBER BATES: I will concur with Mr. Roche and have that 15-minute-prior-to stop the business of the City and move into the Police Department, attorney comments, citizen comments, to do whatever we can possibly to limit meetings to two hours.

Would you accept that as a friendly?

COUNCILMEMBER SPANGLER: Yes, I would.

COUNCILMEMBER BATES: And I'll second that friendly that I made.

MAYOR JENKINS: All right.

MR. ANDERSON: Stuart Anderson. The only comments to get around the public hearing is because that's a different kind of meeting. These meetings are regular meetings.

The public hearing that you're debating to go long to get 30 minutes or 10 minutes to talk, title that as a public hearing, which is the legal term for what it is, and there is

Page 75

literally no limit on it because you have to let people talk when they're applicants for zoning.

MAYOR JENKINS: Thank you.

COUNCILMEMBER SPANGLER: So, then, I could really amend my motion to not include public hearings.

ATTORNEY WEED: You could. And I think there is a legal difference between a public meeting and a public hearing. So yes, you could do that, and we already have divided out a separate night for zoning hearings at that meeting, so that would be fine. That would be perfectly legally appropriate in my opinion.

One other thing I want you to bear in mind, though, too, is we are very stingy ordinarily with Executive Sessions. There are some times when you as a group do not reach consensus, you know, in other ways other than looking at each other, and I certainly respect that. But build into your system some time to have meetings with your lawyer to decide if you want to settle cases or if you want to sue people or whatever it is you need to do.

For example, tonight we've got a couple things that have been pending that I need to get

Page 76

some feedback from you about, you know, what we're going to do. So just bear that in your thinking on it.

COUNCILMEMBER SPANGLER: Well, could we do that, what you're suggesting, in a special-called meeting also? Because we want to get back to the regular Council meetings being a regular Council meeting and not bringing every-thing else into it that we've been bringing in. It's not fair to the audience.

If we do a special-called meeting, which I'm very much not opposed to, then we could do our Executive Sessions.

ATTORNEY WEED: That would be legal. You know, you'd have to follow the general advertising rules, call the meeting to order, then go in Executive Session. Could be a lot of reasons. But yes, sir, you could do it that way. Sure could.

COUNCILMEMBER FLEMING: So Mr. Spangler, your motion would be for a maximum of a two-hour meeting, and at one hour and 45 minutes, we would stop wherever we were on the agenda item and immediately go into starting with Police comments, attorney comments and

Page 77

[1] citizen comments? Is that your motion?
[2] **COUNCILMEMBER SPANGLER:** That was the
[3] motion. I believe we amended the motion.
[4] **COUNCILMEMBER FLEMING:** We're in
[5] discussion right now; correct?
[6] I don't think that's enough time. I
[7] would prefer two-and-a-half hours.
[8] **COUNCILMEMBER ROCHE:** I would, too.
[9] Even if we have to use that last half -
[10] - if we have an Executive-Session situation,
[11] maybe we add the Executive Session then after
[12] the citizen comments. Because that way, the
[13] citizen comes. They may want to comment on
[14] something that we have in Executive Session.
[15] But essentially that would probably get us out
[16] of here around 9:30.
[17] **COUNCILMEMBER SPANGLER:** I stand with
[18] my original motion.
[19] **MAYOR JENKINS:** Okay. Can you read
[20] that motion, please, ma'am?
[21] **CLERK BLACKMON:** What I wrote down was
[22] to limit our regular meetings, special-called
[23] meetings, to two hours stopping 15 minutes prior
[24] to the end of the meeting to handle all comments
[25] from Police, citizens, et cetera.

Page 78

[1] **ATTORNEY WEED:** It probably should read
[2] excluding special-called meetings.
[3] **CLERK BLACKMON:** Excluding special-
[4] called meetings.
[5] **MAYOR JENKINS:** Okay. Call the roll.
[6] **CLERK BLACKMON:** Councilmember
[7] Alexander?
[8] **COUNCILMEMBER ALEXANDER:** No.
[9] **CLERK BLACKMON:** Councilmember Bates?
[10] **COUNCILMEMBER BATES:** Yes.
[11] **CLERK BLACKMON:** Councilmember Fleming?
[12] **COUNCILMEMBER FLEMING:** No.
[13] **CLERK BLACKMON:** Councilmember Pittman?
[14] **COUNCILMEMBER PITTMAN:** No.
[15] **CLERK BLACKMON:** Councilmember Roche?
[16] **COUNCILMEMBER ROCHE:** No.
[17] **CLERK BLACKMON:** Councilmember
[18] Spangler?
[19] **COUNCILMEMBER SPANGLER:** Yes.
[20] **CLERK BLACKMON:** Motion denied.
[21] **COUNCILMEMBER SPANGLER:** Thank you, Mr.
[22] Bates.
[23] **COUNCILMEMBER BATES:** I tried.
[24] **COUNCILMEMBER PITTMAN:** I would like to
[25] make a motion to make the meetings two-and-a-

Page 79

[1] half hours starting at 7:00 and ending at 9:30.
[2] **MAYOR JENKINS:** Second?
[3] **COUNCILMEMBER PITTMAN:** Well, we could
[4] change it to 6:30 but I think there was concerns
[5] that some people could not get here.
[6] **COUNCILMEMBER ROCHE:** I'll second that.
[7] And I guess the thing about the 7
[8] o'clock is if we know we have something that is
[9] going to be Executive Session, maybe we can
[10] actually, if the Council agrees to come in a
[11] little early, maybe do the Executive Session
[12] thing at 6:00 or 6:30.
[13] **ATTORNEY WEED:** Well, we still have to
[14] have -- you have to have a meeting of some kind.
[15] **COUNCILMEMBER ROCHE:** No, I understand
[16] all that. We still have to go through all that.
[17] And there have been times we've done that in the
[18] past where we would, you know, schedule a half-
[19] hour meeting before the regular meeting or
[20] whatever.
[21] **ATTORNEY WEED:** Well, as long as it's
[22] on some agenda, I'm fine with that.
[23] **COUNCILMEMBER ROCHE:** Right.
[24] **COUNCILMEMBER PITTMAN:** So 7:00 to
[25] 9:30.

Page 80

[1] **COUNCILMEMBER ROCHE:** Because I like
[2] the concept. I just think two-and-a-half hours,
[3] two-and-a-half hours with the 15 minutes.
[4] **COUNCILMEMBER ALEXANDER:** I don't think
[5] we should limit it to 15 minutes.
[6] **COUNCILMEMBER PITTMAN:** No.
[7] **COUNCILMEMBER ROCHE:** Well, that'll
[8] give us 15 minutes to make sure that there's at
[9] least 15 minutes. So you'd make it two hours 15
[10] minutes, at which point we would move into the
[11] department comments and the citizen comments.
[12] **COUNCILMEMBER SPANGLER:** Well, if you
[13] want to do that --
[14] **COUNCILMEMBER ALEXANDER:** I'd rather
[15] make it 30 minutes --
[16] **COUNCILMEMBER SPANGLER:** That's what I
[17] was --
[18] **COUNCILMEMBER ALEXANDER:** -- to make --
[19] **COUNCILMEMBER SPANGLER:** -- going to
[20] say, Ms. Alexander. If you're going to make --
[21] **COUNCILMEMBER ALEXANDER:** -- sure that
[22] they get a chance to speak.
[23] **COUNCILMEMBER SPANGLER:** If you're
[24] going to make it two-and-a-half hours, it's not
[25] fair to the audience to sit here for two hours

Page 81

and 15 minutes to only be able to speak for three or four minutes.

COUNCILMEMBER PITTMAN: It's two-and-a-half hours.

MAYOR JENKINS: Have a motion and a second. Anymore discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

CLERK BLACKMON: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK BLACKMON: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

CLERK BLACKMON: Councilmember Spangler?

COUNCILMEMBER SPANGLER: I'm going to say no.

Page 82

COUNCILMEMBER FLEMING: Okay. So two-and-a-half hours with 30 minutes of discussion; right?

MAYOR JENKINS: Okay. The motion carried?

CLERK BLACKMON: Yes.

MAYOR JENKINS: Item number 9 has been scratched.

Item number 10?

COUNCILMEMBER PITTMAN: 9 and 11 will be brought up the next Council meeting.

We will be having our annual Doraville cleanup day on April 25th at 9 o'clock. We will meet here at City Hall at 9:00. And we hope that everyone will bring a picnic lunch and have lunch, and then we will be planting trees around City Hall also that afternoon.

COUNCILMEMBER BATES: What was the date again? I'm sorry.

COUNCILMEMBER PITTMAN: April 25th.

And in May, we will be having a Movies Under the Stars again. If you missed it last year, it was a very, very nice event. We had over a thousand people show up. And I don't have a date for that, but we will be having that

Page 83

again.

And in the event of rain for the cleanup day, we would be doing it the following Saturday.

COUNCILMEMBER ALEXANDER: So are we going to be doing our litter patrol and planting trees?

COUNCILMEMBER PITTMAN: Yes. We're going to be doing the cleanup patrol in the morning and planting trees in the afternoon. We're going to be planting trees around City Hall. We hope to set a precedent so everyone else would like to hopefully follow suit and plant some trees.

And we will be talking about next time our Tree City USA.

MAYOR JENKINS: Okay. You scratched number 11; is that correct?

COUNCILMEMBER PITTMAN: Yes, sir.

MAYOR JENKINS: Okay. Number 12, English Oak Park. That is Maria.

COUNCILMEMBER ALEXANDER: I distributed to all members of Council and to Mr. Weed some English Oak Park and pavilion suggesting rules from Ms. Stephens, and I guess we'd like to get

Page 84

feedback and give it to her.

I'm not sure where we are in getting ready to do a kiosk to post rules, but I'd like to give her feedback.

And I think we all have concerns with the first one, which was you can't limit a public park to Doraville city residents only, so I'm assuming that Council wants to scratch that one?

COUNCILMEMBER SPANGLER: Yes.

MAYOR JENKINS: We do have somebody signed up for that item.

COUNCILMEMBER ALEXANDER: Oh, we do? Okay. Do you want them to speak?

MS. KOONTZ: What are the rules? I may not have a comment if the rules are okay.

COUNCILMEMBER ALEXANDER: You want to make some --

These were just drafts.

- - -

(Pause to have photocopies made)

- - -

COUNCILMEMBER FLEMING: Maria, did you want to discuss each one?

COUNCILMEMBER ALEXANDER: Yes.

Page 85

MAYOR JENKINS: Come on up to the podium.

COUNCILMEMBER ROCHE: He hasn't read it yet, Mayor.

MAYOR JENKINS: Well, he can sit back there and read it.

Are you going to read them, Maria?

COUNCILMEMBER ALEXANDER: I will.

COUNCILMEMBER SPANGLER: Wait until they get a copy.

COUNCILMEMBER ALEXANDER: Let the citizens review them.

MAYOR JENKINS: I mean when they get a copy.

COUNCILMEMBER BATES: Mr. Mayor, while they're reading, can we take a five minute break?

MAYOR JENKINS: Five minute break.

- - -

(Brief recess)

- - -

MAYOR JENKINS: Okay, Maria.

COUNCILMEMBER ALEXANDER: Okay. I believe we have one person signed up to speak, and we've been discussing with all the residents

Page 86

our rough draft.

MS. KOONTZ: Stephe Koontz.

I like the 7:00 p.m. till dark -- or 7:00 a.m. till dark makes sense, but some of these like shirts worn at all times. I don't think you've got a dress code in a park. I mean some of these I don't even think are legally enforceable.

And we were saying that they thought it would just have a set of rules for all the parks in Doraville and not have a special one for English Oak and just have all the parks under the same rules. That seems like it would be simpler to me than trying to come up with some special set of rules just for one park.

The other thing we were saying, like this no organized team sports. That's kind of like we were talking about putting in a horseshoe pit over there, and then that's an organized team sport. So you can't -- you've got a horseshoe pit but you can't use it because it's an organized team sport. I mean that's kind of -- you know. Doesn't make sense, either.

So I just think you need to come up

Page 87

with a set of rules for all the parks and not just Oakcliff park, when having them all have the same rules makes more sense than having a special set of rules for one park.

COUNCILMEMBER SPANGLER: And more parks than just Oakcliff have a pavilion.

COUNCILMEMBER ALEXANDER: Yes.

MS. KOONTZ: Right, right. And you know, as far as the pavilions, like we were saying, you should be able to reserve one, but if nobody's reserved it and you go up, then you can use it and not have to -- That you have to reserve it to use it doesn't make sense, either, because then it'll never get used.

And that was all I had to say.

COUNCILMEMBER ALEXANDER: I guess one of the things, too, I was thinking about pursuant with the conversations with the citizens is just have a set of rules and then have the thing about if you want to reserve the pavilion, contact the Doraville Recreation Department. And then I think that's when you would get into the request must be in writing for 10 days. The clean-up deposit and all of that would be addressed at the time someone

Page 88

wants to reserve the pavilion. I don't really know that we need to put that on the rules sign for the park.

Any feedback?

COUNCILMEMBER BATES: Well, I do agree with Stephe that there needs to be general --

COUNCILMEMBER ALEXANDER: Yes.

COUNCILMEMBER BATES: -- general Doraville park rules and not this is the Autumn Park set of rules and this is the Halpern Park set of rules and this is the Brook Park set of rules, but overriding, these rules apply to all seven parks in the city. If there needs to be an addendum specific to a particular park, we can address it at that time, but I do concur with that.

UNIDENTIFIED SPEAKER: Only thing is the capacity of the pavilions would be different for the size.

COUNCILMEMBER ALEXANDER: Yes, you're probably right.

MS. KOONTZ: And I don't think there needs to be dogs-must-be-put-on-a-leash sign because there's a leash law already and it would be against city law to be walking a dog without

Page 89

a leash anyway whether they're in a park or not. The simpler the sign can be, the less cluttered or ugly the park will be with some big sign with 30 things on it that are redundant to city laws that are already . . .

UNIDENTIFIED SPEAKER: And the lettering is so small you can't read it.

COUNCILMEMBER BATES: Well, it's also much more friendly and welcoming to have a sign that tells you what you can do versus the 87 things you can't do.

UNIDENTIFIED SPEAKER: Right.

MR. CRAWFORD: I just saw a sign at the pavilion that says pavilion reserved July the 4th between 9:00 a.m. and 4:00 p.m. so people can know it's reserved so they don't just put their stuff down. Otherwise, they don't know.

COUNCILMEMBER ALEXANDER: Correct.

MR. CRAWFORD: You know, that lets people know that it's being used that day.

COUNCILMEMBER ALEXANDER: And I guess that's one of the things that we had questions about in here is the way this was written, you wanted the renter to post the sign, and I'm like I don't want people just sticking signs in the

Page 90

park. I'd rather have a nice sign, like you said, at the pavilion, that says, you know, the pavilion is reserved or whatever, something like that.

MR. CRAWFORD: The city could use a temporary sign of some sort that identified, or you could just have "reserved" and whoever's going to use it --

COUNCILMEMBER SPANGLER: And along with the times, also.

COUNCILMEMBER ALEXANDER: Yeah. The times need to be correct.

ATTORNEY WEED: One thing that we had talked about with regard to -- you know, I sent to Council, depending upon who you want to enforce these rules, one simple way of doing this is, you know, adopting an ordinance with the appropriate regulations that you want, and then the law enforcement division can then enforce that ordinance. And that way, we're not going to have to list out every single rule. It won't be the Ten Commandments on each signage. The Ten Commandments will be in the Code book, and then you can -- as Councilman Bates put it, you'll put up a sign with what you can do and

Page 91

reference at the bottom of it, you know, penalties for violating ordinances relative to parks are found in ordinance section whatever. That's usually how most cities do that.

COUNCILMEMBER ALEXANDER: I guess that made Mr. Bates have an epiphany. And I wonder if we have an ordinance that states our park hours so that they can be enforced by the police.

ATTORNEY WEED: While we're doing something else, I'll look.

UNIDENTIFIED SPEAKER: I think it's from dawn until dusk.

MS. KOONTZ: I don't like the part that states about the shirts or --

COUNCILMEMBER ALEXANDER: Right.

MS. KOONTZ: -- I don't want people hassled in the park, but --

COUNCILMEMBER ALEXANDER: Exactly.

MS. KOONTZ: -- I don't think that's an enforceable thing, saying no profanity law. You can't legally enforce something, so you've got to be careful about what you say in this thing, like no shirts, because you can't enforce that.

COUNCILMEMBER ALEXANDER: Well, it

Page 92

would be covered under, for example, a disorderly conduct charge.

Captain Brinkley, do you have anything back on that?

CAPTAIN BRINKLEY: As far as the language, profane language in the park would be covered by disorderly conduct.

COUNCILMEMBER FLEMING: I think one of the reasons why Carol put in shirts must be worn at all times, whether it be shirts or tank tops, is because today's youth are wearing their jeans so low that they're falling off around their knees, and that's inappropriate. So if they had a shirt off and that was happening, then we've got public indecency going on. So she was trying to get shirts or tank tops worn at all times. And she does enforce that at the Arena and has not had a problem.

So I'm just making that as a comment. I know why she put that in here, with her dealing with youth so often.

COUNCILMEMBER ALEXANDER: Mr. Spangler brought it up, and he saw that as you can have toddlers out there without their shirts on.

COUNCILMEMBER FLEMING: I see what

Page 93

you're saying, yes.
COUNCILMEMBER SPANGLER: You know, if they want to dress like that, then you can get them for something.
But like if somebody is up there, and it's hot and they're having a friendly horseshoe game or volleyball game or playing some badminton and want to take their shirt off, I don't have a problem with that.
COUNCILMEMBER BATES: No organized team sports, though.
COUNCILMEMBER ROCHE: I have a question about that. To me, organized team sports means like a league and all that. That's not like a pickup game.
COUNCILMEMBER ALEXANDER: Well, that's where we --
COUNCILMEMBER ROCHE: A pickup game would be illegal? If some people were having a picnic and they want to play flag football, that would be illegal?
COUNCILMEMBER ALEXANDER: That's where we're getting into the discussion with the City Attorney about that.
COUNCILMEMBER ROCHE: And if they do

Page 94

that, then how can you play shirts and skins? It would have to be shirts and shirts, right?
COUNCILMEMBER BATES: Stripes and solids.
COUNCILMEMBER FLEMING: Well, on that particular one -- and I understand where everyone's coming from. And of course we do not want any of our parks, especially this brand new one, torn down with continued use of teams getting out there practicing and then they're coming back the next day and they're having --
COUNCILMEMBER ALEXANDER: Correct.
COUNCILMEMBER FLEMING: -- whether it be baseball, whatever. So I made the comments, it like you made a comment, Mr. Bates, about things that are allowed, and I put recreational sports allowed, okay, and then please call the Arena for team sports areas or, you know, I -- and then she can assign at Honeysuckle possibly if you've got a team that wants to get together for a three-hour tag football game. Then she might be able to assign an area at Honeysuckle rather than trying to do it at Oakcliff when residents are trying to have picnics and so forth and so on.

Page 95

COUNCILMEMBER BATES: I just asked Ms. Alexander if she would be acceptable to this.
I would like to throw out that we establish a citizen committee to review our park rules in general and come back with a recommendation, not just for English Oak but for all of our parks, on some acceptable recommendations on making our parks inviting and friendly but that the rules are not so onerous that they restrict people having fun.
So I'll make --
MS. BIRD: I'd like to see some citizens invited for input --
COUNCILMEMBER BATES: Yes.
MS. BIRD: -- based on their experience.
COUNCILMEMBER BATES: Yes. It would be a citizens' committee that would have a Councilperson as a liaison, and they would make a recommendation to Ms. Stephens and the Council on general park rules that would apply across the board, across all of our parks, because I think that's an important discussion to get the people that utilize them to be included.

Page 96

So I'll make that as a formal motion.
MAYOR JENKINS: Second?
COUNCILMEMBER PITTMAN: Second.
COUNCILMEMBER ROCHE: Now, how are we going to choose the committee? How about each Councilperson pick somebody? Would that be enough?
COUNCILMEMBER SPANGLER: I think we have enough people in the audience that --
COUNCILMEMBER ALEXANDER: Just to volunteer.
COUNCILMEMBER SPANGLER: -- we could get the volunteer for that.
COUNCILMEMBER ALEXANDER: And make sure we have one that represents -- because I think you guys have two parks and you've got two. We've got one and a hidden one, and Honeysuckle's all on its own.
COUNCILMEMBER ROCHE: I'd like to make a friendly amendment to say that this committee would be chosen by each Councilperson would choose one person.
COUNCILMEMBER BATES: I will accept that.
COUNCILMEMBER SPANGLER: Can we make

Page 97

our nominations tonight?
COUNCILMEMBER ROCHE: Well, I was going to point to somebody, see if --
COUNCILMEMBER SPANGLER: Stephe, you --
COUNCILMEMBER ROCHE: -- and see if they're going to do it.
COUNCILMEMBER SPANGLER: -- want to be ours?
MS. KOONTZ: Sure.
COUNCILMEMBER ROCHE: But we have to pass the thing first.
COUNCILMEMBER PITTMAN: How about Stuart?
COUNCILMEMBER FLEMING: Just like Bob said, we have to pass it first.
COUNCILMEMBER ROCHE: Yeah, we have to pass it.
ATTORNEY WEED: We're so excited to get this done.
COUNCILMEMBER SPANGLER: It's getting close to 9:30, Murray.
ATTORNEY WEED: That's an excellent point.
COUNCILMEMBER BATES: Let's pass this before we --

Page 98

MAYOR JENKINS: Anymore discussion on the motion?
COUNCILMEMBER FLEMING: No, not on the motion.
MAYOR JENKINS: Call the roll on the motion, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
COUNCILMEMBER FLEMING: I had one item that I thought needed to be added, and I did talk to Carol about it.
I felt strongly about no motorized vehicles allowed in park. I don't think you --

Page 99

COUNCILMEMBER ALEXANDER: Wheelchairs.
UNIDENTIFIED SPEAKER: Yes, you have motorized wheelchairs.
COUNCILMEMBER ALEXANDER: Sorry.
COUNCILMEMBER BATES: The get-abouts or whatever they're called.
COUNCILMEMBER ALEXANDER: Well, you could --
COUNCILMEMBER FLEMING: No motorized --
COUNCILMEMBER ALEXANDER: -- make exception.
COUNCILMEMBER FLEMING: -- vehicles allowed off of walking path.
Well, because you're going to end up with two-wheelers --
COUNCILMEMBER ALEXANDER: Right.
COUNCILMEMBER FLEMING: -- and hot rods and --
COUNCILMEMBER ALEXANDER: Right.
COUNCILMEMBER FLEMING: -- three-wheelers and four-wheelers, and I --
COUNCILMEMBER ALEXANDER: So we need to figure out how to word that, Mr. Weed.
ATTORNEY WEED: Yes.
COUNCILMEMBER FLEMING: You need to be

Page 100

able to word.
ATTORNEY WEED: Well, I'll probably take a look at the motor vehicle code and would start with that and eliminate the easy ones first.
MS. BIRD: I would like to see each member present what they would like to address to the committee, that works on it.
COUNCILMEMBER ROCHE: As far as the committee is concerned, can we go ahead?
I mean Kay Bird lives in Northwoods. I'd like to --
Would you be interested in serving on this committee?
MS. BIRD: I would like to see you ask for volunteers who are enthusiastic. I will do it if there are no other volunteers, but I'm not volunteering.
COUNCILMEMBER ROCHE: No. We said each Councilperson could choose one person.
MS. BIRD: Correct. I'm asking you to ask for volunteers.
COUNCILMEMBER ROCHE: Okay. Well, I'm asking you to volunteer.
MS. BIRD: I'm not volunteering.

Page 101

[1] **COUNCILMEMBER BATES:** Ms. Conway, I'll
[2] throw it right behind you. Any interest?
[3] **MS. CONWAY:** Yes.
[4] **COUNCILMEMBER BATES:** Thank you.
[5] **COUNCILMEMBER SPANGLER:** And I need to
[6] choose another one.
[7] Ms. Roberts, would you be willing to be
[8] on the committee for Oakcliff, for our district?
[9] **COUNCILMEMBER BATES:** You only get one.
[10] **COUNCILMEMBER SPANGLER:** No. I thought
[11] we got two. You got --
[12] **COUNCILMEMBER BATES:** No. I did
[13] Ms. Conway.
[14] **COUNCILMEMBER SPANGLER:** Oh, I thought
[15] we were --
[16] **COUNCILMEMBER ROCHE:** One per
[17] Councilperson.
[18] **COUNCILMEMBER SPANGLER:** One per
[19] Councilperson. I'm sorry.
[20] **COUNCILMEMBER FLEMING:** One per dis-
[21] trict.
[22] **COUNCILMEMBER ALEXANDER:** One per dis-
[23] trict?
[24] **COUNCILMEMBER BATES:** I thought the --
[25] **COUNCILMEMBER ROCHE:** No. I thought it

Page 102

[1] was one per Councilperson.
[2] **COUNCILMEMBER BATES:** The motion was
[3] one per Councilperson.
[4] **COUNCILMEMBER ALEXANDER:** Okay.
[5] **COUNCILMEMBER FLEMING:** Oh. I thought
[6] the motion was one per district.
[7] **COUNCILMEMBER BATES:** No. It would be
[8] a committee of six.
[9] **COUNCILMEMBER FLEMING:** I'm very sorry.
[10] **COUNCILMEMBER SPANGLER:** I'm sorry.
[11] **COUNCILMEMBER ALEXANDER:** No, no, no.
[12] That's fine. That's fine.
[13] **MAYOR JENKINS:** How many have we got?
[14] **CLERK BLACKMON:** We have three, I
[15] believe, so far.
[16] **COUNCILMEMBER ROCHE:** So we have the
[17] volunteers --
[18] **COUNCILMEMBER FLEMING:** Mr. Anderson,
[19] would you like to be part of the committee for
[20] the park rules?
[21] **MR. ANDERSON:** I'll do it.
[22] **COUNCILMEMBER FLEMING:** Stuart
[23] Anderson.
[24] **COUNCILMEMBER PITTMAN:** And Janice,
[25] would you like to?

Page 103

[1] **MS. JOHNSON:** Yes.
[2] **COUNCILMEMBER PITTMAN:** Great.
[3] **COUNCILMEMBER ROCHE:** So do we have any
[4] volunteers from Northwoods?
[5] **MS. BIRD:** I'll work on finding one.
[6] If I don't, I'll be glad to.
[7] **COUNCILMEMBER ROCHE:** Okay. I'll put
[8] you in charge of finding.
[9] **MS. BIRD:** All right.
[10] **COUNCILMEMBER ROCHE:** And whoever you
[11] choose is fine, undoubtedly.
[12] **ATTORNEY WEED:** With regard to the
[13] answer to your question, Chapter 12 deals with
[14] sort of the general park rules. All parks and
[15] rec. facilities of the city -- and I'm
[16] paraphrasing -- will be closed daily from 11:00
[17] p.m. to 7:00 a.m. the following day. Admission
[18] to these facilities during closed periods are
[19] prohibited without written authorization by the
[20] Mayor and Council, and there's a list of 11
[21] parks and facilities in that ordinance.
[22] Intoxicating beverages are not allowed and
[23] unauthorized use of motor vehicles are also not
[24] allowed. No person shall operate a motorized
[25] vehicle of any kind or nature in any park or

Page 104

[1] recreational facility. This shall not apply to
[2] vehicles used for maintenance by the City,
[3] obviously.
[4] And then with regard to organized
[5] sports, it's already prohibited: It shall be
[6] unlawful for any person to engage in permitted
[7] organized sports activities in the parks except
[8] in areas designated for such use by the Mayor
[9] and Council. And then you can make -- by
[10] written resolution, you can make exceptions.
[11] **COUNCILMEMBER SPANGLER:** Well, we
[12] definitely need to make exceptions to the motor
[13] vehicles for those people that are handicapped.
[14] **COUNCILMEMBER ALEXANDER:** What is that
[15] code section, please, because I think they need
[16] to have that when they are working on their
[17] rules.
[18] **ATTORNEY WEED:** Yeah. Well, what we'll
[19] do with your permission -- I was going to ask
[20] you this: I would like to have your permission
[21] -- and ordinarily it would be attorney/client
[22] privilege -- but my analysis memo to
[23] Recreation's comments, I'd like to provide the
[24] committee my analysis memo, Recreation's
[25] responses to it, the original rules and this

Page 105

Code section, and I'll coordinate all that with Rhonda and we can get it out tomorrow.

COUNCILMEMBER ALEXANDER: Okay.

ATTORNEY WEED: But I need the four of you to tell me that I can -- you're waiving the privilege with regard to my memo.

COUNCILMEMBER BATES: I am.

COUNCILMEMBER ROCHE: Uh-huh.

COUNCILMEMBER ALEXANDER: Yes.

COUNCILMEMBER PITTMAN: Yes.

ATTORNEY WEED: I hate to say it. Would you make that a motion?

COUNCILMEMBER ROCHE: I make a motion that we waive the attorney-client privileges for the purposes of the Parks/Recreation Rules Committee.

COUNCILMEMBER PITTMAN: Second.

MAYOR JENKINS: Anymore discussion?

- - -

(No response)

- - -

MAYOR JENKINS: Call the roll.

CLERK BLACKMON: Councilmember Alexander?

COUNCILMEMBER ALEXANDER: Yes.

Page 106

CLERK BLACKMON: Councilmember Bates?

COUNCILMEMBER BATES: Yes.

CLERK BLACKMON: Councilmember Fleming?

COUNCILMEMBER FLEMING: Yes.

CLERK BLACKMON: Councilmember Pittman?

COUNCILMEMBER PITTMAN: Yes.

CLERK BLACKMON: Councilmember Roche?

COUNCILMEMBER ROCHE: Yes.

CLERK BLACKMON: Councilmember Spangler?

COUNCILMEMBER SPANGLER: Yes.

COUNCILMEMBER ALEXANDER: And I think we have one vacancy.

Ms. Pachuta, if you would volunteer to be on there and if you could coordinate with the Fiedlers and the Weeses --

MS. PACHUTA: Sure.

COUNCILMEMBER ALEXANDER: -- the people that surround the park, to please get feedback also.

So you guys are going to give them the ordinances and --

ATTORNEY WEED: We'll take care of it.

COUNCILMEMBER ALEXANDER: -- the suggested rules. And you've got all the names,

Page 107

Rhonda?

CLERK BLACKMON: Yes.

COUNCILMEMBER ALEXANDER: Okay.

CLERK BLACKMON: Can I go over them just to make sure?

COUNCILMEMBER ALEXANDER: Yes.

CLERK BLACKMON: I have Stephe Koontz, Stuart Anderson, Ms. Conway, Janice Johnson, Kay Bird is going to delegate someone, and Karen Pachuta, along with I've got your name.

MS. BIRD: And Lisa.

COUNCILMEMBER ALEXANDER: Do you want to do it, Lisa?

MS. HAMMETT: Sure.

COUNCILMEMBER ALEXANDER: Mr. Roche?

COUNCILMEMBER BATES: Mr. Roche, would you be acceptable to that?

COUNCILMEMBER ROCHE: I suppose so, yeah, if you're sure you don't want to do it, Kay.

MS. BIRD: No.

UNIDENTIFIED SPEAKER: Well, she doesn't have to do it.

COUNCILMEMBER ALEXANDER: Lisa Hammett, Northwoods. She lives across from Autumn.

Page 108

CLERK BLACKMON: And I'll take Kay Bird off as delegating someone.

Okay. Then, I have them.

COUNCILMEMBER ROCHE: Thank you.

COUNCILMEMBER ALEXANDER: Thank you very much. So this item will appear on next month's agenda.

COUNCILMEMBER FLEMING: Item No. 13 is the City Ordinance 2-40 which is the Administration portion of the Planning Commission.

And we have worked on it diligently trying to update it so that we can possibly get it passed this evening. And I would like to go over the items that have been added or deleted just so that it can be read on record.

We added the definitions of zoning proposal under this section: shall mean any application requesting for rezoning of land by the City or any other party and zoning ordinance text amendments.

Item No. 2 is zoning variance shall mean a divergence from strict compliance with the Zoning Ordinance when a duly-authorized body determines, based upon the application of objective standards to the evidence shown, that

Page 109

[1] extraordinary conditions exist warranting such
[2] divergence.
[3] And then (b) and (c) remain the same
[4] where it states that the Council and Mayor are
[5] hereby establishing a Planning Commission. That
[6] did not change.
[7] When we got to the bottom of section
[8] (c), it just indicated if a position becomes
[9] vacant, a member shall be appointed by the Mayor
[10] and Council, but we felt that it needed to
[11] include "from the vacated district or at large"
[12] because there are two at-large positions
[13] available as well.
[14] So it should read now, "If a position
[15] becomes vacant, a member shall be appointed from
[16] the vacated district or at large by the City
[17] Council to serve the remainder of the term."
[18] Item No. (d), we inserted the
[19] following: "Planning Commission members are
[20] encouraged to attend training through the
[21] Atlanta Regional Commission and other locally-
[22] provided workshops as soon as reasonably
[23] possible after their appointment."
[24] We deleted in (e), the statement was,
[25] "all meetings of the Planning Commission at

Page 110

[1] which official action is taken." The Planning
[2] Commission did not have any official action that
[3] was taken, so we deleted that phrase, "at which
[4] official action is taken."
[5] So the sentence now reads, "All
[6] meetings of the Planning Commission shall be
[7] open to the public and all records of the
[8] Planning Commission shall be public record."
[9] Also stated, didn't change, the
[10] Planning Commission shall be advisory in nature.
[11] (g) did change?
[12] **COUNCILMEMBER BATES:** Yes.
[13] **COUNCILMEMBER FLEMING:** With all of
[14] that?
[15] **COUNCILMEMBER BATES:** Yes.
[16] **COUNCILMEMBER FLEMING:** (g), it was the
[17] term wherefrom and after the time the Planning
[18] Commission shall have organized. That was in
[19] there, but we've changed it a little from,
[20] "After the time the Planning Commission shall
[21] have organized and selected its officers and
[22] shall have adopted its rules of procedure, then
[23] the Planning Commission shall, with respect to
[24] each zoning proposal and zoning variance as
[25] defined in this section," which we did in items

Page 111

[1] one and two, "investigate and make a nonbinding
[2] recommendation with respect to each of the
[3] matters enumerated in the zoning ordinances as
[4] well as carrying out any other duties with which
[5] the Planning Commission is charged by the City
[6] Council."
[7] What we did there was we took out all
[8] of the criteria that was listed in our 06-06
[9] ordinance or 06-22 because that did need to come
[10] out of the Administration portion and go into
[11] the Zoning Book. The criteria needs to be in
[12] the Zoning Book.
[13] Letter (h), "The Planning Commission
[14] shall be required to consider and adhere to the
[15] criteria established set forth in the City of
[16] Doraville Official Zoning Ordinances in making
[17] such zoning and variance investigations and
[18] recommendations." We're just making the comment
[19] that they're going to adhere to what's already
[20] in the Zoning Book.
[21] I changed slightly, because our Zoning
[22] Ordinances are changing. It read, "The
[23] authority of the Planning Commission shall
[24] consist of review and recommendations on zoning
[25] decisions, zoning variances as defined herein.

Page 112

[1] The Planning Commission shall not consider," and
[2] then it went on to list the sections, and those
[3] sections were administrative variances set out
[4] in the Zoning Ordinance is how we listed it
[5] because our zoning numbers are changing.
[6] So that sentence now reads, "The
[7] Planning Commission shall not consider adminis-
[8] trative variances as set out in the Zoning
[9] Ordinance."
[10] (j) did change in regards to the number
[11] of days, had not been listed before. "After any
[12] matter has been presented to the Planning
[13] Commission, the Planning Commission shall render
[14] a final recommendation within 60 days to the
[15] Mayor and Council. If the Planning Commission
[16] cannot provide a recommendation within 60 days,
[17] they must present the reasons for the delay at
[18] the next scheduled public meeting. At said
[19] meeting, the Planning Commission may ask for an
[20] extension for consideration but not to exceed 30
[21] days. Failure to provide a recommendation
[22] within 90 days shall automatically be forwarded
[23] to City Council with a recommendation of
[24] approval."
[25] And that is the Administration portion

Page 113

of 2-40, which I am submitting for approval.
COUNCILMEMBER PITTMAN: (Inaudible)
COUNCILMEMBER BATES: I didn't hear the question.
COUNCILMEMBER PITTMAN: I'm just saying, are we going to pay for their training?
COUNCILMEMBER BATES: I would --
COUNCILMEMBER SPANGLER: Certainly.
COUNCILMEMBER PITTMAN: I mean it's not in there. Do we need to put it in there?
COUNCILMEMBER BATES: I would include that.
COUNCILMEMBER PITTMAN: Okay.
COUNCILMEMBER SPANGLER: It should be included, because we said from the start that --
COUNCILMEMBER PITTMAN: Yeah.
COUNCILMEMBER SPANGLER: -- we would pay for any training.
COUNCILMEMBER ROCHE: Training and reasonable expenses.
COUNCILMEMBER BATES: Can we add in there, "Approved training will be reimbursed"?
COUNCILMEMBER SPANGLER: Well, not so much reimbursed, but maybe they want the money up front.

Page 114

COUNCILMEMBER PITTMAN: Either/or.
COUNCILMEMBER BATES: "Approved training will be paid for."
COUNCILMEMBER PITTMAN: Yes.
ATTORNEY WEED: How about, "Approved training and reasonable expenses shall be paid for by the City"?
COUNCILMEMBER PITTMAN: Yes.
COUNCILMEMBER SPANGLER: Yes.
COUNCILMEMBER ROCHE: Now do we need to stipulate that if you have to take a day off -- like I work by the hour. I mean if I have to take a day off, I couldn't very well bill the City for that. I don't know if we need to get that complicated or not with this.
COUNCILMEMBER SPANGLER: I feel like if they take a day off, they're an advisory committee and they're not getting any moneys for this. So if they have to take a day off from work, they should be compensated.
ATTORNEY WEED: Just to cover both things, how about "Preapproved training and reasonable expenses shall be paid for by the City"? That way, the City can determine at the time it comes up whether you're going to pay for

Page 115

someone's time off or not without having to specify a laundry list of we're going to pay for mileage, we're going to pay for your day's labor.
COUNCILMEMBER ROCHE: Yes.
COUNCILMEMBER FLEMING: That's acceptable to me.
ATTORNEY WEED: Scott and I have got just a few comments. We were just a little confused, and we might have missed it.
But in one of our meetings on the subject, we were in paragraph (a)(1), did the Planning Commission want to do text amendments? Because currently if we leave the words "text amendments" in the ordinance, then they will be doing text amendments. And I didn't think that they wanted to do that and Scott also didn't think that they wanted to do that but we could be mistaken.
COUNCILMEMBER BATES: My recollection was to review text amendments but do it via e-mail. But we've got the chairman of the Planning Commission here. Perhaps Mr. Crawford can . . . Mr. Mayor, if that's okay.
MAYOR JENKINS: Yes, that's fine.

Page 116

MR. CRAWFORD: If you look back on the minutes from one of our meetings, that was the discussion that the Planning Commission had with Scott, I think it was.
Scott, don't you recollect we had the discussion about the cost to the City?
MR. HAEBERLIN: Yes, sir.
MR. CRAWFORD: And it would be done per e-mail, perhaps, if it was legal. And Scott was going to get with you, Murray.
ATTORNEY WEED: Meaning you wouldn't have a meeting.
MR. CRAWFORD: We wouldn't have a meeting but the draft versions would get e-mailed to Planning Commission members, they would review them and, you know, get feedback from the community --
ATTORNEY WEED: Yeah.
MR. CRAWFORD: -- and then give feedback back to Scott on it.
ATTORNEY WEED: Well, my feeling on that would be that I mean I think it's fine to read the documents in whatever format you would get them in, but before you made a recommendation on them, I think that would require a

Page 117

[1] meeting.
[2] **MR. CRAWFORD:** Okay.
[3] **ATTORNEY WEED:** In other words, you
[4] would just say, "Hey, the text amendments are
[5] great. Motion to make a recommendation of
[6] approval." It could be a five-minute meeting,
[7] but I think you'd technically have the meeting,
[8] have to do that.
[9] **MR. CRAWFORD:** I think that was the --
[10] I don't want to speak for myself, but just
[11] seeing that I'm the only person here tonight
[12] from the Planning Commission, I think that that
[13] was the majority of the Planning Commission
[14] wanted it that way, and there was discussion
[15] what's the cost to the City. So if we do it
[16] that way, there's limited cost, and then there
[17] could be a meeting to review -- you know, get
[18] with the community ahead of time on it and then
[19] have them come. You know, whether it's a brief
[20] meeting or not, that would be kind of determined
[21] by the citizens that show up and the kind of
[22] comments they want to make.
[23] **ATTORNEY WEED:** My only comment is I'm
[24] happy with you guys reviewing text amendments.
[25] You know, most planning commissions that I know

Page 118

[1] of do that. But as part of that, in order to
[2] make an official recommendation, my opinion is
[3] you have to have a meeting.
[4] **MR. CRAWFORD:** Right. I believe I sent
[5] an e-mail to the City Council members and the
[6] Mayor. I don't know if I copied you, Murray, or
[7] not.
[8] I thought I copied you, Scott, with the
[9] e-mail.
[10] **MR. HAEBERLIN:** I believe you did, sir,
[11] and I think I forwarded it to the City Council.
[12] **MR. CRAWFORD:** I think I sent it to the
[13] City Council at the same time. All right.
[14] **COUNCILMEMBER ROCHE:** Does everyone on
[15] the Planning Commission necessarily have to come
[16] to exactly the same conclusion?
[17] **MR. WEED:** No.
[18] **COUNCILMEMBER ROCHE:** I mean, to me, my
[19] idea of text amendments would be you've got five
[20] more sets of eyes to look at stuff and we may
[21] get five separate responses. And personally,
[22] I'm okay with that by e-mail. And I can say,
[23] you know, some of this stuff I care about and
[24] some --
[25] **MR. CRAWFORD:** Well, I think Murray's

Page 119

[1] point was that we'd have to have a public
[2] meeting on it. And I don't see it as five sets
[3] of eyes; I see it as -- You know, if we really
[4] had a lot of people showing up to a Planning
[5] Commission meeting, I'd see it as hundreds of
[6] sets of eyes. It's a way for the community to
[7] be involved, and any time you have the community
[8] involved with the city, it's a good thing.
[9] **COUNCILMEMBER ROCHE:** Well, I agree
[10] completely.
[11] I guess my thing is it almost sounds
[12] like the five people would basically have to
[13] agree. They'd have to say, "Yes, this is our
[14] Planning -- this is what we all agree on and our
[15] recommendation is --"
[16] **MR. CRAWFORD:** No, that's not our
[17] intent, and that isn't even the intent during
[18] the meeting.
[19] **COUNCILMEMBER ROCHE:** That's what I
[20] thought.
[21] **MR. CRAWFORD:** We don't necessarily
[22] agree on anything.
[23] **COUNCILMEMBER ROCHE:** Okay.
[24] **MR. CRAWFORD:** On that, it would just
[25] be recommendations. We wouldn't necessarily, I

Page 120

[1] don't think, have to have a vote on it. It
[2] would just be a list of -- I thought it was kind
[3] of a fact-finding thing where we --
[4] **COUNCILMEMBER ROCHE:** Exactly.
[5] **MR. CRAWFORD:** -- did it in a public
[6] hearing.
[7] And maybe I'm wrong, Murray. Do we
[8] actually have a finding that we gave back to the
[9] City Council?
[10] **ATTORNEY WEED:** We could do it however
[11] you wanted to. But usually how it's done would
[12] be, you know, "Here is a document. It's got
[13] text amendments in it. You know, we made five
[14] changes to it. We like the rest of it. Mayor
[15] and Council, we're recommending this document
[16] for approval with these five changes."
[17] But yeah, that would require a majority
[18] vote that that's what you wanted to send to
[19] them.
[20] **MR. CRAWFORD:** Well, that's fine, but
[21] it would be based on our input. That type of
[22] thing would be based on -- and I'm only speaking
[23] alone at this point, but my feeling would be it
[24] would be based on what the community interaction
[25] was on it also.

Page 121

[1] **ATTORNEY WEED:** That's fine. However
[2] the Chairman --
[3] **MR. CRAWFORD:** No.
[4] **ATTORNEY WEED:** -- conducts his
[5] meetings is fine.
[6] **MR. CRAWFORD:** I understand that.
[7] That's fine.
[8] **ATTORNEY WEED:** The only other thing I
[9] wanted to mention -- well, two other things.
[10] One, if you don't mind, I'd like to change
[11] what's listed in (h) as the City of Doraville
[12] Official Zoning Ordinances and just add the
[13] actual real name, which is the Zoning Ordinances
[14] of the City of Doraville, Georgia. That refers
[15] to what we actually call it.
[16] And then Scott and I had one other
[17] clarification in (j). We assume that if the
[18] Planning Commission cannot provide a recommenda-
[19] tion within 60 days, they must present the
[20] reasons for the delay at the next scheduled
[21] Council meeting?
[22] **COUNCILMEMBER BATES:** That is the
[23] intent, yes.
[24] **ATTORNEY WEED:** All right. I would
[25] recommend that: next regular public Council

Page 122

[1] meeting, clarify that.
[2] And when you say 90 days, do you mean
[3] 90 days means 90 days? Because we were a little
[4] worried that if you granted an extension, your
[5] intent was to grant the extension, but, by gosh,
[6] if you got an extension, you would still be
[7] within 90 days and that was it.
[8] **COUNCILMEMBER FLEMING:** Absolutely.
[9] **COUNCILMEMBER BATES:** 90 days from the
[10] date that the Planning Commission receives it,
[11] if they haven't for whatever reason made a
[12] recommendation or come to a conclusion, then at
[13] day 90, assuming that they requested an
[14] extension, that automatically comes to Council
[15] as approved.
[16] So that's three months. I hope they're
[17] efficient.
[18] **COUNCILMEMBER ROCHE:** And I guess my
[19] only concern about that is that efficiency. I
[20] mean I wouldn't want to see a situation where
[21] everything's ready to go but because it's 55
[22] days or something, we're still waiting on a
[23] recommendation from the Planning Commission. I
[24] don't want anything to slow down. I realize
[25] government moves like a glacier, but, still, I

Page 123

[1] wouldn't want to add additional time to this.
[2] That's my only concern.
[3] **COUNCILMEMBER BATES:** Yes, I absolutely
[4] concur with Mr. Roche. I think that it's got to
[5] be a really compelling reason why there needs to
[6] be an extension.
[7] **COUNCILMEMBER ROCHE:** I mean is 60 days
[8] normal for getting an answer from the City just
[9] in general?
[10] **MR. HAEBERLIN:** On a decision,
[11] typically I would like to see 60 to 90 days
[12] total. 120 days is starting to get -- I get
[13] concerned about the applicant charging that
[14] we're not processing things in a timely manner.
[15] **COUNCILMEMBER ROCHE:** Fair enough.
[16] **ATTORNEY WEED:** And then I would make
[17] one suggestion and draft this language real
[18] quickly to add to the end of the sentence in
[19] (j), "At said meeting, the Planning Commission
[20] may ask for an extension for consideration but
[21] not to exceed 30 days."
[22] And I've added for your consideration,
[23] "All extensions shall be within a maximum time
[24] frame of 90 days," and then your last sentence
[25] would stay the same about what happens if it

Page 124

[1] goes, you know, beyond that time frame. That
[2] way, hopefully it takes out any doubt whatsoever
[3] that no, that the extension is included in the
[4] overall 90 days.
[5] **COUNCILMEMBER ROCHE:** Within 90 days of
[6] what? The petition?
[7] **ATTORNEY WEED:** Yeah. It actually goes
[8] back to the very beginning. I would say 90 days
[9] after any matter has been presented to the
[10] Planning Commission.
[11] **COUNCILMEMBER ROCHE:** Okay. I just
[12] want to make it clear, it's 90 days from when.
[13] **ATTORNEY WEED:** I think we're okay
[14] there.
[15] **COUNCILMEMBER BATES:** From day one.
[16] **COUNCILMEMBER ROCHE:** Right.
[17] **COUNCILMEMBER FLEMING:** I'd like to
[18] make a motion to adopt the revisions of 2-40 as
[19] outlined as read and suggested by Attorney Weed.
[20] **COUNCILMEMBER BATES:** Second.
[21] **MAYOR JENKINS:** Okay.
[22] **COUNCILMEMBER FLEMING:** I'm sorry.
[23] There is --
[24] **MAYOR JENKINS:** Yes, I know.
[25] Bonita?

Page 125

MS. HOFFMEISTER: Bonita Hoffmeister, Oakcliff.

Councillor Fleming, thank you for making the changes. I appreciate putting the education in. I appreciate the 90 days. Believe me, a good developer would not mind waiting 90 days. In fact, they'll shy away from you if you don't put such things in here. Good money can wait. Underfinanced people cannot. Underfinanced people are normally a little sloppy.

Councillor Fleming, what are you doing about conditional uses? What is your proposal?

COUNCILMEMBER FLEMING: Conditional uses are an item that we are still discussing with our City Planner. I am not familiar with the additional criteria that may need to be considered for those, so I would have to --

Could you give me a little more time to answer your question?

MS. HOFFMEISTER: Yes. I agree, conditional uses should not be with your Planning Commission.

But you should have some citizen oversight on this similar to a planning

Page 126

commission, because do you understand our ordinances -- I believe you're very concerned about having abortion clinics in Doraville.

COUNCILMEMBER FLEMING: Yes, ma'am.

MS. HOFFMEISTER: If you allow an interpretation on abortion clinics, four councillors can meet, two can vote for, two can vote against and the Mayor can vote for, and it passes. That is why you need citizen overview.

The same thing has happened with massage parlors. We have an abundance of those that show up on the back of Creative Loafing, on the internet, as exotic massage parlors with definitions and services that would make you blush. This is why we need citizen overview on conditional use. Thank you.

COUNCILMEMBER FLEMING: I thank you for your input.

- - -

(Applause)

- - -

MAYOR JENKINS: Stuart?

MR. ANDERSON: Stuart Anderson.

I'd ask John Noonan, is this grounded? I notice everybody touching it and it makes

Page 127

noises.

Anyway, I appreciate Bonita's comment about asking about the conditional uses. My comment that I wrote down was in or out. There was a line there that's zoning map amendments, conditional uses, permits and special permits, and I was wondering if that was in and out, so I guess that's --

COUNCILMEMBER FLEMING: That is out.

MR. ANDERSON: -- further discussion?

COUNCILMEMBER FLEMING: No, that is out.

MR. ANDERSON: Conditional uses is out as well?

COUNCILMEMBER FLEMING: In discussion with, as I understand it, the majority of if not all of the Planning Commission did not feel that they would be --

MR. ANDERSON: They didn't want to see it?

COUNCILMEMBER FLEMING: -- didn't feel comfortable with doing conditional uses if I'm not mistaken.

MR. CRAWFORD: Actually, we thought that we have the City Planner and it was his job

Page 128

to do the conditional uses and the special use permits.

COUNCILMEMBER FLEMING: Thank you very much.

MR. ANDERSON: As far as the meeting to do text amendments, I don't see any reason Scott needs to be there, and it's just easy to sit down and talk at a meeting. So as far as the expense goes of having a meeting, he's not making a presentation, so I don't see any reason why you can't have a meeting.

Nonetheless, and Donna took care of the -- started the conversation, anyway, about the reimbursement.

I might mention that as far as education goes, I provided a new-member kit that could be required or offered to new members. It really brings them up to speed without having to wait for ARC classes, et cetera. But that kit, that set of papers is in possession of the Planning Commission, and if it's not, I can provide it again.

The only other thing was -- I guess you've covered the other things that I have in yellow here -- but I don't see any reason that

Page 129

after the 90 days, if they haven't made a decision, why it's a recommendation. It should just go to Council as no recommendation made. It's not a recommendation for it. They just didn't do it. So there should be, once again, no automatic recommendations for something if they didn't come to any conclusion. Why not have an automatic denial if they didn't come to a conclusion?

COUNCILMEMBER BATES: And I appreciate your comments. My response is -- and this is based upon comments from Mr. Weed -- that there's a due process clause in there. If the Planning Commission is making recommendations on properties and this one does not get a recommendation -- and correct me if I'm wrong -- there is a potential argument from the applicant that their due process was not followed because no recommendation was given from the Planning Commission.

I think at 90 days, if for whatever reason this hasn't been heard, to me, putting that warning in there of "It's going to be approved, so get your rears in gear and review it and make a recommendation or else it's going

Page 130

to be automatically recommended as approval."

MR. ANDERSON: I understand that, Brian, and I agree with you, but why not make it disapprove, then?

COUNCILMEMBER BATES: Well, I think there's more of an incentive to keep bad stuff out by actually reviewing it than there is of an automatic denial. So to me, it was an enticement or an encouragement, a little bit of a stick, for the Planning Commission to actually review the project.

MR. ANDERSON: I appreciate it. I'm just uncomfortable with automatic approvals, period. Thank you.

MAYOR JENKINS: Thank you, Stuart.

ATTORNEY WEED: Mayor and Council --

MAYOR JENKINS: Stephe Koontz?

ATTORNEY WEED: I'm sorry. I'll wait.

MS. KOONTZ: I'm glad to see that y'all did include the variances because that was a concern that that was going to get left out. And I know that the Planning Commission didn't feel comfortable doing conditional uses. That might be something, like Bonita was saying, maybe somehow have citizens look at that in the

Page 131

future.

But for now, I think this is good, and I'm okay with the 90-day approval. If they can't come to a conclusion in 90 days, they just need to move on.

The thing I like, there's something Bob was saying about having five sets of eyes looking at the same thing. I would hope that like if, say, the Planning Commission approves something by a vote and it was a 3 to 2 vote, that the two people that had a problem with it would be able to send their reasons to the different Council members so that even if the Planning Commission voted to approve it, you would have the input from those citizens of why they didn't, so that it would just give y'all something else to consider before y'all vote. Because they're not being blocked from communicating with you, I don't think, would they be?

COUNCILMEMBER FLEMING: No.

COUNCILMEMBER ROCHE: Right.

MS. KOONTZ: So you could get input from them in that way, too.

So I think y'all, you know, need to pass it. Thanks.

Page 132

COUNCILMEMBER FLEMING: Thank you.

MAYOR JENKINS: Thank you, Stephe.

COUNCILMEMBER ROCHE: Well, someone has brought up one question. I mean there have been situations where we've had a vacancy on the Planning Commission. And if there is a vacancy on the Planning Commission and the vote is 2 to 2, what's the recommendation? Can they make a recommendation of "no recommendation"?

ATTORNEY WEED: Based upon, you know, that circumstance, yes.

COUNCILMEMBER ROCHE: Okay. Just making sure.

ATTORNEY WEED: But hopefully someone's going -- hopefully you're going to make an appointment pretty darn quick to prevent that from happening.

COUNCILMEMBER ROCHE: Well, one hopes.

UNIDENTIFIED SPEAKER: Maybe that stick could apply to the members as well on filling that vacancy.

COUNCILMEMBER ROCHE: Well, I don't want to take a stick to any volunteers, frankly.

UNIDENTIFIED SPEAKER: Sounds like it's taking a stick to y'all.

Page 133

[1] **ATTORNEY WEED:** Hopefully if you've
[2] become aware of an empty spot, you're going to
[3] fill it pretty fast.
[4] **MAYOR JENKINS:** Okay, Tom.
[5] **MR. HART:** Tom Hart, Gordon Heights.
[6] I was a little unclear. The Planning
[7] Commission, as I understand it, was an
[8] independent open forum for the public to
[9] understand what variances and rezonings go on in
[10] the city, and they report to the Mayor and
[11] Council to give their recommendation. An
[12] independent source was the Planner for the city.
[13] In the other cities that I observe, the
[14] Planning Commission did not work for the
[15] Planner. They work the Mayor and Council as an
[16] independent body. And so when variances or
[17] rezonings were handed to the City, they were
[18] distributed through the Clerk's office, directed
[19] to the Mayor and Council, to the Planning
[20] Commission and the Planner, parallel. So that
[21] way, you have an independent voice that's
[22] through the public. The Planner is just one
[23] person with an opinion. Okay? It's not exactly
[24] an exact science; it's an opinion.
[25] And so I think that the Planning

Page 134

[1] Commission -- for instance, in Norcross with
[2] Johnny Lawler, he didn't run the Planning
[3] Commission.
[4] **COUNCILMEMBER BATES:** If you're asking
[5] for an opinion, this ordinance does not give the
[6] Planner overview of the Planning Commission.
[7] They do report to the Mayor and Council. The
[8] Planner is there as an advisory body.
[9] **MR. HART:** Okay. I was unclear.
[10] **COUNCILMEMBER BATES:** They have their
[11] own voice.
[12] **MR. HART:** And since the entire city
[13] has basically been rezoned, it's turned most of
[14] the properties particularly the business
[15] properties into nonconforming uses, and so those
[16] would never see the light of day for a variance
[17] or a rezoning.
[18] And so I'm a little concerned that the
[19] Planning Commission is not observing these
[20] nonconforming uses or conditional uses because
[21] it just goes to the Planner, goes to the
[22] Council, and people don't know what the heck's
[23] going on. So you need to take that in
[24] consideration. Thank you.
[25] **MAYOR JENKINS:** Thank you, Tom.

Page 135

[1] **ATTORNEY WEED:** Mr. Mayor and members
[2] of the Council, the only other thing I wanted to
[3] add -- and I haven't talked about this with the
[4] Planner, but I would like to talk about the
[5] effective date of this because there is a zoning
[6] hearing on the 23rd of April --
[7] -- or the 27th, Scott?
[8] **MR. HAEBERLIN:** The 27th of April, sir,
[9] but there is also a hearing coming up on March
[10] 23rd as well. March 23rd and then April 27th.
[11] **ATTORNEY WEED:** Okay. Well, just as a
[12] thought so as not to impede the progress of any-
[13] thing that's going down the pipeline right now,
[14] I would suggest the Council might want to
[15] consider an effective date of this ordinance
[16] being May 1, something to that effect, rather
[17] than trying to -- if you make it effective
[18] immediately, then, you know, there'll be a big
[19] rush to make sure that the Planning Commission's
[20] got hearings and meetings on everything that's
[21] in the pipeline right now. And that may be what
[22] you want to do, but I just want you to be aware
[23] of that.
[24] **COUNCILMEMBER FLEMING:** Mr. Haeberlin,
[25] has the Planning Commission received information

Page 136

[1] for all of the variances or rezonings that we
[2] have received?
[3] **MR. HAEBERLIN:** Yes, ma'am. Actually,
[4] we're completely scheduled up now till April
[5] 27th, and we will -- we already have a petition
[6] for May, and it's a zoning. So that's crystal
[7] clear. It's going to go to the Planning
[8] Commission and the Council.
[9] **COUNCILMEMBER FLEMING:** Okay.
[10] **ATTORNEY WEED:** As long as they've got
[11] -- have they had meetings on everything that's
[12] in the pipeline that would be heard?
[13] **MR. HAEBERLIN:** No, sir.
[14] **ATTORNEY WEED:** That's what I want to
[15] get to.
[16] **COUNCILMEMBER FLEMING:** Mr. Crawford --
[17] **MR. CRAWFORD:** We have a meeting
[18] scheduled for the variance but it's not for
[19] every item within our body.
[20] **MR. HAEBERLIN:** Let me clarify, I
[21] think, for Murray. We did receive a variance
[22] which I tentatively scheduled for April 9th in
[23] case you guys would adopt some legislation which
[24] would mandate that. I didn't know for certain
[25] whether I should have done that, but I did

Page 137

[1] tentatively, and you could always strike it if
[2] that's what you choose.
[3] **COUNCILMEMBER BATES:** And that would be
[4] for the Planning Commission to review the
[5] variance?
[6] **MR. HAEBERLIN:** It was a variance, yes,
[7] sir. This is the Stewart Road variance for
[8] accessory structure, and I just put it on there
[9] just in case just to be careful.
[10] **ATTORNEY WEED:** As long as there's time
[11] enough for them to hear everything in the pipe-
[12] line so as not to disturb anything that's going
[13] through right now that would come up at the next
[14] advertised hearings, that's fine with me, but --
[15] and we wouldn't have to worry about the
[16] effective date.
[17] Other than that, I'd really suggest you
[18] consider May 1 to implement the new guidelines.
[19] **COUNCILMEMBER ROCHE:** As long as we
[20] could get recommendations if they're available
[21] to us for what's already in the pipeline. I
[22] don't want to shut down and say, "No, we're not
[23] going to listen to you till May 1st."
[24] **ATTORNEY WEED:** And that's fine. There
[25] is that time crunch. If they can have a

Page 138

[1] meeting, no need to worry about the effective
[2] date.
[3] **COUNCILMEMBER FLEMING:** So as of right
[4] now, let me be crystal clear on this, there is
[5] only one item at this present time that they
[6] have not been able to review?
[7] **MR. HAEBERLIN:** Well, no, I wouldn't
[8] say that. It's that the things that were
[9] rezonings are already scheduled for them, okay,
[10] so that's a moot comment.
[11] The variance was a special situation
[12] where we didn't know how we should handle that,
[13] and, to be careful, I went ahead and scheduled
[14] it. They could always have struck it. They
[15] could say, "The attorney told us not to review
[16] this. Strike."
[17] As far as any real text amendments, I
[18] can't recall -- or can you, Attorney Weed? -- of
[19] any text amendments specifically that would be
[20] in the pipeline at this point in time.
[21] **ATTORNEY WEED:** Well, Items 19 and 20
[22] in the agenda, have they already been covered?
[23] **COUNCILMEMBER ROCHE:** You mean
[24] accessory uses and structures?
[25] **MR. HAEBERLIN:** We have not, because we

Page 139

[1] have not actually gotten accessory uses and
[2] structures through the Council at all.
[3] **ATTORNEY WEED:** I'm sorry. My 19 and
[4] 20 on the agenda I got today was Conditions on
[5] Approval of Variances and Adoption of Zoning
[6] Ordinance Update.
[7] **MR. HAEBERLIN:** Those have not been to
[8] the Planning Commission.
[9] **ATTORNEY WEED:** Okay. And as long --
[10] If you want to make it immediate, my
[11] opinion would be those items would need to go to
[12] the Planning Commission. And if you want to
[13] make it May 1, then it won't matter. And I'm
[14] okay either way.
[15] **COUNCILMEMBER FLEMING:** But these have
[16] already been advertised for April 27th.
[17] **MR. HAEBERLIN:** Yes, ma'am, for the
[18] City Council.
[19] **COUNCILMEMBER FLEMING:** For a public
[20] hearing.
[21] **MR. HAEBERLIN:** Yes, ma'am.
[22] **ATTORNEY WEED:** That's my point exact-
[23] ly.
[24] **COUNCILMEMBER FLEMING:** Mr. Crawford, a
[25] question to you, please, sir. The item for

Page 140

[1] conditional --
[2] **MR. CRAWFORD:** All the packets that I
[3] received are at home, so (inaudible).
[4] **COUNCILMEMBER FLEMING:** I'm sorry?
[5] **MR. CRAWFORD:** I said all the packets
[6] that I have received for the Planning Commission
[7] are at my house, so I don't have them in front
[8] of me.
[9] I've really received four packets; is
[10] that correct?
[11] **MR. HAEBERLIN:** About four, yeah.
[12] 19 and 20 certainly I know for a fact
[13] have not been to them because previously that
[14] would have been considered a text amendment, and
[15] if they were not reviewing text amendments, they
[16] would not have gotten anything.
[17] **MR. CRAWFORD:** But over the last three
[18] weeks, I think we got four items in the box.
[19] **MR. HAEBERLIN:** You did get four items;
[20] yes, sir.
[21] **MR. CRAWFORD:** And the May 9th meeting,
[22] we'd be able to hear three of those items. And
[23] one of those items we talked about striking? Is
[24] that right? Or all of these items?
[25] **MR. HAEBERLIN:** The April 9th meeting,

Page 141

sir.
MR. CRAWFORD: Yes, right.
MR. HAEBERLIN: If you guys are effectively now hearing variances and it was allowed, on April 9th --
MR. CRAWFORD: Well, that's what I'm saying.
MR. HAEBERLIN: -- they would hear those.
ATTORNEY WEED: And if you're now effectively hearing text amendments if this passes, same thing, which is great, but it needs to go to you.
MR. CRAWFORD: I didn't bring what was given to us with me.
COUNCILMEMBER FLEMING: That's quite all right. But do you feel that on your April 9th meeting that you have scheduled for the Planning Commission, that you will have enough time to review the items that you've already received?
MR. CRAWFORD: Prior to that meeting? The answer to that would be yes, if the Council votes tonight and votes to make it effective tonight, or if they decide to have it on May,

Page 142

then I guess only one has to be struck or all of that would be struck, Scott?
MR. HAEBERLIN: One is a rezoning, so that was always going to come to you.
MR. CRAWFORD: I thought there was one conditional use in there also if I wasn't mistaken.
MR. HAEBERLIN: I believe that it is a variance and a rezoning that's scheduled for April 9th.
MR. CRAWFORD: But wasn't one of the packages -- didn't it have a conditional use on there, the last one? I thought I saw one.
MR. HAEBERLIN: As far as I know, you guys have not received a conditional use application.
MR. CRAWFORD: I'll have to look at it again, but I thought I saw something.
COUNCILMEMBER FLEMING: I still move to make this effective today's date, March 19th, 2009, and I'm sorry that we've deliberated on it for so long.
MR. CRAWFORD: Ms. Fleming, is that it? Is that all you need me for?
COUNCILMEMBER FLEMING: Yes. Thank you

Page 143

very much.
COUNCILMEMBER ALEXANDER: So we will make sure that they get their packets.
ATTORNEY WEED: As long as we get the information and have a meeting between now and then, I'm find with that. Making it effective immediately is fine. I just want to make sure that that happens or else the ads we ran won't mean anything.
MR. CRAWFORD: Well, the meeting's been advertised for the 9th.
MR. HAEBERLIN: I think they're fine, because, as you're aware, their actual advertisements --
MR. CRAWFORD: They don't have to be advertised at all.
MR. HAEBERLIN: Yes. It's not a binding situation. It's just basically informing of a meeting.
COUNCILMEMBER BATES: But if this passes tonight, effective tonight, we need to add those two items, 19 --
ATTORNEY WEED: That's correct.
COUNCILMEMBER BATES: -- and 20 to --
MR. HAEBERLIN: Absolutely, absolutely.

Page 144

ATTORNEY WEED: They have to go before them.
MR. CRAWFORD: Murray, can I ask you a question?
ATTORNEY WEED: Sure.
It's up to them.
MR. CRAWFORD: If we don't have to advertise, why spend the money advertising in a Champion notice?
ATTORNEY WEED: I understand your concern. I think Mr. Haeberlin comes from a background where he likes to play it safe. He's very cautious about these things and he likes to advertise those meetings. Legally, it's not required, and I'm ambivalent on it although I don't disagree with the Planner -- better safe than sorry.
MR. HAEBERLIN: It's really based on advice from your co-counsel, Dana Maine. She felt it was a safety factor, and I don't have a problem with that. I know sometimes Murray and her have disagreements on process, but I didn't have a problem with doing it, and I had been doing it just as a safety factor.
ATTORNEY WEED: Those items are

Page 145

[1] covered. I'm happy.
[2] **COUNCILMEMBER BATES:** We have a motion
[3] and a second; right?
[4] **COUNCILMEMBER FLEMING:** Yes, we do.
[5] **CLERK BLACKMON:** We have a motion and a
[6] second.
[7] **MAYOR JENKINS:** Anymore discussion?
[8] **COUNCILMEMBER FLEMING:** I just want to
[9] thank Bob Roche for getting all of this started.
[10] He was the eyes and ears to at least put it on
[11] the agenda originally. And it was something
[12] that was necessary, so I appreciate your
[13] forwardness.
[14] **COUNCILMEMBER ROCHE:** Thank you. I
[15] appreciate Councilwoman Fleming for handing it
[16] off and then she got it finished.
[17] **MAYOR JENKINS:** Okay. We're at our
[18] two-and-half mark. What do we do?
[19] **COUNCILMEMBER FLEMING:** We're voting.
[20] **MAYOR JENKINS:** Ma'am?
[21] **COUNCILMEMBER FLEMING:** Are we voting?
[22] **CLERK BLACKMON:** We need to vote on
[23] this motion.
[24] **MR. ANDERSON:** Vote on the motion.
[25] **MAYOR JENKINS:** Yes. Okay. No more

Page 146

[1] discussion?
[2] - - -
[3] (No response)
[4] - - -
[5] **MAYOR JENKINS:** Call the roll, please.
[6] **CLERK BLACKMON:** Councilmember
[7] Alexander?
[8] **COUNCILMEMBER ALEXANDER:** Yes.
[9] **CLERK BLACKMON:** Councilmember Bates?
[10] **COUNCILMEMBER BATES:** Yes.
[11] **CLERK BLACKMON:** Councilmember Fleming?
[12] **COUNCILMEMBER FLEMING:** Yes.
[13] **CLERK BLACKMON:** Councilmember Pittman?
[14] **COUNCILMEMBER PITTMAN:** Yes.
[15] **CLERK BLACKMON:** Councilmember Roche?
[16] **COUNCILMEMBER ROCHE:** Yes.
[17] **CLERK BLACKMON:** Councilmember
[18] Spangler?
[19] **COUNCILMEMBER SPANGLER:** Yes.
[20] **COUNCILMEMBER BATES:** Before we move
[21] on, there are two items that are germane to this
[22] that will be discussed now Monday night, and
[23] that is to modify Zoning 1402, which is
[24] variances, and 1603, which is zonings. The
[25] language simply states that the Mayor, City

Page 147

[1] Council and appointed bodies will hear and make
[2] recommendations on those versus just the Mayor
[3] and Council and adhere to the criteria for
[4] variances and zonings. So those will be
[5] considered Monday.
[6] **MAYOR JENKINS:** Monday.
[7] **COUNCILMEMBER BATES:** Yes, sir.
[8] **COUNCILMEMBER ALEXANDER:** Mr. Weed, in
[9] 402 in definitions of family, it could just be
[10] my not seeing it, but I didn't see grandparents
[11] addressed, and some families, extended families,
[12] have grandparents residing with them.
[13] **ATTORNEY WEED:** Well, we can certainly
[14] include grandparents if it's not included.
[15] Let's see. No, grandparents are not
[16] included currently in the Council committee's
[17] version of this ordinance, and I'm happy to
[18] include it if they want it in there.
[19] **COUNCILMEMBER ROCHE:** I'm sorry. I
[20] thought we were getting rid of the whole
[21] definition of family. How can we --
[22] **ATTORNEY WEED:** Well, you can ask the
[23] committee about that. If you pass the occupancy
[24] ordinance, it won't be relevant very much
[25] anymore.

Page 148

[1] **COUNCILMEMBER ROCHE:** Right. I just
[2] don't know that we can be in the business of
[3] defining what a family is.
[4] **ATTORNEY WEED:** Right now, the
[5] definition continues to expand to include every-
[6] body, anyway --
[7] **COUNCILMEMBER ROCHE:** Right.
[8] **ATTORNEY WEED:** -- so it won't matter.
[9] And that's fine. That's up to the Council.
[10] **COUNCILMEMBER ROCHE:** I mean my cat.
[11] What about my cat, you know?
[12] **ATTORNEY WEED:** Right now, they have to
[13] be human beings.
[14] **COUNCILMEMBER FLEMING:** But these two
[15] particular ordinances that Mr. Bates was
[16] referring to was the balance of the portion of
[17] the PC ordinance that came to us two months ago,
[18] and so we were just also overseeing that portion
[19] for Monday night's meeting. So if the dwelling
[20] ordinance is going to handle it, we still needed
[21] to address it for Monday night's meeting,
[22] though.
[23] **COUNCILMEMBER BATES:** Yes. And we can
[24] discuss that and vote on it Monday night.
[25] **MAYOR JENKINS:** Okay. 9 o'clock is the

Page 149

two-and-a-half hours that we voted on. What are we going to do?

COUNCILMEMBER ROCHE: I think we should at least get through the next item because it's probably going to involve or may involve an Executive Session.

COUNCILMEMBER SPANGLER: Well, let's go ahead and give the citizens their chance for comments, and the Police Department's comments, and then if we need to move on.

The majority vote was for the meeting to end at 9 o'clock and for the Police Department, the attorney comments and the citizens' comments to go into effect. I think we should let those happen before we do anything else, and we can conclude the meeting at 9:30 if we have time to do whatever else we can do but I don't want to take away the time from our citizens.

CLERK BLACKMON: Just a reminder, we did start at 6:30 and not 7:00 tonight.

ATTORNEY WEED: You can always --

CLERK BLACKMON: I wanted to put --

ATTORNEY WEED: -- make a motion.

CLERK BLACKMON: -- that out there

Page 150

because of what was passed.

ATTORNEY WEED: And you can always make a motion to expand the meeting and continue on.

COUNCILMEMBER ROCHE: I guess when we passed that, I was thinking that would start with the next meeting.

ATTORNEY WEED: It could have if you'd put that in there, but you didn't, so --

COUNCILMEMBER FLEMING: We're wasting time.

COUNCILMEMBER ROCHE: Okay, so --

ATTORNEY WEED: In my opinion, if you want to continue on the agenda, you need a motion and a second to continue the meeting for however long you'd like to continue it.

COUNCILMEMBER ROCHE: Well, I make a motion that we continue the agenda.

COUNCILMEMBER FLEMING: The meeting.

COUNCILMEMBER ROCHE: The meeting. Sorry.

MAYOR JENKINS: Do we get a second?

COUNCILMEMBER FLEMING: Are you going to put a time on it?

COUNCILMEMBER ROCHE: Not yet.

COUNCILMEMBER FLEMING: Second.

Page 151

MAYOR JENKINS: Anymore comments?

COUNCILMEMBER ALEXANDER: Are we going to go into the comments section right now for the citizens? Is that going to be our next agenda item?

COUNCILMEMBER ROCHE: Well, again, I think that agenda Item No. 14 has been delayed, and delayed and delayed and I think that's something we need to take up tonight.

COUNCILMEMBER ALEXANDER: I wasn't saying it wasn't, but I didn't know if all the residents wanted to stick around for that. That's why I was asking.

COUNCILMEMBER SPANGLER: If we're going to go into an Executive Session, I feel like Ms. Alexander. I think the citizens should have their opportunity. Since they haven't been able to voice any opinions for the last couple meetings, they should have the opportunity to do so tonight.

COUNCILMEMBER ROCHE: Let me withdraw that motion.

I'll make a motion that we go through Items 21, which is Police Department comments; 22, Attorney Comments except for anything that

Page 152

the attorney may have that's going to go into Executive Session; 23, which is Doraville Citizen Comments; and then once we do that, we return to Agenda Item 14.

COUNCILMEMBER SPANGLER: I'll go with that.

ATTORNEY WEED: I'm not trying to make this difficult. Your first motion was good. The first thing you've got to do is expand the meeting. You've got a motion and second to expand the meeting. Then you can have another motion to rotate the agenda however you want to.

So I would actually go back if I were you and go back to your first motion, have a second, vote on that. And after that, you can spend the evening and you can rotate the agenda however which way you want to.

COUNCILMEMBER ROCHE: Okay. Well, I withdraw the first motion --

ATTORNEY WEED: You did.

COUNCILMEMBER ROCHE: -- and meant to expand the meeting, and this is what we're going to do.

Is that okay?

ATTORNEY WEED: So you've got a motion

Page 153

for an expansion of the meeting, and included in that was the agenda you put forward; correct?
COUNCILMEMBER ROCHE: Right.
ATTORNEY WEED: Okay.
MAYOR JENKINS: Did I get a second?
COUNCILMEMBER FLEMING: Yes, sir. I made the second.
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: All right. We're going to just move on with the agenda? Is that what you want?

Page 154

COUNCILMEMBER ROCHE: No. We're going to do 21, 22 and 23, and then we'll go back to 14.
COUNCILMEMBER FLEMING: May I ask a question first? Mr. Weed --
ATTORNEY WEED: Yes, ma'am.
COUNCILMEMBER FLEMING: -- regarding this agenda that we're looking at right now --
ATTORNEY WEED: Yes, ma'am.
COUNCILMEMBER FLEMING: -- how many items do we need to address that are yours?
ATTORNEY WEED: The John's Creek and the Resolution for Service Delivery Strategy are of very high importance. And then of course the need to have essentially a first reading on 19 and 20. And because you can't vote on it tonight, that's just a matter of form.
So the two important ones for me are 16 and 17, and I have no attorney comments.
COUNCILMEMBER FLEMING: What about the petroleum --
COUNCILMEMBER ALEXANDER: You mean 17 and 18.
ATTORNEY WEED: 17 and 18.
The petroleum and propane can continue

Page 155

to wait as far as I'm concerned.
COUNCILMEMBER FLEMING: Mr. Haeberlin, is 19 and 20 okay with you if we don't get to it?
MR. HAEBERLIN: I would like to have further directions so that when I get these items to the Planning Commission, I would certainly like to have some direction from you on that if you have a little time for that.
ATTORNEY WEED: They are mostly house-keeping items, and the main purpose they're on the agenda at all is because the ads have been run, but you have to have a first reading some-time --
MR. HAEBERLIN: Yes, sir.
ATTORNEY WEED: -- between now and when they actually have a hearing.
COUNCILMEMBER BATES: But we're got a meeting on April the 6th which is prior to the PC meeting.
ATTORNEY WEED: That would be fine if they make it to that agenda.
COUNCILMEMBER FLEMING: And you indicated that you had no attorney comments --
ATTORNEY WEED: No, ma'am.

Page 156

COUNCILMEMBER FLEMING: -- other than those two items?
ATTORNEY WEED: No, ma'am, I have no comments.
COUNCILMEMBER FLEMING: I would like --
MAYOR JENKINS: Do you not have anything to go into Executive Session?
ATTORNEY WEED: I have two items for Executive Session.
MAYOR JENKINS: Well, why can't we combine that with the personnel issue with Luke Howe?
ATTORNEY WEED: You could. That would be fine.
MAYOR JENKINS: One thing we need to get passed is this Service Delivery Strategy because that's due next week.
ATTORNEY WEED: Yes, sir.
MAYOR JENKINS: That's No. 18.
COUNCILMEMBER FLEMING: I would like to move Agenda Item No. 14 below 23, please.
MAYOR JENKINS: Below 23. Well, we thought we might pull it in with his other items.
COUNCILMEMBER ROCHE: That's what of

Page 157

what we were saying, anyway.
COUNCILMEMBER FLEMING: Well, I thought that the citizen comments should be able to be voiced first before I took that item.
MAYOR JENKINS: Very good.
COUNCILMEMBER ROCHE: Yeah. I think that's what we decided.
MAYOR JENKINS: Yes.
COUNCILMEMBER FLEMING: Yes, sir.
MAYOR JENKINS: Where are we, Murray?
ATTORNEY WEED: Well, as I understand it, the agenda as it reads now, we completed Item 13. The next item would be 21. And if Councilman Fleming's motion passes, then the agenda would read Item 21, 22, 23, 14, then back to 15, 16, 17, 18, 19 and 20, then 24.
COUNCILMEMBER FLEMING: No.
ATTORNEY WEED: Okay; unless you wanted to take some items off, which I --
MAYOR JENKINS: Number 14 will go below you.
COUNCILMEMBER FLEMING: 14 is the bottom.
COUNCILMEMBER ROCHE: After citizen comments.

Page 158

COUNCILMEMBER FLEMING: 14's last.
COUNCILMEMBER SPANGLER: And 24 is going to be at 9:30.
COUNCILMEMBER PITTMAN: We need --
COUNCILMEMBER ROCHE: The motion that I made basically said we were going to do Police Department Comments, the Attorney Comments, the three comments, and then go back to Number 14.
ATTORNEY WEED: That's my understanding.
COUNCILMEMBER ROCHE: And that's what we passed, and I think that's what we should do and maybe get on with it.
COUNCILMEMBER ALEXANDER: But, then, 18 has to be handled.
CLERK BLACKMON: And so does John's Creek. John's Creek and the Delivery Strategy have got to be passed.
COUNCILMEMBER ROCHE: Or not.
CLERK BLACKMON: Or not. They need to be voted on.
COUNCILMEMBER ROCHE: Okay. Well, Police Department comments.
CAPTAIN BRINKLEY: There are no comments for the Police Department.

Page 159

MAYOR JENKINS: Thank you.
ATTORNEY WEED: No comments from the attorney.
MAYOR JENKINS: Okay. None from the attorney.
Now let me see. We're going to get citizens' comments now.
COUNCILMEMBER ROCHE: Right.
COUNCILMEMBER BATES: Yes, sir.
MAYOR JENKINS: Citizens' comments. Come on up.
MS. BIRD: Kay Bird.
I'm glad to see more openness in talking to Mr. Bart in more specific terms. I feel like some progress is being made. And I'm hoping that you begin to see it more as an investment in the community, not just working out the dollars and cents.
After what Councilman Bates presented about us spending $240,000 to Dekalb and basically getting nothing back, that we know of anyway, Mr. Bart's proposal looks like a really good deal in terms of bringing potential new business to Doraville in a really positive way. So I'm feeling like the risk to us with Mr. Bart

Page 160

is very minimal, and even if he doesn't go beyond a year or so, we'll still have a break-even point compared to this 240 thousand. That was such a shock.
One of the things I'm curious about, I think you mentioned the Shriners. Whatever happened to that? Why was that stopped? That seems like that's another thing that brought a lot of business and attention to Doraville that just disappeared.
MAYOR JENKINS: The Council voted to stop that. Something to do with the City could not sponsor those particular type of items.
Can you answer that?
MR. LOWE: It was a legality problem according to the City Attorney then. I don't remember exactly what it was but it was a legal problem.
MS. KOONTZ: Using taxpayer money for donation to a charity type of thing, whether or not you want to agree with it or not, but that was the legal reason.
MS. BIRD: That the City was considered making a donation to them --
MS. KOONTZ: Donation to charity.

Page 161

MS. BIRD: -- by providing a place for them to come?

MS. FRAYSSE: And security and maintenance.

MS. BIRD: That kind of thing? Okay.

So other towns vote to accept that. In this case, it was voted not to. Yeah, must be, because they've been around a long time. I know that they show up in Helen the week I'm up there with my family, so --

And I know that a lot of the people who rent up there, condos, et cetera, aren't extremely happy about it but the businesses sure do like having it, which is an area I think we need to look at expanding some more.

One quick question. The length of the meetings, does that apply to the work sessions that are alternating between the meetings or --

COUNCILMEMBER SPANGLER: We didn't agree to that.

MAYOR JENKINS: We don't have work sessions.

MS. BIRD: All right. Thank you.

MAYOR JENKINS: Bonita?

MS. HOFFMEISTER: Bonita Hoffmeister,

Page 162

Oakcliff.

Honorable Mayor and City Councillors, I appreciate the hard work you have done on the ordinances. They have been improved.

I have one question. Several months ago, we had an open hearing, a work session, on the M2-P proposal. The whole galley was in favor of it, the businessmen understood what was going on and were in favor of it, yet nothing has happened. And I would like to know when we can expect some action on it, or do you just hope this will go away? Anybody have any --

MAYOR JENKINS: I couldn't hear you. I'm sorry.

COUNCILMEMBER FLEMING: If I'm not mistaken, though I will have to go back to the minutes, the motion died for lack of a second, because I believe I made the motion. I would have to go back to the minutes, Ms. Hoffmeister, to determine that it did die for lack of a second.

MS. HOFFMEISTER: So --

COUNCILMEMBER FLEMING: So that's not being reconsidered at this time.

MS. HOFFMEISTER: Okay, because it was

Page 163

a very good effort on Stuart's part, the whole galley was in favor of something like this, it would protect this area, and it should be considered.

COUNCILMEMBER FLEMING: Thank you.

MS. KOONTZ: I'll be real quick.

I want to thank Brian for finding that it sounds like the City's been giving a bunch of money to Dekalb County or somebody for advertising Doraville and we haven't been getting anything for it. I think that the City needs to try to promote the good stuff like Doraville Days and stuff.

And I mean this is a little thing, but the other night when I was at the meeting when we were in there for three hours and I was kind of bored, I was walking around out in the lobby looking around, and the little brochures out there are like two years old. They're like for the programs that Doraville was doing in 2007. And so if somebody was up here looking for what's going on in Doraville, that kind of looks bad. I mean that's a simple little thing, but you might want to like update the stuff you got in your own lobby about that people can do here.

Page 164

Anyway, thanks, Brian, for looking into that.

MR. ANDERSON: I've made this request before. Last night, I missed a meeting -- not like I need to miss any of your meetings, but I would like it if the people that are signed up for the Web site would receive e-mails letting them know when there are meetings. We still aren't doing that.

Thank you.

MAYOR JENKINS: Anybody else?

MR. HART: This is sort of a personal message or a personal problem. In building a small driveway in the city on a commercial piece of property, I found that in conformity to Doraville's Byzantine zoning ordinances, that I can't find any six pages that agree with each other. And we're doing things like you can't have it within 25 feet, and then the next page it says you got to have it within 20 -- within 5 feet. Some things, Dekalb County is supposed to issue it, and then the next page it says Doraville is going to issue the permits.

And hold on things for 35 days, and then they have these marks all over the page and

Page 165

it says you have to see the zoning ordinance. So I come up here and it says -- and I looked on the Web site. You know, you think of this Web site. Every other city in the state, Sandy Springs, everybody, has the zoning ordinance on the Web site. Well, lo and behold, no. So you have to come back here and spend another 51 bucks and wait three days to get a copy of the zoning ordinance to figure out what the heck they scribbled all over the plans. And so no wonder it takes somebody 60 to 90 days to do something here. It's because nobody seems to know what the heck they're doing here, you know.

And so why isn't this on the Web site? Why do people have to pay for this? I'm over at GDOT and some 500-foot deal that they -- you go talk to them, and they have no idea what you're talking about.

And they want sanitary drainage underneath your dumpsters. Well, Dekalb County will kill you if you put a sanitary drain under the dumpster because they don't motor oil in their sanitary sewer system.

So Doraville needs to talk to other people like the State of Georgia and maybe

Page 166

Dekalb County and get on the same page together before you pass any zoning ordinance. And could we please put the zoning ordinances on the Web site like the rest of the country?

Thank you.

- - -

(Applause)

- - -

MAYOR JENKINS: Anybody else?

- - -

(No response)

- - -

MAYOR JENKINS: We changed it. Which was the next item we changed? I'm a little confused.

COUNCILMEMBER FLEMING: 17, sir, I believe should be next unless we need to make a motion for it.

COUNCILMEMBER ROCHE: Well, we have to make a motion because right now 14 would be next.

ATTORNEY WEED: My understanding is 14 is next.

MAYOR JENKINS: Pam?

COUNCILMEMBER FLEMING: I'd like, to

Page 167

make a motion to move 14, Agenda Item 14, to the very last item of this evening before adjournment no matter what number that falls in.

MAYOR JENKINS: Do I get a second?

COUNCILMEMBER ROCHE: So you mean we're going --

COUNCILMEMBER FLEMING: I thought --

COUNCILMEMBER ROCHE: -- to stay here and do 14 even if it's later.

COUNCILMEMBER FLEMING: We've got until 9:30, Bob. As I understand it, we've got until 9:30 to try to do John's Creek, Resolution, Adoptions and -- Conditions and Adoptions. Those are four things we need to try to get done, and Mr. Weed says he's got two things to go into Executive Session about. So I'd like to try to get some of these things off of this agenda.

MAYOR JENKINS: You voted to extend the meeting. What do you do?

ATTORNEY WEED: You can continue to extend the meeting. Mr. Spangler may kill me, but yes, you can.

MAYOR JENKINS: I thought we already did.

Page 168

ATTORNEY WEED: And you can keep doing it if you need to. Right now, the expansion is until whenever you finish the agenda because you didn't set a time frame.

COUNCILMEMBER FLEMING: I don't really believe the motion that Mr. Roche made included a time.

ATTORNEY WEED: I don't think so, either --

COUNCILMEMBER ROCHE: It didn't.

ATTORNEY WEED: -- so you can keep going.

COUNCILMEMBER ROCHE: That's fine.

COUNCILMEMBER FLEMING: So I would like us to take care of 17, 18, 19 and 20.

COUNCILMEMBER SPANGLER: Mr. Spangler would never threaten to harm you, Mr. Weed.

ATTORNEY WEED: Thank you, Mr. Spangler. I appreciate that.

COUNCILMEMBER FLEMING: Motion.

MAYOR JENKINS: Second?

COUNCILMEMBER BATES: Second.

MAYOR JENKINS: Call the roll.

CLERK BLACKMON: Councilmember Alexander?

Page 169

COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: All right. You said 17 next?
COUNCILMEMBER FLEMING: Yes. Do the next four, please.
ATTORNEY WEED: Mr. Mayor, 17 is the John's Creek Jail Contract. The contract is in acceptable legal form. The only remaining issue is the contract that John's Creek signed is not the contract that I prepared on behalf of the City of Doraville. The important difference deals with John's Creek's refusal to include the City as a lesser included insured. Underneath their insurance policy, they said that they

Page 170

couldn't do that. And they essentially had the contract adopted where they agreed to indemnify us.

I've dealt with this issue before. In my opinion, one government can't indemnify another government, so I think that clause is meaningless. And the alternative, if you can't get insurance, would be charging a rate that would include an acceptable amount of risk. I've spent a great deal of time trying to figure out what the perfect rate would be. I don't know if someone from the Police Department wants to address this contract or not, but essentially it comes down to do you want to go ahead and sign the contract with John's Creek as prepared with that one change as compared with the version that we sent, and, you know, do you feel like the rates underneath it adequately cover the risk?

COUNCILMEMBER BATES: So just so I'm clear, if we have a John's Creek prisoner in our jail and that prisoner gets hurt, the liability is 100 percent ours.

ATTORNEY WEED: There is an indemnification provision that says that John's Creek

Page 171

would take care of the liability. However, in my opinion, based on relatively recent case law, I don't think that indemnity provision will mean anything. I would prefer to have that indemnity provision backed by a bond, backed by insurance, backed by something.

This became an issue with our other jail contract. At least with Sandy Springs, they are a GIRMA city, too, and therefore we all came to the agreement that we're both covered by the same insurance company; it wouldn't matter one way or the other.

John's Creek is not a GIRMA city; therefore, I think this is an important issue. However, on the flip site, if you think the rates adequately cover the risk, then it's still a good deal, and you have to make that determination as a council.

And I don't know if there is anybody from the PD who can address that issue or not.

COUNCILMEMBER FLEMING: Well, I had a lot of issues with this particular contract. Number one, I wanted to find out who solicited who. Did John's Creek come to the City of Doraville to ask for our services or did

Page 172

Doraville go to John's Creek to solicit their business? Does anybody know?

_ _ _

(No response)

- - -

COUNCILMEMBER FLEMING: No. Okay.

All right. With that said, in item number 3 it says that we agree to accept and process through it's normal booking procedures, we're going to fingerprint them, photograph them, enter the arrest data through the Georgia Crime Center; and we're also going to take in Georgia State Patrol as John's Creek prisoners, those persons committed by John's Creek, Georgia State Patrol for violations. So we're accepting in for John's Creek, Georgia State Patrol violators as well?

ATTORNEY WEED: (Nods head)

COUNCILMEMBER FLEMING: Okay. With that being said, officers --

So we're giving them permission to -- also the Georgia State Patrol to use our Intoxilyzer 5000 services. We are going to house them and provide them with two meals per day. Doesn't say number per period. It doesn't

Page 173

[1] give us a time factor. It just says two meals
[2] per day. So if they were here for four hours,
[3] do we give them two meals? I don't know.
[4] We're supposed to release prisoners
[5] only to enforcement officers of John's Creek.
[6] We're supposed to utilize the bond schedule set
[7] out by John's Creek Municipal Court.
[8] **MAYOR JENKINS:** Murray, what is the
[9] difference in this contract and the contract we
[10] have with the other cities?
[11] **ATTORNEY WEED:** None. Generally, none.
[12] The only remaining difference now -- actually, I
[13] don't know that there are any differences.
[14] **COUNCILMEMBER SPANGLER:** Well, the
[15] difference is the other city we have the
[16] contract with is GIRMA --
[17] **ATTORNEY WEED:** That's the --
[18] **COUNCILMEMBER SPANGLER:** -- insurance.
[19] **ATTORNEY WEED:** I mean the primary
[20] differences in the wording of the contract is
[21] the insurance, which has always been my concern.
[22] But once again, the amount that we're
[23] being paid may adequately cover the risk. And
[24] you also have to bear in mind that if we don't
[25] take their prisoners, you know, that will be a

Page 174

[1] loss of income. But those are decisions of the
[2] Council, not me.
[3] All I can tell you is that, you know,
[4] the indemnification clause here I don't think
[5] adequately -- it's not effective. That doesn't
[6] mean to say that what they're paying us wouldn't
[7] otherwise, you know, cover the risk.
[8] **COUNCILMEMBER SPANGLER:** I believe we
[9] had asked for. I'm sorry, Ms. Fleming. Go
[10] ahead.
[11] **COUNCILMEMBER FLEMING:** I was still
[12] talking and we were out of order when I was
[13] interrupted.
[14] Doraville shall provide John's Creek
[15] prisoner transportation to and from medical
[16] facilities, we're going to provide them first
[17] hearings regulated by the State and Federal law,
[18] and we're only going to charge them $50.00 a
[19] day.
[20] Now, if they're only here for four
[21] hours, in increments of four hours, we only
[22] charge them $8.33, and we're going to give them
[23] -- let's see; what was that? -- two meals, and
[24] we're going to fingerprint them and photograph
[25] them and we're going to provide transportation

Page 175

[1] for them, and --
[2] **UNIDENTIFIED SPEAKER:** Processing.
[3] **COUNCILMEMBER FLEMING:** -- and they're
[4] not going to be willing to indemnify us on their
[5] medical insurance.
[6] **ATTORNEY WEED:** They're willing to
[7] enter into their version of their indemnifica-
[8] tion clause, which means that they would hold us
[9] harmless. But once again, in my opinion, they
[10] will not include us as a lesser included insured
[11] in the same way that they would be covered by
[12] their insurance. And I think that's important.
[13] Or we have a rate that would adequately cover
[14] the risk. And once again, the Chief isn't here.
[15] I don't know if anybody else with PD wants to or
[16] is prepared to talk about it.
[17] So that's the question. Does the price
[18] adequately cover the risk and do you want to
[19] proceed on? Can you afford to let this contract
[20] go? Do you want me to counteroffer and tell
[21] them that even though you voted on the John's
[22] Creek, we have to insist upon some sort of
[23] insurance, which they've already refused to do?
[24] **COUNCILMEMBER FLEMING:** Well, also
[25] keeping in mind that $8.33 per four hours, not

Page 176

[1] per hour but per four hours, the amount of time
[2] that it took our jail personnel to book that
[3] person for John's Creek took greater than $8.33.
[4] And also continuing on in this
[5] contract, it states that they will use the
[6] standard set -- excuse me -- CPI, which is the
[7] commercial -- I'm sorry, the --
[8] **ATTORNEY WEED:** Consumer Price Index.
[9] **COUNCILMEMBER FLEMING:** -- percentage,
[10] right, Consumer Price Index from 1982.
[11] So I don't mind if somebody wants to
[12] defer this until Chief King or Deputy Chief
[13] Atkinson is here, but I'm not in favor of this
[14] contract at all.
[15] **COUNCILMEMBER ROCHE:** There was an
[16] article in the AJC recently. They did an audit
[17] on the Atlanta jails, and I think they're
[18] charging $68.00 a day, and they audited the
[19] books and discovered that they were actually
[20] running it at a loss.
[21] I have repeatedly asked that we account
[22] for the jail stuff separately so we find out if
[23] we're making any money off this or if we're not.
[24] I mean it looks like we get $8.33 to book
[25] someone in, we go through all the trouble, then

Page 177

[1] someone comes and bails them out within four
[2] hours, we get $8.33. And maybe we've fed them,
[3] maybe we haven't. We're over budget I think on
[4] our prison meals.
[5] You know, earlier in this meeting, we,
[6] rightly so, told someone who had come with a
[7] proposal that, you know, you have to show us
[8] that you can show a profit; you have to show us
[9] that it's going to be in our financial best
[10] interest to do something. And we're asking for
[11] real money, and we're saying we want to see your
[12] money and we want to see what your expected
[13] expenses are and we want to see that you've got
[14] the money in the bank to cover those expenses
[15] for a while. But yet, we're going to turn
[16] around and say, well, we don't care what it
[17] costs us, we have no idea what it costs us;
[18] we're just going to go ahead and -- you know. I
[19] mean it looks like a sweet deal if you happen to
[20] be Sandy Springs.
[21] **MAYOR JENKINS:** Pam, why don't you
[22] table it until we can talk to John about it or
[23] Chuck Atkinson?
[24] **COUNCILMEMBER FLEMING:** I make a motion
[25] to defer this agenda item until April the 6th.

Page 178

[1] **COUNCILMEMBER BATES:** Second.
[2] **MAYOR JENKINS:** Anymore discussion?
[3] **COUNCILMEMBER ALEXANDER:** Yes, sir.
[4] Ms. Blackmon, there is a separate line
[5] item in the budget for some other income from
[6] John's Creek for GCIC fees. I'd like to know if
[7] that is in addition to this contract.
[8] **CLERK BLACKMON:** I'll look that up
[9] tomorrow.
[10] **COUNCILMEMBER ALEXANDER:** Thank you.
[11] Yes, sir.
[12] **CAPTAIN BRINKLEY:** I can answer that if
[13] you'd like me to.
[14] **COUNCILMEMBER ALEXANDER:** Yes.
[15] **CAPTAIN BRINKLEY:** In addition to the
[16] jail contracts, we also have I believe it's
[17] $1600 a month that we charge John's Creek's
[18] Police Department to enter their wanted and
[19] criminal warrants. In addition, we also have a
[20] contract to enter the court's warrants as well.
[21] So those are two contracts in addition to the
[22] jail contracts.
[23] **COUNCILMEMBER SPANGLER:** What was that
[24] amount of money, Captain Brinkley?
[25] **CAPTAIN BRINKLEY:** Pardon me?

Page 179

[1] **COUNCILMEMBER SPANGLER:** What was the
[2] amount of money you said? Sixteen hundred?
[3] **CAPTAIN BRINKLEY:** $1600 a month per
[4] contract, so each.
[5] **COUNCILMEMBER FLEMING:** And you may not
[6] know this, but would you have any idea how many
[7] prisoners have been booked or the court's --
[8] whatever you were just referring to? In regards
[9] to the contract, it's a flat $1600 fee. It's
[10] not a per booking or --
[11] **COUNCILMEMBER BATES:** Number of records
[12] entered.
[13] **COUNCILMEMBER FLEMING:** -- number of
[14] records entered?
[15] **CAPTAIN BRINKLEY:** No. It's just a
[16] flat contract at this time.
[17] **COUNCILMEMBER BATES:** I guess Ms.
[18] Fleming is asking -- and correct me if I'm wrong
[19] -- any idea on how many records are we actually
[20] processing for John's Creek for their courts or
[21] for their warrants?
[22] **CAPTAIN BRINKLEY:** An actual number, I
[23] don't have, but I will be glad to get it to you
[24] tomorrow. I can give you exact numbers as to
[25] how many documents we've entered in the GCIC.

Page 180

[1] **COUNCILMEMBER FLEMING:** So that would
[2] be for the warrants as well as their court docu-
[3] ments or whatever you were referring to?
[4] **CAPTAIN BRINKLEY:** That's correct.
[5] **COUNCILMEMBER FLEMING:** All right.
[6] Yes, please, if you wouldn't mind.
[7] **CAPTAIN BRINKLEY:** I will get them to
[8] you --
[9] **COUNCILMEMBER FLEMING:** Thank you.
[10] **CAPTAIN BRINKLEY:** -- for tomorrow.
[11] **COUNCILMEMBER FLEMING:** Thank you.
[12] **COUNCILMEMBER BATES:** Thank you,
[13] Captain.
[14] **COUNCILMEMBER ROCHE:** Thank you, sir.
[15] **MAYOR JENKINS:** Call the roll.
[16] **CLERK BLACKMON:** Councilmember
[17] Alexander?
[18] **COUNCILMEMBER ALEXANDER:** Yes.
[19] **CLERK BLACKMON:** Councilmember Bates?
[20] **COUNCILMEMBER BATES:** Yes.
[21] **CLERK BLACKMON:** Councilmember Fleming?
[22] **COUNCILMEMBER FLEMING:** Yes.
[23] **CLERK BLACKMON:** Councilmember Pittman?
[24] **COUNCILMEMBER PITTMAN:** Yes.
[25] **CLERK BLACKMON:** Councilmember Roche?

Page 181

COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: Number 18?
ATTORNEY WEED: As the Council is aware, we've been contacted by Cedric Hudson who represents Dekalb County, and they have forwarded to us a form extension underneath the Service Delivery Strategy, a resolution pursuant to State law to continue on with the status quo essentially for a designated time period to maintain our current Service Delivery Strategy with Dekalb County.

If we don't adopt the resolution this month, then underneath the statute, there's a lot of hoops we'd have to jump through with regard to what exactly has changed and reporting in on what services and then what delivery of those services is different than what was in the schedule that was attached to the resolution.

My position on this, I am well aware of the fact that the City is actively engaged in negotiations with Dekalb County as to double taxation issues. I have modified the form

Page 182

resolution which was submitted to us, to add language that clearly indicated that by adopting the resolution we were in no way waiving any suit or other complaint or concern regarding double taxation or duplicative service charge.

It is my understanding that parallel to these resolutions, Mayor Peet of Stone Mountain had put forward a letter and a sample resolution which he was hoping that the various cities in Dekalb County would sign that changed the date of the resolution to a different extension, a shorter period of time. That was discussed at a meeting that apparently occurred in early March.

And so along with that information, between the two resolutions, it's up to the Council to decide if they want to adopt one resolution or the other or no resolution at all.

I would suggest you adopt some form of resolution, however, because if you don't, it will trigger the statutory compliance rules about having to submit what all the changes were, and I don't think we're quite prepared to do that yet. One resolution or the other will give us an extension, essentially.

MAYOR JENKINS: We also need that

Page 183

extension to negotiate with them on the Tax Allocation Districts. All the Mayors are working with the CEO on that, and that's in the works as we speak. I don't know when the next meeting will be, but it's up the County now if they want to meet with us and negotiate that.

We're further along on your double taxation than we ever have been. You know, we're trying, trying, trying, trying to get some of that money where the unincorporated County gets the services and we pay for them actually.

COUNCILMEMBER BATES: Mr. Weed, if we adopt the resolution that was proposed by Mayor Peet, there is one item, Item 1, that says, "The municipalities will submit to the County no later than May 20, 2009, a proposal."

Are we binding ourselves to that, or if the date changes, would we need to adopt a second resolution?

ATTORNEY WEED: The answer to both those questions is yes.

COUNCILMEMBER BATES: Do we know if any other municipalities have adopted the proposed resolution?

ATTORNEY WEED: I have not been

Page 184

informed of that.

COUNCILMEMBER BATES: We can always -- I'm sorry, Mr. Mayor.

MAYOR JENKINS: No, no. I don't know. They didn't bring that up today, but I think some of them have already done the resolution, but I can't swear to it.

COUNCILMEMBER BATES: We can adopt the proposed resolution from you, and at a later time, if we need to, adopt the second resolution that's been proposed by Mayor Peet. If we did that, would they be in conflict with each other?

ATTORNEY WEED: Yes, the extension dates would be in conflict. But then the rules of resolutions would apply, which would be, you know, the general rules are: what is later in time supersedes what is former, what is more specific supersedes what is vaguer; you know, if you can harmonize something, you can; if there's a direct conflict and you can't harmonize, you go back to the first two rules.

COUNCILMEMBER BATES: I will make a motion that we adopt the resolution as prepared by Mr. Weed.

COUNCILMEMBER ROCHE: I'll second it.

Page 185

MAYOR JENKINS: Mr. Weed or Mr. Peet, now? Is there a difference in the dates?
COUNCILMEMBER BATES: Yes.
COUNCILMEMBER SPANGLER: Yes.
COUNCILMEMBER ALEXANDER: Yes, there's a difference.
ATTORNEY WEED: There's a greater period of time for the applicability of the resolution that I've prepared. There's a much shorter time frame in the draft resolution from Mayor Peet.
But once again, that doesn't mean to say that, you know, the first resolution would be preclude adoption of the second one on a different date.
MAYOR JENKINS: Oh, okay. You mean you can adopt Mayor Peet's later --
ATTORNEY WEED: That is correct. You would have to wait --
MAYOR JENKINS: -- which will match --
ATTORNEY WEED: -- until the first one passes.
MAYOR JENKINS: -- with all the other cities.
COUNCILMEMBER ALEXANDER: I guess

Page 186

that's what my concern is, that it's my understanding that five of the seven municipalities have to agree, and that's what my concern was with us not all adopting the same one.
COUNCILMEMBER BATES: Well, I guess my concern is if the dates in their resolution -- because I don't know if these are firm dates that have been set. So I want to get confirmation from Mayor Peet that his proposed resolution to CEO Ellis, that those dates are firm and that there are other municipalities that have agreed to go by that before we jump in with both feet.
MAYOR JENKINS: Well, the Service Delivery Strategy, did we vote on it yet?
COUNCILMEMBER ALEXANDER: That's what we're working on now.
ATTORNEY WEED: No, sir.
MAYOR JENKINS: Yes, but I mean --
COUNCILMEMBER ALEXANDER: Because it has to be done by the 31st.
So as we sit, Ms. Blackmon, there's a motion, and I believe Mr. Roche seconded it?
CLERK BLACKMON: Is has a second, yes, sir.

Page 187

COUNCILMEMBER ROCHE: Yes.
MAYOR JENKINS: Okay.
COUNCILMEMBER ALEXANDER: If there is a conflict, then we could come back and adopt the same verbiage that the other required municipalities adopted.
ATTORNEY WEED: That is correct. And that would automatically repeal the prior resolution.
COUNCILMEMBER ALEXANDER: Are we going to verify with Mayor Peet prior to transmitting this document to Dekalb County?
ATTORNEY WEED: We can, certainly.
What you assigned me to do was look at the resolution and make sure that it was legal or not legal.
Parallel but completely outside of my realm, Mayor Peet, in these other meetings on the Service Delivery Strategy Act, have been occurring without my presence. I've been made aware of them because the Council has been kind enough to inform me, but I haven't been active participant nor have I been asked to.
What I can tell you is that the resolution I've prepared is a legally binding

Page 188

document and comports with the law.
With regard to what Mayor Peet is doing or not doing or what the other cities are doing, I have not been actively involved in that, haven't been asked to be, and glad to do that but haven't been asked as of yet.
COUNCILMEMBER ROCHE: I think we could just pass this for now, and if we have some compelling reason to pass the other resolution, we can always do that, but at least we're covered for now.
COUNCILMEMBER ALEXANDER: I'd like for the Mayor or staff to confirm with the other municipalities.
COUNCILMEMBER BATES: And I'll accept that as a friendly amendment, to have the Mayor or designated staff person check with other municipalities to see if they agree to the resolution.
COUNCILMEMBER ROCHE: And I'll still second that.
COUNCILMEMBER BATES: Thank you.
MAYOR JENKINS: All right. Anymore discussion?
- - -

Page 189

(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: Where are we at?
COUNCILMEMBER FLEMING: Scott. I believe it's Scott.
COUNCILMEMBER ROCHE: Number 19.
MR. HAEBERLIN: Just some comments on the conditions for a variance approval. This is setting forth kind of a sunset for variances.
If you guys would turn to the draft

Page 190

that Murray was so kind to provide you, on page 3 at the very bottom, the last sentence, it places one of the criteria as a large expenditure of funds, and I think that is rather ambiguous. I want the Council to give thought as to what is considered a large expenditure of funds. And that is on page 3 of 7, last sentence. Has everybody caught up to that page yet? Okay.
COUNCILMEMBER ROCHE: Go ahead. I'm up.
MR. HAEBERLIN: On page 4, there is some other criteria set forth. One of them is subdivision of land, and certainly subdivision of land does occur without approval by the City, but I think we should clarify subdivision of land to read subdivision of land as approved by the City of Doraville.
The third paragraph on the same page, page 4, we're talking about revoking a variance that was granted because there was not substantial progress, and we're saying that a sign is required. I was trying to get some clarification, because this is a City-initiated action, is a sign actually required on the property?

Page 191

And Attorney Weed could comment on that.
COUNCILMEMBER FLEMING: I'm sorry. Is that the requirement for rezoning?
MR. HAEBERLIN: City-initiated action. I'll let you address that.
ATTORNEY WEED: What I did was I tried to as closely as possible track the rezoning conditions ordinance. That is a requirement found in that ordinance.
COUNCILMEMBER FLEMING: That there is an additional sign to go back to the original zoning?
ATTORNEY WEED: Yes; because when you think about it, it's sort of a -- I'm not the drafter of that other ordinance but I know why they did this. What they were doing is they were playing it safe. Rather than just saying that the zoning reverts back to the original zoning, that in and of itself probably has to be done by a zoning hearing with a sign.
So that's why that was done that way, and I just tracked that language.
You know, because this dealing with sunsetting of variances, you know, you wouldn't necessarily have to put a sign up, but that's

Page 192

the origin of that language.
MR. HAEBERLIN: The same page, the paragraph that begins with "Should an applicant determine substantial progress," I think we do need to make it clear in there that this appeal would initiate a fee with the City again as a part of covering costs that we need to think about, that, you know, an applicant initiating an appeal to the Council should initiate a fee and cover costs that we've discussed at great length before.
And I believe that's it, and most of this is summarized by the e-mail transaction page that I gave you.
If we're ready to go on to the next item --
MAYOR JENKINS: Yes.
MR. HAEBERLIN: -- because we still have April 6th to talk about these.
Adoption of the building ordinance update. There's a lot of discussion tonight about getting the Municode up to date, and I'm absolutely all for that. And we're going to try to move forward in that process by doing a six-month housekeeping to adopt the zoning ordinance

Page 193

to make sure we have a corrected copy of the zoning ordinance.

Now, tonight you guys received -- if somebody would hold up their big brick -- a substantial brick that shows the effective zoning ordinance. And we want to make sure we get that adopted by the City Council so we can then transfer it to Municode and so that we can get these things online up to date. So it is a simple housekeeping matter. It's a safety factor that has not been done in the past, obviously. This process is recommended by both myself and Attorney Weed.

COUNCILMEMBER ROCHE: Can we get a copy of it to the Planning Commission?

MR. HAEBERLIN: At this point, yes, sir, we will have to.

ATTORNEY WEED: That was part of what we were talking about.

COUNCILMEMBER ROCHE: Good.

COUNCILMEMBER ALEXANDER: Does this include everything that we have done?

MR. HAEBERLIN: To the best of my knowledge, this is as inclusive as we could figure it out, and we went back and researched

Page 194

everything we've done. Unless there's something we don't know about, that's inclusive. And that includes, you know, the C1/C2, the M1/M2, the O-I/O-W, et cetera, et cetera, et cetera.

COUNCILMEMBER FLEMING: Are in here.

MR. HAEBERLIN: Yes, ma'am. Or attached to it.

COUNCILMEMBER FLEMING: No, but they weren't attached to it. That was the only thing. I was under the impression that this was just the --

ATTORNEY WEED: No. During our meeting between Rhonda, Scott and I and the Mayor, the amendments are to be included. Rhonda simply didn't provide you with copies of them. But when the thing gets reviewed by the Planning Commission, you will have those, and I'm sure Rhonda will correct -- not correct, but you will get them all the amendments.

COUNCILMEMBER FLEMING: But are they going to be inserted and deleted, codified into this book before it's published on our Web site?

ATTORNEY WEED: No, and here's why. That's MCC's job. Let them do their job.

What will happen is all those

Page 195

ordinances will be slapped onto the back of it. Hopefully, the Planning Commission will say, "Okay, great," and then you will adopt it.

Then they'll go to MCC, and MCC's job is to rectify all the numbers. That's what they do. That's their contract.

COUNCILMEMBER ROCHE: Have we done an audit to make certain that every one of these changes that we've done have been advertised? I mean do we have a hard copy of the advertising that was in The Champion?

ATTORNEY WEED: I'm relying on Mr. Haeberlin to have done that in his filing. What I can tell you is that every one of the amendments that have occurred since May of '08 and certainly since Scott has been here have been done in accordance with the law and the Zoning Procedures Act.

But do I clip the ads? No. That would fall underneath the realm of the Planner.

COUNCILMEMBER BATES: To follow up on Ms. Fleming's question, I just want to make sure that when we get this to approve, we're getting the most current version possible.

ATTORNEY WEED: Correct.

Page 196

COUNCILMEMBER BATES: So we're not going to adopt an old version that hasn't been amended. We're going to adopt the most current, recent version possible.

ATTORNEY WEED: That is correct. It is the ordinance --

COUNCILMEMBER BATES: Okay.

ATTORNEY WEED: -- with all of the amendments that I am aware of, that were duly, you know, advertised.

COUNCILMEMBER FLEMING: Okay. But not inserted nor --

ATTORNEY WEED: Once again, they --

COUNCILMEMBER FLEMING: -- nor identified in the section that they may have replaced.

ATTORNEY WEED: No, that is not correct. Certainly, whenever I write an ordinance, at least, at least since May of 2008 since I've been here, I clearly -- you have to identify the section.

COUNCILMEMBER FLEMING: Oh, no.

ATTORNEY WEED: You have to identify the language --

COUNCILMEMBER FLEMING: No, sir.

Page 197

[1] **ATTORNEY WEED:** -- that it replaces.
[2] **COUNCILMEMBER FLEMING:** Yes, sir, you
[3] do, but --
[4] **COUNCILMEMBER BATES:** In this book.
[5] **COUNCILMEMBER FLEMING:** -- that
[6] "replaces such and such" is not identified. I
[7] mean --
[8] **ATTORNEY WEED:** No, that's not correct.
[9] **COUNCILMEMBER FLEMING:** -- the section
[10] itself.
[11] **ATTORNEY WEED:** It is. It's clearly
[12] identified which sections are replaced or else
[13] it would be meaningless.
[14] **COUNCILMEMBER BATES:** But --
[15] **COUNCILMEMBER FLEMING:** In the big book
[16] right here right now, she's not going to go back
[17] to every section that we corrected and say, "See
[18] ordinance on the back page. We've corrected --"
[19] **ATTORNEY WEED:** I certainly hope not.
[20] And I hope she doesn't do that because that's
[21] MCC's job and that would be a waste of her time
[22] and your money in my opinion.
[23] I'm sorry. I know -- I understand the
[24] question you're asking. In my zoning book, I
[25] have physically inserted all the pages in their

Page 198

[1] right location. And I'm sure -- I assume that
[2] the Clerk in maybe her own personal zoning book
[3] or Scott in his personal zoning book may do
[4] that, too. I do that as a matter of course.
[5] You know, you don't need to do that
[6] unless you happen to want to. That's MCC's job.
[7] **COUNCILMEMBER BATES:** So when we go to
[8] approve this, it's going to have section 909 C-1
[9] Neighborhood Commercial District, in it, that's
[10] the old version, and we're going to have a
[11] supplemental approved ordinance for the C-1
[12] commercial district.
[13] **CLERK BLACKMON:** Correct.
[14] **ATTORNEY WEED:** Correct. And that will
[15] be sent to MCC and they will codify all the
[16] numbers, put it in the Code book.
[17] **COUNCILMEMBER BATES:** Okay.
[18] **ATTORNEY WEED:** And in fact, I assume
[19] that they should -- and I hope they will --
[20] change all the numbers. All the designations
[21] should change. There is no good reason to have,
[22] for example, Section 1407. It ought to be
[23] parallel with the other section numbers in the
[24] remainder of the ordinance rather than a
[25] complete stand-alone section. And that's their

Page 199

[1] job to do that type of thing.
[2] **COUNCILMEMBER FLEMING:** But there's
[3] nothing going to be on our Web site when someone
[4] looks at 2-40. Okay? When they look at 2-40,
[5] they're going to see the ordinance of what we
[6] did not pass, tonight.
[7] **ATTORNEY WEED:** Well --
[8] **COUNCILMEMBER FLEMING:** And it's not
[9] going to say, "Please refer to amendment number
[10] X."
[11] **COUNCILMEMBER BATES:** Well, that's
[12] where the Clerk I think is talking with Municode
[13] about getting service every month or every
[14] quarter, updating and adding ordinances that
[15] have been passed to the front of Municode and
[16] codifying them every year. So when you first
[17] log on to Municode, if we go this route, it'll
[18] say, "3/19/06, 2-40 Amended," and "Click here
[19] for the new ordinance." That won't be in the
[20] main body of Municode until they actually go
[21] through and codify it at the end of the year.
[22] **CLERK BLACKMON:** And that's monthly.
[23] **COUNCILMEMBER BATES:** Yeah. And if we
[24] go that route, then it would be up there.
[25] It's not happening right now because we

Page 200

[1] don't have that service.
[2] **ATTORNEY WEED:** And please bear in mind
[3] that what should happen in my opinion would be,
[4] you know, the zoning ordinance, the big brick
[5] that you have, will go onto our Web site and
[6] then every amendment.
[7] And once again, in the title of every
[8] one of the ordinances that we have written since
[9] May 2008, we clearly identify in the title
[10] itself what changes are made. Therefore, all
[11] they have to do is scan the title to know that
[12] the change has been made. That's why we do it
[13] the way we do it. And so very easily, anybody
[14] who reads just the first couple of pages can
[15] figure out where the changes are.
[16] **MR. HAEBERLIN:** And ideally, we are
[17] going to -- when you say "load onto our City Web
[18] site," we're going to get linked to Municode.
[19] We're going to have Municode maintain that
[20] zoning ordinance. You plug into our Web site,
[21] you want to see our zoning ordinance, there's a
[22] link -- boom -- and you're straight to Municode.
[23] That's my goal, that's my objective. That's
[24] what I hope you guys are wanting.
[25] **CLERK BLACKMON:** And MCCi is coming on

Page 201

the 30th at 3:00 p.m. to meet with myself and the Mayor.

ATTORNEY WEED: All we want you do is say, "This is what we want you to send. Send it," and that's all this is right now.

And we're going to be doing this on a very regular basis as we've outlined.

MR. HAEBERLIN: Anything else?

- - -

(No response)

- - -

MAYOR JENKINS: Thank you, Scott.

Are we going to try to get 15 and 16?

MR. ANDERSON: I'm signed up for these two items that were just -- to speak on these two items.

MAYOR JENKINS: You signed up for 19 and 20?

MR. ANDERSON: Yes.

MAYOR JENKINS: Okay. Come on up.

MR. ANDERSON: I've got two items and I have five minutes each.

MAYOR JENKINS: Why didn't you remind me, Mr. Stuart?

MR. ANDERSON: Well, you've handled two

Page 202

items and I'm signed up for both.

MAYOR JENKINS: I do the best I can.

MR. ANDERSON: I'm sorry.

MAYOR JENKINS: When we change the -- we changed the agenda items around three times already.

MR. ANDERSON: Well, we just handled two of them.

MAYOR JENKINS: Are you going to talk on both of them now? Is that what you're saying?

MR. ANDERSON: I would like to since they were --

MAYOR JENKINS: Go ahead.

MR. ANDERSON: -- handled concentrically.

The six-month extension thing is good.

What I had problems with was page 2, Variances, and I'm going to start with the variance one.

At the top of this, I wrote, how many are to be approved? All or some?

We've got a series of criteria here to approve variances, and there's no instruction as to whether the Planning Commission or the City

Page 203

Council should have to agree to all these criteria or one of them or three of them or whatever. So to begin with, that should be there as instruction to whoever is reading this document.

The items for criteria have been changed from variance. We had in our book what I considered a very poor set of variance considerations, and Mr. Weed has kindly enough decided to change all those. But what he's put in here is the zoning criteria, and at least they should be changed, the word from "zoning" to "variance" in all of this.

His first item applicable to this ordinance, I find that very dangerous.

The second item, whereas to extend this destruction of property -- well, I can't say anything.

But item 3, (reading) whereas relative harm to the public by comparison, hardship imposed on individual is to be minimum.

This, we should keep the verbiage from 1603, which is the zoning criteria and I think we should change what's in -- you should keep that from 1603.

Page 204

Item 4, whereas the suitability of subject property zoning proposal is not applicable, once again, "variance" should be written there. If the suitability of the subject property is not applicable, then --

COUNCILMEMBER FLEMING: It's all on page 2.

MR. ANDERSON: -- why is it in there?

COUNCILMEMBER FLEMING: He's reading everything from page 2.

ATTORNEY WEED: He's referring to the preamble.

MR. ANDERSON: It's not a preamble at all. These are criteria.

ATTORNEY WEED: It's called the preamble.

MR. ANDERSON: Fine, but they're criteria nonetheless.

ATTORNEY WEED: That is correct. This language is out of the zoning code --

MR. ANDERSON: Correct.

ATTORNEY WEED: -- therefore, we are required to address the zoning criteria. The preamble addresses each one of the zoning criteria.

Page 205

[1] **COUNCILMEMBER FLEMING:** Even though
[2] we're working on a variance?
[3] **ATTORNEY WEED:** It doesn't matter.
[4] **COUNCILMEMBER BATES:** And we have no
[5] variance criteria in this, then.
[6] **ATTORNEY WEED:** No, sir. There are no
[7] variance criteria relevant to this ordinance
[8] because it is a zoning ordinance; therefore, you
[9] must address the zoning criteria because the
[10] section is in the zoning code.
[11] **MR. ANDERSON:** So all this whole seven
[12] or eight pages, whatever it is, does is the six-
[13] month, the twelve-month compliance with fixing a
[14] variance or having progress on the variance? Is
[15] that what all these seven pages do?
[16] **ATTORNEY WEED:** If you'd like me to
[17] answer the question, Council, the first -- up to
[18] page 3 deals with the preamble and the standards
[19] of zoning because this language is in the zoning
[20] ordinance and therefore you have to do that.
[21] And then the actual italicized text is the parts
[22] of the ordinance that would be creating the
[23] section for conditions on variance approval.
[24] That's why there's a difference in the
[25] italicized test and the preamble text for the

Page 206

[1] remainder of the ordinance -- the boiler-plate
[2] parts.
[3] **MR. ANDERSON:** We've got conditions on
[4] variance approval and we have no conditions.
[5] **ATTORNEY WEED:** That's because the word
[6] "conditions" is a misnomer in my opinion.
[7] But once again, what I did as a
[8] draftsman was, in accordance with the instruc-
[9] tions I received from Councilman Fleming, I
[10] attempted to follow as closely as possible what
[11] the sunset provisions in the zoning code were.
[12] The sunset provisions in the existing ordinance
[13] use the word "conditions." I don't happen to
[14] like that word; however, that's what's in there
[15] now; that's what I used.
[16] In effect, what we're really talking
[17] about are a mechanism for variances to sunset.
[18] And whoever the original draftsman was used the
[19] word "conditions." In order to make it the
[20] least expensive and the least complicated, I
[21] used the same word that they used.
[22] **MR. ANDERSON:** Not to go back and forth
[23] on this too many times, but so this whole
[24] document is merely the sunset of the variance if
[25] they don't comply with doing the variance that

Page 207

[1] we've granted them.
[2] **ATTORNEY WEED:** Yes.
[3] **MR. ANDERSON:** Thank you.
[4] **ATTORNEY WEED:** That's what we were
[5] asked to do.
[6] **MR. ANDERSON:** Going on to the passage
[7] of ordinance, the second item . . . I'm going to
[8] miss one or two items here.
[9] I'll not comment on it. Thank you.
[10] **MAYOR JENKINS:** Bonita?
[11] **MS. HOFFMEISTER:** No comment.
[12] **MAYOR JENKINS:** Tom Hart?
[13] **MR. HART:** You're going to pass this
[14] book, this ordinance, and you're going to
[15] codify, and it's going to be together and it's
[16] going to be complete, and page 10 goes with 20,
[17] and I'm real happy about that.
[18] But I'll go on about the tree
[19] ordinance. You have a situation where on
[20] Peachtree Industrial you're supposed to have a
[21] 150 foot tree buffer. Now they post a law that
[22] you could put buildings within five feet of the
[23] right-of-way. Okay. So one law says 150 feet.
[24] The next sentence, it says it could five feet
[25] from the right-of-way.

Page 208

[1] It provides for an arborist to inspect
[2] your lot when you're taking trees down,
[3] et cetera, okay, or inspect a lot for pervious
[4] surfaces and that sort of thing. I love Bobby
[5] to death, but he's not an arborist and neither
[6] is the Mayor.
[7] And so this book is replete with things
[8] that they say one thing, and what the City does
[9] is just 180 out. Okay. And I don't know how
[10] anybody in their right mind could build anything
[11] here because on every other page it conflicts
[12] it. So the tree ordinance and the flood plain
[13] ordinance and all these things don't go together
[14] with each other.
[15] Who's in charge of this place? I mean
[16] there was a building official. And then you've
[17] got Dekalb County building official, City
[18] Planner. Chief of Police could determine you've
[19] got a mad dog. I mean it's like everybody's in
[20] charge of something, except that people have
[21] these real investments of 50 and 60 and 70
[22] million dollars here that got zoned --
[23] For example, the new car dealerships in
[24] C2. We have two people that have invested in
[25] excess of 70 million dollars, being Ellis and

Page 209

the Lexus dealer, and somehow we found it in our hearts to basically zone them out of existence because we don't want them in C2. And then you provide for M1. Well, you didn't provide for them to go in M1. And if you do M1, they can't wash the cars or even sell the cars.

So I mean I don't know who's writing all this stuff, but my dog, he's real smart dog, he's a Sheltie collie, and if you ask him yes, he barks once and no is -- you know. I think he could maybe do a better job at putting this thing together.

So before you put this on the Muni site, you might want to get together with people that actually build things in the city and find out why this doesn't match with the State of Georgia Building Codes and why it doesn't even conform to our -- I thought this book you were going to pass where you're working with Dekalb County to provide services, it doesn't even meet their requirements. They set the standard for water and sewer and drains and roads and sidewalks, et cetera. We should be at least compatible with them.

Thank you.

Page 210

COUNCILMEMBER FLEMING: Thank you.

MAYOR JENKINS: What's next?

ATTORNEY WEED: Mr. Mayor, it looks like since we are plunging forward, why don't we go ahead and do the Petroleum/Propane I.D. Badge Ordinance since we're all here.

MAYOR JENKINS: Okay. Well, why don't you just do them all.

ATTORNEY WEED: All right. Yes, sir.

MAYOR JENKINS: What is it? 15?

ATTORNEY WEED: This item has appeared on your agenda before. The main thing I think -- and I'm not singling out Councilman Alexander, but she had some particular concerns about it and she wanted to make sure that the consideration -- the opinions of the Chief of Police were considered.

In the draft ordinance, my main concern dealt with making sure that the fees were adequate and if there was a renewal -- strike that -- if there was a late payment, that the late payment was also legally appropriate. It could be punitive to a certain degree, but you would also -- you've been punished by virtue of the fact that if you are late and got issued a

Page 211

citation, that you're going to end up being in municipal court anyway.

Therefore, if you want to attach a late fee, the first version of this, of what the practice has been in the PD, would have been to have the exact same amount as the original amount for the application.

That's probably a little too punitive, a little too harsh. Some portion of the original amount for a convenience charge would certainly be appropriate and legally defensible.

Going through the other suggestions, Councilman Alexander had recommended a 12-month grace period the last time this was discussed, and that is built into this too.

Advocating for the Chief, although he's not here, the Chief was a little bit concerned about having a grace period at all. And he also liked the higher fee and he wanted to have the 100 on top of the original 100.

So those are his concerns as best I understand them, and those are the only changes to this ordinance from the first version that you adopted some time ago.

I do think these changes are important

Page 212

enough to make, however, and then whatever decision you finally come to regarding it.

COUNCILMEMBER ROCHE: Are you looking for tonight a first reading on the new ordinance?

ATTORNEY WEED: Well, this ordinance has been first read before. It's appeared on a couple of agendas now. So I think if you're comfortable, I'd like you to vote on it.

MAYOR JENKINS: Do I get a motion on it?

COUNCILMEMBER ALEXANDER: Well, I would make a motion to, after the Chief's conversation with the Mayor and also a comment made by Mr. Spangler, that in section (d) we remove beginning with "However, persons required" down to the end so that it will remain the same and renew every two years, no grace period.

MAYOR JENKINS: Would you make that a motion?

COUNCILMEMBER ALEXANDER: I thought I did, did I not?

CLERK BLACKMON: She did.

COUNCILMEMBER BATES: I second that.

COUNCILMEMBER ALEXANDER: Sorry.

Page 213

MAYOR JENKINS: Anymore comments?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: I'm going to say no. I didn't agree to a two-year. I wanted it every year on the background check because a lot can happen, especially with these drivers that live out of state.
ATTORNEY WEED: Councilmember Alexander, do you want to address the $100 fee

Page 214

or anything like that that's already covered? In other words, the $100 convenience charge on top of the original $100 fee.
COUNCILMEMBER ALEXANDER: Are you changing it to $50.00?
ATTORNEY WEED: I did. I just want to make sure you're okay with that.
COUNCILMEMBER ALEXANDER: Yes.
COUNCILMEMBER ALEXANDER: Yes. I guess they weren't happy with the year grace period based on Homeland Security, so --
ATTORNEY WEED: All right with me.
COUNCILMEMBER PITTMAN: Actually, I'm sorry. I actually wanted it every year as well. It was a misunderstanding on that one.
COUNCILMEMBER ALEXANDER: It was originally two years.
COUNCILMEMBER SPANGLER: We both -- I think both of us at the same meeting --
COUNCILMEMBER PITTMAN: I did.
COUNCILMEMBER SPANGLER: -- had asked for it to be done every year because of Homeland Security or security reasons, because like the Chief had said before, there's too many things that can happen.

Page 215

ATTORNEY WEED: And how this came about was the ordinance received some commentary from the lobbyists in the trucking industry, which Moskowitz -- once again, a lobbyist is a lobbyist is a lobbyist. However, the main point that he attempted to make was when there is some initial hazmat credentialing, there is a security clearance process that they go through. But the Chief of course finds that to be an inadequate process, and that's fine. But the intent of the two-year period was to, for lack of a better term, throw the lobbyist a bone and then further bolster our argument that we recognize the initial security clearance of the hazmat credentialing to begin with and gave it some credit. Not very much credit, because it would still be a two-year renewal, but we gave it some credit as opposed to completely ignoring it. And I agree with that legal philosophy as far as bolstering the ordinance, and you've heard the other side of it.
MAYOR JENKINS: What was the vote?
ATTORNEY WEED: Right now, it's two years. If somebody wanted to make a motion to change it to one year, they could do so.

Page 216

COUNCILMEMBER SPANGLER: Well, I'd certainly like to make a motion to change it to one year.
COUNCILMEMBER ALEXANDER: Well, I thought the existing ordinance as it was on the books, all you were doing was fixing the fee. So the original ordinance from the get-go was two years because we raised the fee to be $100 instead of $50.00 a year.
ATTORNEY WEED: I believe the Police Department -- that was not adequately addressed in the ordinance. What the Police Department was doing -- I'm sorry. Strike that.
The code version didn't address it directly. There was an amendment that addressed it, and I believe the amendment -- If you'll give me just a second, I'll tell you the time frame.
COUNCILMEMBER ROCHE: Could we take a five-minute break?
ATTORNEY WEED: Fine with me.
MAYOR JENKINS: Five-minute break.
- - -
(Brief recess)
- - -

Page 217

MAYOR JENKINS: Meeting come to order.
ATTORNEY WEED: Mr. Mayor, in answer to the Councilman's question, the codified portion of the ordinance didn't include the renewal time period. There was an amendment to that, though, that did include a renewal time period and the current renewal time period of every year on the person's birthday.
What I put forward as a compromise proposal, recognizing all the comments and questions from the trucking industry, was that there would be a renewal every two years on or before the applicant's birthday. That would be much more restrictive than what is in the hazmat credentialing but still give some credit that we assume TSA knows a little bit about what they're doing whether they do or not, but we give them some credit for that.
It's also instead of doing it $100, you know, every year, it's every two years.
COUNCILMEMBER ALEXANDER: Okay. I guess my confusion was I didn't know that that part of the ordinance was changed in this revision. I thought just the suggestion regarding the recognition of the TSA. HME on

Page 218

the driver's license was what was changed.
So I would be more than happy for Councilmembers Spangler and Pittman to make a motion and second to revert it back to the original form on the one year.
COUNCILMEMBER SPANGLER: I'll make that motion because, again, I feel like's a huge issue with safety when you go two years. A lot can happen in two years.
COUNCILMEMBER PITTMAN: And I'll second that.
MAYOR JENKINS: Anymore discussion?
- - -
(No response)
- - -
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.

Page 219

CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: What else do you want to do? Do you want to do 15, Scott?
MR. HAEBERLIN: Sir, due to the longevity of that, let's just hold that off for another meeting.
COUNCILMEMBER SPANGLER: Let's go ahead and do it. I'd really rather do everything on this agenda.
MR. HAEBERLIN: I'm serious. I'm not prepared at this point in time to go through all that. We'll put it on another agenda, yes, sir.
COUNCILMEMBER SPANGLER: Don't worry about the longevity of the meeting. Okay?
MR. HAEBERLIN: No, sir. You know, I think you guys have gone through enough tonight.
UNIDENTIFIED SPEAKER: Thank you, Scott.
- - -
(Applause)
- - -

Page 220

MR. ANDERSON: Will that go to the Planning Commission before we discuss them?
MR. HAEBERLIN: They will now, yes, sir.
MAYOR JENKINS: Okay. I think we're down to number 22 and 14; is that correct?
ATTORNEY WEED: We did 22, and I don't know if we finished all 23, but I believe we did.
COUNCILMEMBER SPANGLER: I believe you could make some more comments, though, couldn't you? At a hundred/a hundred and fifty dollars an hour --
ATTORNEY WEED: Not unless --
COUNCILMEMBER SPANGLER: -- I believe I could talk a whole lot more.
MAYOR JENKINS: Didn't you say you had some . . .
ATTORNEY WEED: I have two Executive Session items.
MAYOR JENKINS: Okay. That's what I'm asking.
ATTORNEY WEED: I do. If you want to go into Executive Session for future or pending litigation --

Page 221

COUNCILMEMBER ROCHE: No. I think we should do --

MAYOR JENKINS: Can you combine the two?

ATTORNEY WEED: And/or any other personnel items, absolutely.

MAYOR JENKINS: Do you need to talk about 14 before we go in?

COUNCILMEMBER ROCHE: Yes.

ATTORNEY WEED: If you want to receive any evidence with regard to item 14, you have to do that in an open meeting and then you deliberate in Executive Session under personnel items.

MAYOR JENKINS: Okay. Go ahead. That's your item.

COUNCILMEMBER FLEMING: Yes, sir. Item number 14 is mine, personnel issue.

This is in regards to Luke Howe. And I realize that and recognize the need to bring personnel issues out in front of the public or the City would be violating the Open Meetings Act; however, I do not agree that any employee or City Council member or the Mayor should be subjected to public ridicule over sensitive

Page 222

issues as personnel matters.

I do not believe in double standards, however. So with regard to the ongoing personnel issue and issues with Luke Howe, I also wish that these had remained within the confines of the Mayor's office but it did not. So I still maintain that my complaint is not to dishonor him or defame Mr. Howe but to get to a means of discussion and a solution.

Luke, do you have any type of comment that you'd like to make at this time before I continue?

MR. HOWE: We disagree on Open Records and the nature of your complaint. That's basically it.

COUNCILMEMBER FLEMING: The purpose of the personnel complaint is to identify means to address personnel complaints that the Mayor has been advised of but refuses to accept as a complaint.

It takes a strong administrator to discipline a personnel issue. Mayor Jenkins is an extremely knowledgeable city administrator that tends to like all people but also lacks consistency when it comes to discipline.

Page 223

Luke Howe interviewed for the City Clerk position in January of '08 after having served as Mayor Jenkins' campaign consultant. The Council felt that he would be better suited as the administrative assistant, which is set out in Section 2.56 of the City Charter.

In late January, a job description conflict occurred as Mr. Howe was acting as a city manager, issuing instructions to the City Hall employees, causing personnel conflict and a hostile workplace. Many of the City Hall employees addressed the Mayor with their complaints; however, the Mayor did not act on them.

These conflicts were addressed to the Mayor by Council on February 3rd, and ultimately the Council made a position change to Aide to the Mayor, and then on February the 11th, we did, after several drafts, make an official job description for the Aide to the Mayor.

Also in February, Mr. Howe made inappropriate political statements regarding Chief King's contract and the annexation, stating that, quote/unquote, when I get this passed, blank, blank, blank will owe me,

Page 224

unquote. The statements were not made in jest. It sounded like a services-rendered statement or that some form of gratuity was owed to him.

March '08, there was continued animosity toward individuals at City Hall and toward some Council members he openly made negative remarks to and in front of other individuals including visitors to the city.

Late March/early April, several Council members requested a meeting with the Mayor to address personnel complaints. The Mayor would not acknowledge the issues.

On April 17th, '08, Bob Spangler and I requested a meeting with the Mayor and Mr. Howe, and the Mayor refused to attend. One of the comments Mr. Howe made at this meeting was continued animosity toward Mr. Bob Roche and Ms. Priscilla Murphy. His statement was, and I quote, he would do anything to protect the Mayor from Bob Roche and Priscilla Murphy.

A personnel evaluation and items of discussion were submitted to the Mayor. That evening after the Council meeting, there was a heated discussion between Mr. Howe and Ms. Murphy.

Page 225

The Mayor questioned Mr. Spangler and me after about the earlier meeting, and we told him that we thought we had diffused the personnel issues, but evidently we had not.

May and June of '08 brought continued tension at City Hall and with Bob Roche due to Mr. Howe appearing to have advised the public of sensitive issues.

In an effort to provide a desirable relationship with the Mayor, employees and City Council, the Council/Staff Relations Class was attended by all on June 15th, '08. In this class, we identified responsibilities of staff, of Council members and of the Mayor. We also identified the expectations that City staff has for the Mayor and Council. We also identified the expectations that the Council and Mayor have for the City staff. We identified reports to be supplied to the Council and the need for monthly department head meetings conducted by the Mayor.

In late June, unauthorized information continued to be released to the public, creating an overall negative perception of the City, its employees and its functions.

In July '08, Mr. Roche requested a

Page 226

special-called meeting to discuss the ongoing personnel issues, and the Mayor refused to accept that there were any issues. No such meeting was held.

Then late July, Mr. Roche requested an Executive Session, and the Mayor declined.

July 23rd, I requested an Executive Session. Though the Mayor did not agree to the Executive Session, he did agree to a facilitated discussion. He contacted Jim Burgess, former president of GMA and mayor of Social Circle, to facilitate.

The facilitated personnel discussion occurred on July 31st, '08. Those present were Mr. Howe, Mayor Jenkins, Mr. Weed, Mr. Burgess, Mr. Roche and myself. Mr. Burgess advised that this was a confidential discussion and that no material used would be put into the employees's file or be available to others.

We addressed my issues first. When Mr. Burgess requested Mr. Howe's comments, he indicated that my statements were correct.

Mr. Burgess advised us all that my statements were serious and needed to be addressed.

Page 227

Mr. Roche presented his documents, and there was a heated discussion involving the Mayor, Mr. Howe and Mr. Roche to the point that I asked Mr. Burgess to intervene.

The outcome of the facilitated discussion was that two documents would be prepared and presented to Council for their approval. To date, these documents have not been officially presented nor addressed, and that was July 31st of 2008.

On August 8th of 2008, Ms. Karen Pachuta requested through an Open Records request, that she receive, and I quote, "copies of all complaints used by anyone in the discussion of July 31st," unquote.

On approximately August 28th or thereabout, Mr. Howe copied the document used by Mr. Roche and copied the draft copy of the memorandum of understanding, which was one of the two documents that was to be supplied to Council for approval. He presented them to the City Clerk in a manila envelope and instructed her to notify Ms. Pachuta that her Open Records request was ready.

Mr. Howe's job description did not

Page 228

include the City Clerk duties. His actions may be in violation of Georgia State law 50-18-72, Unauthorized Disclosure of Information, which is a misdemeanor of high and aggravated nature.

And since he did supply documents to Ms. Pachuta, he selected the documents which to give her. He gave her one of the two complaints used for discussion and one document that she didn't ask for, the memorandum of understanding. This may also be in violation of Georgia State law 50-18-74, Failing or Refusing to Provide Access to Public Records, and that's a misdemeanor.

I dropped by City Hall shortly after the 28th and questioned the Mayor regarding the filing of the Open Records request. He indicated that he knew Mr. Howe had supplied the information, and then he said, and I quote, "Well, he didn't give her yours," unquote.

To this, I replied, "Mayor, he wasn't supposed to give her anything," but since he did, he had selected the documents to give her.

Mr. Howe's actions appear to be in violation of the City of Doraville Personnel Manual dated August 4, 2003. Section 6-2-1

Page 229

[1] Statement of Purpose is, quoting, violations of
[2] one or more of the ethical standards may be
[3] considered sufficient grounds for dismissal or
[4] suspension, depending upon investigation. Also,
[5] in Section 6.2.2(b), Ethical Standards,
[6] Confidential Information states, and I quote,
[7] "No employee shall make use of or reveal confi-
[8] dential information acquired through his or her
[9] position with the City," end quote.
[10] It also appears that a violation of
[11] Section 6.7 of the Doraville Personnel Manual
[12] has also occurred, Use of Computer Resources.
[13] And I quote, "Inappropriate use may subject
[14] employees to discipline up to and including
[15] termination," unquote. Inappropriate use
[16] includes, for example, number two, use of the
[17] systems to create, send or receive messages
[18] which are -- and it goes on and lists several,
[19] and the one I'm commenting on is quote/unquote,
[20] "insulting." Possibly number 7, also, is using
[21] the City e-mail and voice mail for personal use.
[22] It continues, "Employees should therefore have
[23] no expectation of privacy in any message stored,
[24] received or sent using City equipment."
[25] The problems I have stated still exist

Page 230

[1] today, they still need to be addressed, and I
[2] ask Council to consider my request so that we
[3] may resolve the personnel issues of Luke Howe.
[4] **MAYOR JENKINS:** Is that the same
[5] document that went to the Ethics Board?
[6] **COUNCILMEMBER FLEMING:** Pardon me?
[7] **MAYOR JENKINS:** That's the same docu-
[8] ment that went to the Ethics Board.
[9] **COUNCILMEMBER FLEMING:** No, sir, it is
[10] not.
[11] **MAYOR JENKINS:** It's identical. It may
[12] be a different date but it's identical.
[13] **COUNCILMEMBER FLEMING:** This is a
[14] personnel issue.
[15] **MAYOR JENKINS:** And I can't understand.
[16] I don't know of any time that I have refused to
[17] have a meeting with you, a citizen or anybody.
[18] **MR. HOWE:** Well, let me -- I would like
[19] to address that meeting because I was --
[20] **MAYOR JENKINS:** Luke, settle down. We
[21] can address this without getting out of hand.
[22] What I'm saying, I will address the thing.
[23] I have never refused to have a meeting
[24] with you or anybody, and the meeting that you
[25] had in here that day, I didn't even know about

Page 231

[1] that meeting.
[2] **COUNCILMEMBER SPANGLER:** Now, Mayor, I
[3] don't mean to sound disrespectful, but you have
[4] denied meetings with me.
[5] **MAYOR JENKINS:** No. When?
[6] **COUNCILMEMBER SPANGLER:** You were
[7] informed of the meeting that Mr. Howe and Ms.
[8] Fleming and I --
[9] **MAYOR JENKINS:** Well, I did not come.
[10] **COUNCILMEMBER SPANGLER:** And this was a
[11] meeting --
[12] **MAYOR JENKINS:** Did I refuse to come in
[13] here with you?
[14] **COUNCILMEMBER SPANGLER:** You didn't
[15] come in with us.
[16] **MAYOR JENKINS:** That's right. I didn't
[17] know about that meeting.
[18] **COUNCILMEMBER SPANGLER:** You did know.
[19] But the meeting -- and I want the audience to
[20] know the meeting was about not to do any kind of
[21] corrective action on Mr. Howe. It was a meeting
[22] to try to let him acknowledge some of the
[23] complaints.
[24] **MR. HOWE:** It was not billed as a
[25] personnel evaluation. Had it been, I would have

Page 232

[1] never attended because, with all due respect, I
[2] don't think that you two had the right to give
[3] me a personnel evaluation. The Mayor does that
[4] biyearly, I think.
[5] But I believe that I was duped into
[6] that meeting --
[7] **COUNCILMEMBER SPANGLER:** No.
[8] **MR. HOWE:** -- and I went to it in good
[9] faith as a means to communicate. The same with
[10] the mediation. And we have a fundamental
[11] disagreement on Open Records, and I have been
[12] consistent throughout the time I've been here on
[13] the Open Records.
[14] The discussion that happened during
[15] that mediation may in fact have been
[16] confidential but the documents produced were
[17] most certainly not. I may have some disagree-
[18] ments with Mr. Weed on Open Records, but I'm not
[19] a lawyer but I can read. I can look at the case
[20] law. I can look at the legislative intent. And
[21] speaking from personal experience, I know
[22] exactly what the legislative intent was on Open
[23] Records. It was not to build in, you know,
[24] mechanisms that gave people a reason to circum-
[25] vent what the ultimate responsibility is of

Page 233

[1] government, and that's to let people know what
[2] is happening with their tax dollars. And I'm
[3] pretty sure that the State Supreme Court has
[4] said, you know, what happens with the taxpayers'
[5] money is not confidential.
[6] **COUNCILMEMBER BATES:** Mr. Weed, you've
[7] subsequently rendered your opinion regarding the
[8] memo that Ms. Fleming has given us regarding the
[9] distribution of records. Could you summarize
[10] that for us for the record?
[11] **ATTORNEY WEED:** Ordinarily, I prefer to
[12] give legal advice in a private setting, but if
[13] you're waiving that with regard to this matter,
[14] it has been my opinion and it remains my opinion
[15] that underneath the relevant Code section, that
[16] the 10-day rule would have applied had the
[17] materials ever been presented to a body capable
[18] of ruling on them and had any investigation ever
[19] been concluded. And both of those standards, in
[20] my opinion, when these events occurred and now
[21] have not occurred. And I rendered that opinion
[22] to the appropriate personnel that I thought
[23] should know that, and so that's the answer to
[24] your question.
[25] **COUNCILMEMBER BATES:** There's a

Page 234

[1] "however," though.
[2] **ATTORNEY WEED:** You'll have to remind
[3] me of what your "however" refers to or my
[4] "however" refers to.
[5] **COUNCILMEMBER BATES:** You said, quote,
[6] likewise, my research has not shown a single
[7] case of a conviction where a person gave over
[8] information they should not have. Virtually all
[9] the cases involved a government's or person's
[10] refusal to give over information.
[11] **ATTORNEY WEED:** With regard to that, if
[12] you'd like me to elaborate, you know, very
[13] simply put, it's my opinion once again that I do
[14] not think that in the context of the facts as
[15] they've been relayed this evening and the facts
[16] that I have generally understood in this matter,
[17] that Mr. Howe would be convicted of a violation
[18] of the Open Records Act because the case law
[19] does favor release of the documents. There has
[20] been an immunity provision if documents are
[21] improperly released.
[22] It's still my position that the
[23] documents were not properly released, but that
[24] does not mean to say that I believe that Mr.
[25] Howe could be convicted of any offense by doing

Page 235

[1] that.
[2] **COUNCILMEMBER ROCHE:** What about the
[3] documents that were withheld? He did not fully
[4] comply with the Open Records request. He
[5] selectively withheld certain documents. I mean,
[6] to me, that's the whole point of an Open Records
[7] request is to provide all the documents.
[8] **ATTORNEY WEED:** With regard to that, I
[9] could not speculate as to what was in Mr. Howe's
[10] mind. I also don't know why he selected what
[11] documents. And therefore, a court or, in this
[12] panel initially, this body would make a
[13] determination about whether or not Mr. Howe
[14] acted in good faith.
[15] Once again, because good faith is such
[16] a nebulous concept legally, in a court of law,
[17] it remains my opinion that I don't think Mr.
[18] Howe could be convicted of a misdemeanor
[19] offense.
[20] However, do I think he should have
[21] turned over the documents? In my opinion, no.
[22] But once again, that doesn't mean that he
[23] committed a criminal offense.
[24] **COUNCILMEMBER ROCHE:** I believe at the
[25] time, you did send out an e-mail that copied the

Page 236

[1] Council and Mr. Howe to that effect.
[2] **ATTORNEY WEED:** I would have to do an
[3] e-mail search. What I know that I did do at the
[4] time was I duly informed the official custodian
[5] of the records, the Clerk, of my opinion. And
[6] as far as I was concerned, since she is the
[7] official custodian of the records, the
[8] appropriate legally defined party that would
[9] answer the request, I issued that opinion.
[10] If during that same time frame, I
[11] addressed an e-mail to the Council, I've got no
[12] conscious recollection of that event but I can
[13] certainly check.
[14] **COUNCILMEMBER ROCHE:** I couldn't find
[15] it, either. I seem to remember that e-mail
[16] coming along.
[17] I did have a couple of comments about
[18] this. I mean I think that this is beyond --
[19] this is more than just withholding documents. I
[20] wanted to back up a little bit.
[21] First of all, I do want to say that,
[22] you know, myself, the other Council people, you
[23] know, we did everything we could to not make
[24] this public because, you know, everything's that
[25] said tonight is going to go in the public record

Page 237

and it's going to follow, you know, Mr. Howe for the rest of his career. But you know, here we are.

First comment I will make is that it was about a month-and-a-half ago, I came into possession of I'll just say very good proof of a personnel issue regarding someone in another department. And I tried to hold a meeting with the Mayor and the department head, and the Mayor refused to attend. He literally ran out of the room.

MAYOR JENKINS: You're going to have to bring me up to date on that one.

COUNCILMEMBER ROCHE: Well, how about I'll be happy to explain it to you after.

MAYOR JENKINS: Don't bring it up if you don't know what you're talking about.

COUNCILMEMBER ROCHE: Well, I'm just, you know, speaking to the idea that you said that you have never not attended a meeting.

MAYOR JENKINS: Anybody that asks me for a meeting, I will do it. If you ask me to have a meeting --

COUNCILMEMBER ROCHE: Well, no, you don't, Mayor.

Page 238

MAYOR JENKINS: -- with somebody, I will.

COUNCILMEMBER ROCHE: But I'm not going to -- you know. No, you don't. That's the point.

But anyway, let's get back to where we are.

MAYOR JENKINS: What do you mean, that's the point? You never did explain yourself, sir.

ATTORNEY WEED: Gentlemen, if we could focus on Luke Howe.

COUNCILMEMBER ROCHE: Let's focus on Mr. Howe.

We made the decision, the Council made the decision --

And this was basically some of the comments that I made. And I believe that this was provided, this is one of the documents that was provided. There were some other documents from other Council people that weren't.

Anyway, we made the decision to hire Mr. Howe based on the fact that at the time, we did not have a City Clerk. We figured that having an Aide to the Mayor would expedite

Page 239

things, you know, get things done, because it was kind of considered that, you know, the Council had historically voted for things and they just never were followed up on.

We did not have the financial information at the time. We didn't know we were in financial trouble. On top of that, Mr. Howe during his interview basically committed to obtaining various grants. And in fact, if I remember correctly, he committed to matching his salary in grant money, and, so far, I haven't seen any grants.

After a while when he'd been hired -- and a lot of what I've said, a lot of this has already been brought up by Ms. Fleming.

Anyway, fairly soon, I got a call from another Councilperson who was very upset with Mr. Howe's comments about Priscilla Murphy. In fact, I personally heard those comments about Priscilla Murphy. And at the time -- and the Councilperson can speak up if he wants to when I'm done -- I said, "No, no. We'll just give it a chance. It's just time. You know, you need to break in someone. It's a new environment," et cetera, et cetera.

Page 240

Well, time went past, and then I heard from a different Councilperson about very similar issues, and I started hearing also from employees of the City and other people, and they were very concerned about things that were happening. And so even then --

And finally, you know, I defended -- I was the number one person that -- you know, I pushed to have Mr. Howe hired, and I defended Mr. Howe. And only until two other Councilpeople basically brought things to my attention and I heard things myself, personally, then and only then, you know, did I realize that we had to do something about this.

And I did. I went to the Mayor more than once and said, "Look, you know, we need a personnel change or we need something done," you know, because with the right leadership, I think a lot of people can be good employees. But clearly, that did not happen tonight.

And part of the issue as far as the Open Records request was the investigation. Well, there never really was an investigation, so I guess we refused to have an investigation.

Anyway, we had to -- of course we had

Page 241

[1] to hastily call a meeting and straighten out
[2] what it was Mr. Howe was supposed to do instead
[3] of what he was actually doing.
[4] We ran into issues when we tried to
[5] hire a City Planner. You know, last
[6] Thanksgiving Mr. Howe came to me directly and
[7] told me that he had revealed the names of some
[8] of the applicants for the City Planner position
[9] to a developer, and the developer himself had
[10] come back and said, "Oh, I don't like this
[11] particular person," and then suddenly I realized
[12] that that person was not going to get, you know,
[13] hired at all. Now, whether there was something
[14] to that, I don't know. I'm just saying it
[15] certainly gives the appearance of -- you know.
[16] And in that, I mean we were desperate
[17] for hiring a City Planner. You know, we had a
[18] cutoff for resumes. It was 30 solid days before
[19] any interview was even scheduled. So yeah, I
[20] mean we can talk about just day-to-day
[21] competency and day-to-day getting things done,
[22] and they clearly were not getting done.
[23] I'll leave that out.
[24] We had a situation, and this is from
[25] the transcript where Mr. Howe appeared before

Page 242

[1] the Council and started asking about giving
[2] economic incentives to the Star Towers
[3] developers. This is -- and I'm not making this
[4] up. This is in the transcript.
[5] As a campaign worker for the Mayor's
[6] campaign, Mr. Howe was in a position to know
[7] that significant campaign contributions had been
[8] made to Mayor Jenkins. Maybe it was completely
[9] innocent, but it gives the appearance, again,
[10] that it wasn't.
[11] **MAYOR JENKINS:** You mean my campaign?
[12] **COUNCILMEMBER ROCHE:** And it just goes
[13] on and on and on.
[14] Excuse me, Mayor. I'll be done in just
[15] a second.
[16] **MAYOR JENKINS:** I hope you are.
[17] **COUNCILMEMBER ROCHE:** There has been
[18] talk about the Web site. I mean personally I
[19] think that the City Clerk is not going to do the
[20] Web site. I think that the Web site could very
[21] easily be handled by the Librarian, who
[22] currently puts together the newsletter and does
[23] a very good job with that.
[24] Repeatedly, people come up and say,
[25] "When can we start getting e-mail notifications?

Page 243

[1] When can we find out when meetings are? When
[2] can we get things posted on the Internet?"
[3] et cetera, et cetera, and, you know, frankly,
[4] it's not been a very good, very responsive job.
[5] It just hasn't. And I know that we've paid a
[6] lot of money for that Web site, and I believe,
[7] from the Web sites I've seen, they have a lot of
[8] capacity and capabilities that we're not using.
[9] So essentially, we've spent a lot of money and
[10] we're using just a small portion of it. So you
[11] know, as far as the Web site thing --
[12] And you know, I could go on and on.
[13] But in that Council/Staff Relations class, Mr.
[14] Howe said, "You know, I work for the Council,"
[15] and his other thing was, "Give me something to
[16] do."
[17] Well, first of all, no, he didn't work
[18] directly for the Council. The Council does have
[19] hire/fire over every employee in town. That's
[20] in the Charter. But basically, Mr. Howe was
[21] hired to help the Mayor. And again, he was
[22] continually saying, "Give me something to do.
[23] Give me something to do. Give me something to
[24] do."
[25] And I guess that's about it. I mean I

Page 244

[1] could add a few other things, but the point is
[2] this: it's not just about the Open Records
[3] request. It's not just about manipulating data
[4] for people to either attack one person.
[5] I think it's interesting that I was the
[6] one that was attacked when I was the one who
[7] supported him the longest. I think that's
[8] ironic.
[9] So I don't like this. I hate this. I
[10] hate having to bring this up. If we'd resolved
[11] it over in that office a long, long time ago, we
[12] wouldn't be here today. Myself, other two
[13] Councilpeople, everyone else, we have done
[14] everything, every possible -- we've exhausted
[15] every possible avenue before we came here
[16] tonight to do this.
[17] I find it distasteful, I find it
[18] hurtful and I don't like it, but, you know, when
[19] nothing happens -- you know, this never should
[20] have come to the Council, but here we are
[21] because we have no other choice.
[22] And I think that's all I have to say.
[23] Thank you.
[24] **MAYOR JENKINS:** Well, I'll say that
[25] every time that an employee or a Council member

Page 245

mentioned anything to me, I went to Mr. Howe.
I never did see any reason to reprimand or fire Mr. Howe. I don't know where you get some of this stuff, and I think --
Did you want to answer some stuff, Luke?
MR. HOWE: Yeah. And I'm sorry. I'm ready to go home too.
But pretty much everything is hearsay. I mean it's either hearsay, it's unsubstantiated. It's all -- you know, they would be great campaign consultants, because that's exactly what it sounds like: it sounds like campaign stuff.
The thing out of the minutes was cherry picked. There was more -- a lot more to it than what I will say. And it's perfectly appropriate and it was actually recommended in our Comprehensive Plan. That's where I got it.
I did say that about the grants, but that was before I read the financial policy where it says the Council has to approve every grant.
Well, I think I can speak on behalf of the staff when I say go to a goal retreat,

Page 246

create some goals, identify some projects, and then we can get grants and then we'll feel free to get grants because you've already talked about we want this.
Somebody needs a goal-setting retreat. I think that's a brilliant idea. But if you get some goals, we set some goals, and judge me on how we accomplish those goals. Don't judge me on a lot of misinformation and manipulated facts, because that's exactly what I just got done hearing.
Something else --
COUNCILMEMBER ROCHE: Could you name three things that you've accomplished since you've been here that were significant for the city of Doraville?
MAYOR JENKINS: I think you're done with your talking. Luke's talking now. And I've got something --
COUNCILMEMBER ROCHE: It's a fair question.
MAYOR JENKINS: -- else to say too.
MR. HOWE: I think the communication effort in this city, I think the change in communication and how we communicate to the

Page 247

public has been revolutionary. It hasn't been much but it has been significant.
Talking about the Web site, look, I had issues with Priscilla. We bickered. I used to bicker with Rhonda. We still do on occasion. It's professional. I care about my job, she cares about her job; Priscilla cared about her job. So you got people that care about their jobs, you're bound to have friction. I mean that's just typical. So we had issues, but we resolved them between ourselves. We don't need Councilmembers to intervene.
The thing about the Web site, people, the Web site's still half done. And I apologize. There's still a lot more that has to be done. But it's only been three weeks that the firm I've been working with actually got their deposit to start Phase II. It was delinquent six months. And that kind of draws some attention to some of the friction I had with Ms. Murphy.
But otherwise, y'all intend to prove a lot of this he said/she said, because you know, a lot of it --
And the computer and the voice mail, I

Page 248

don't even know what that's even referring to.
But again, it's their forum, and they can talk, and it's been six months and I hadn't said really anything.
And I'm really disappointed. This Ethics Committee, they worked for six months. They devoted their free time to this. I'm friends with Gordon, but the entire time they worked on this, he did not -- he wouldn't speak to me because he took his job that seriously, and I understood that.
But these people weren't thanked. Their recommendation was ignored. And basically we arrived at this point because Ms. Fleming didn't hear what she wanted to hear from that body.
So, you know, I --
MAYOR JENKINS: Thank you, Luke.
MR. HOWE: Scurry. Do what y'all are going to do.
MAYOR JENKINS: You mentioned my campaign. You look on the Web through the Ethics Board, and every bit of my campaign stuff is up to date and was from the start.
And I never asked for one dime.

Page 249

Everything I got was given to me, brought to me. I didn't ask for anything.

MR. HOWE: And I never knew --

MAYOR JENKINS: I don't want you to bring up my ethics anymore. You look on the Web and you see if that's correct or call the Ethics Board.

- - -

(Overspeaking)

- - -

ATTORNEY WEED: -- inappropriate conduct. I'll have you removed if you --

- - -

(Overspeaking)

- - -

MR. HOWE: I never knew who donated to the Mayor. I worked on his communications and I did that --

MAYOR JENKINS: Luke didn't have nothing to do with any of that.

MR. HOWE: I never knew who donated to the Mayor. It just wasn't part of my job. He had a campaign consultant. I did a favor for her and helped her. And people used the term "campaign consultant," I guess to say, you know,

Page 250

it's typically kind of a slimy profession. I mean that's a stereotype like a lobbyist. But I did that to supplement what I really love to do, and that's policy.

I grew up in city government. I'm not just new to this. I mean I've worked in every aspect of local government except fire. So --

MAYOR JENKINS: Okay, Murray. How far do we need to get into this?

COUNCILMEMBER ROCHE: Well, I mean all I want to say is that obviously, you know, we can't name anything that you've accomplished.

I think that some of the actions that have been taken, yes, I have friction with people that I work with, too, but I certainly don't go around telling them -- calling them liars, I don't go around besmirching their reputation and I don't go around mounting little smear campaigns against them, you know.

And this is like I said, you know, back in December, and it was an issue that was brought up here when I went in there, and the next thing I know, I'm being basically run out of City Hall by the Aide to the Mayor. I mean it just goes on and on and on and on.

Page 251

This is a good opportunity for the citizens of Doraville to see how their Councilpeople -- the values that the Councilpeople here share; because we're going to make a motion to go in Executive Session, and hopefully when we come out of Executive Session we're going to make a motion to deal with this. And every Councilperson up here can go on record as to do I condone this type of behavior or do I not? Do I think it's okay to go around calling people liars or do I not? Is it okay to withhold information? So I'm going to give them this information and make someone look bad because I'm going to withhold that because it may make me look bad? If you condone that, fine. So we'll find out.

MR. HOWE: Three things. I got the annexation passed out of the General Assembly. Sorry we couldn't get it past the people.

Got the Web site. I think that took, you know, years to finally get that up.

I've pretty much made my employer happy with everything I've done.

There was one more thing I had.

COUNCILMEMBER BATES: I move to go into

Page 252

Executive Session.

COUNCILMEMBER ROCHE: Did you have anything you wanted to add, Mr. Spangler?

COUNCILMEMBER PITTMAN: Second.

COUNCILMEMBER SPANGLER: The only thing I'm going to say is -- and excuse me, Mr. Howe. The meeting that Pam or Ms. Fleming and I had with you was not any kind of progressive discipline. It was an advice to you of what was going on, making you more aware of your surroundings and what was going on and what you could possibly do. It was a helpful meeting. It was not any kind of a corrective or progressive discipline.

MR. HOWE: And that's what I was under the impression it was, but she produced a document that said personnel evaluation, and that was --

COUNCILMEMBER FLEMING: I said personal evaluation. My personal evaluation. My --

MR. HOWE: I wasn't agreeing --

COUNCILMEMBER FLEMING: -- personal --

MR. HOWE: -- to a --

COUNCILMEMBER FLEMING: -- evaluation.

MR. HOWE: -- personal evaluation.

Page 253

[1] **COUNCILMEMBER FLEMING:** Sir, I
[2] presented that document to you, of the items
[3] that we were discussing, and that's the items
[4] that we were discussing.
[5] **COUNCILMEMBER BATES:** Motion to go --
[6] **MAYOR JENKINS:** I want a motion --
[7] **COUNCILMEMBER BATES:** -- into Executive
[8] Session.
[9] **MAYOR JENKINS:** -- to go into Executive
[10] Session.
[11] **ATTORNEY WEED:** Is there anything else,
[12] Mr. Howe, you would like to say to this body?
[13] **MR. HOWE:** I have fostered excellent
[14] relationships with the press. We have done a
[15] good job, haven't had any money to work with in
[16] marketing, and we've done a good job in
[17] garnering free press.
[18] **ATTORNEY WEED:** Members of the Council,
[19] are there any further questions or comments you
[20] want to make relevant to the issue before you?
[21] **MR. ANDERSON:** There's people signed in
[22] on that.
[23] **ATTORNEY WEED:** That is not appropriate
[24] at this time. I would advise the Council not to
[25] allow any public comment unless people who are

Page 254

[1] willing to comment are prepared to testify under
[2] oath in a court of law. I do not think that's
[3] appropriate at this time. I would urge you not
[4] to do it.
[5] **MAYOR JENKINS:** I've got to ask if they
[6] want.
[7] **ATTORNEY WEED:** Mr. Mayor, you --
[8] **MAYOR JENKINS:** I won't call them up.
[9] **COUNCILMEMBER SPANGLER:** I'm just
[10] saying that the attorney --
[11] **ATTORNEY WEED:** My best advice --
[12] **COUNCILMEMBER SPANGLER:** -- just
[13] advised --
[14] **ATTORNEY WEED:** -- is not to take --
[15] unless these people are prepared to be cross-
[16] examined by Mr. Howe and members of the Council,
[17] and they're subjecting themselves to that. And
[18] unless they want to make statements under oath,
[19] that is not appropriate at this time in my
[20] opinion as your lawyer. But of course you may
[21] do whatever you want to do, and I'll defend you
[22] as best I can.
[23] **COUNCILMEMBER BATES:** I will repeat my
[24] motion to go into Executive Session for --
[25] **COUNCILMEMBER SPANGLER:** I will second

Page 255

[1] that.
[2] **COUNCILMEMBER BATES:** -- personnel and
[3] future or pending litigation.
[4] **COUNCILMEMBER SPANGLER:** Second.
[5] **COUNCILMEMBER PITTMAN:** I had seconded
[6] it.
[7] **CLERK BLACKMON:** Donna had already
[8] seconded that.
[9] **MAYOR JENKINS:** Call the roll.
[10] **ATTORNEY WEED:** Well, while we're in
[11] the discussion phase, I want to go over the
[12] procedure in regard to this matter.
[13] The Council has the authority to hire
[14] and fire employees and they may also generally
[15] supervise the employees under Section 2.12 of
[16] the Charter. If the Council fires somebody, the
[17] employee does have a right to a public hearing
[18] on their request. The hearing must occur within
[19] 30 days of the request for the same.
[20] That is my only comment with regard to
[21] the procedure.
[22] **COUNCILMEMBER SPANGLER:** Now, before we
[23] go into an Executive Session, do we have to
[24] announce whatever you had to go into the
[25] Executive Session for?

Page 256

[1] **ATTORNEY WEED:** Yes, sir. Obviously,
[2] there are two different matters. One would be
[3] future or pending litigation, and also any
[4] personnel issues you'd like to deliberate upon
[5] based upon the facts that you've heard in
[6] public.
[7] **MAYOR JENKINS:** Call the roll.
[8] **CLERK BLACKMON:** Councilmember
[9] Alexander?
[10] **COUNCILMEMBER ALEXANDER:** Yes.
[11] **CLERK BLACKMON:** Councilmember Bates?
[12] **COUNCILMEMBER BATES:** Yes.
[13] **CLERK BLACKMON:** Councilmember Fleming?
[14] **COUNCILMEMBER FLEMING:** Yes.
[15] **CLERK BLACKMON:** Councilmember Pittman?
[16] **COUNCILMEMBER PITTMAN:** Yes.
[17] **CLERK BLACKMON:** Councilmember Roche?
[18] **COUNCILMEMBER ROCHE:** Yes.
[19] **CLERK BLACKMON:** Councilmember
[20] Spangler?
[21] **COUNCILMEMBER SPANGLER:** Yes.
[22] - - -
[23] (Executive Session)
[24] - - -
[25] **MAYOR JENKINS:** Motion to come out of

Page 257

Executive Session?
COUNCILMEMBER SPANGLER: So moved.
MAYOR JENKINS: Second?
COUNCILMEMBER PITTMAN: Second.
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: Motion to go back in regular meeting?
COUNCILMEMBER SPANGLER: So moved.
MAYOR JENKINS: Second?
COUNCILMEMBER PITTMAN: Second.
MAYOR JENKINS: Call the roll, please.

Page 258

CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
ATTORNEY WEED: Mr. Mayor, we've got one item with regard to future or pending litigation. I would ask the Council to direct me to settle the cMedia case based upon the terms outlined in Executive Session.
COUNCILMEMBER ROCHE: So moved.
COUNCILMEMBER PITTMAN: Second.
COUNCILMEMBER SPANGLER: Second.
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?

Page 259

COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: You just had one?
ATTORNEY WEED: That was it for me, Mr. Mayor. Thank you.
MAYOR JENKINS: Okay. Brian, will you do the honors?
COUNCILMEMBER BATES: Mr. Mayor, I'll make a motion that effective immediately, Mr. Howe is suspended for two weeks without pay. Upon his return, he will enter into a 90-day probation. We will implement the memo of understanding dated August 8th, 2008. We will implement the performance plan dated August 4th, 2008, with the additional paragraph four.

Page 260

This will serve as the final warning. Any violation of any subsection that is substantiated by an independent third-party fact-finder -- such fact-finder shall be identified as Jim Burgess or, if unavailable, a fact-finder agreed upon by a majority of Council.
COUNCILMEMBER ROCHE: And I'll second that.
MAYOR JENKINS: Call the roll.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.
MAYOR JENKINS: Do you understand, Luke?

MR. HOWE: Yes.
COUNCILMEMBER BATES: Move to adjourn.
COUNCILMEMBER ROCHE: Second.
COUNCILMEMBER PITTMAN: Second.
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: Yes.
CLERK BLACKMON: Councilmember Bates?
COUNCILMEMBER BATES: Yes.
CLERK BLACKMON: Councilmember Fleming?
COUNCILMEMBER FLEMING: Yes.
CLERK BLACKMON: Councilmember Pittman?
COUNCILMEMBER PITTMAN: Yes.
CLERK BLACKMON: Councilmember Roche?
COUNCILMEMBER ROCHE: Yes.
CLERK BLACKMON: Councilmember Spangler?
COUNCILMEMBER SPANGLER: Yes.

- - -

(Meeting adjourned at 12:25 a.m. on Friday, March 20, 2009.

-o0o-

C E R T I F I C A T E

STATE OF GEORGIA]
COUNTY OF DEKALB]

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

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

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

This the 30th day of March, 2009.

_____

Theresa Bretch, CCR

Permit No. B-755

[SEAL]

$

$10,000 8:15;13:15
$100 213:25;214:2,3;216:8;217:19
$134,944 38:22
$135,000 42:12
$15,000 18:5
$1600 178:17;179:3,9
$240,000 159:20
$25.00 54:23
$3,500 8:10;9:5
$39,000 43:8,10
$50.00 54:25;55:8,18;59:23;174:18;214:5;216:9
$500 21:14
$60,000 31:3
$68.00 176:18
$7,000 5:20;8:6
$700 62:9
$750 12:3;13:13;15:17;17:20;23:1
$8.33 174:22;175:25;176:3,24;177:2

0

06-06 111:8
06-22 111:9
08 195:15;223:2;224:4,13;225:5,12,25;226:14

1

1 135:16;137:18;139:13;183:14
10 70:23;74:23;82:9;87:24;207:16
100 170:23;211:20,20
10-day 233:16
10-minute 70:22
11 82:10;83:18;103:20
11:00 103:16
11th 223:18
12 17:21;23:4;83:20;103:13
12:25 261:21
120 123:12
12-month 16:24;51:20;58:1;60:7;211:13
13 108:8;157:13
14 23:4;28:10;64:24;151:7;152:4;154:3;156:21;157:15,20,22;158:8;166:20,22;167:1,1,9;220:6;221:8,11,18
1402 146:23
1407 198:22
14's 158:1
15 73:21;77:23;80:3,5,8,9,9;81:1;157:16;201:13;210:10;219:7
150 18:16,25;21:15;207:21,23
15-minute-prior-to 74:8
15th 38:11;225:12
16 154:18;157:16;201:13
1603 146:24;203:23,25
17 154:19,22,24;157:16;166:16;168:15;169:13,17
17th 224:13
18 154:23,24;156:19;157:16;158:14;168:15;181:5
180 208:9
19 138:21;139:3;140:12;143:22;154:15;155:3;157:16;168:15;189:21;201:17
19-108 48:9
1920 18:25
1929 18:21
1982 176:10
19th 142:20
1st 137:23

2

2 34:17;38:4,23;108:21;131:10;132:7,8;202:18;204:7,10
2.12 255:15
2.56 223:6
20 138:21;139:4;140:12;143:24;154:16;155:3;157:16;164:20;168:15;183:16;201:18;207:16;261:22
200 5:19;19:2;21:2,23;22:7,9,10
2000 63:20
2003 228:25
2005 37:13
2007 53:1,6;163:20
2008 38:25;196:19;200:9;227:10,11;259:23,25
2009 142:21;183:16;261:22
2010 17:22
21 151:24;154:2;157:13,15
22 151:25;154:2;157:15;220:6,7
23 152:2;154:2;156:21,22;157:15;220:8
23rd 135:6,10,10;226:7
24 52:3;157:16;158:2
240 9:10;160:3
2-40 108:9;113:1;124:18;199:4,4,18
240/250 41:24
240s 8:10
25 58:4;164:19
25th 82:13,20
27th 135:7,8,10;136:5;139:16
28th 227:16;228:15

3

3 38:5;49:4;63:18;64:14;131:10;172:8;190:2,7;203:19;205:18
3/19/06 199:18
3:00 201:1
30 18:21,25;74:23;80:15;82:2;89:4;112:20;123:21;241:18;255:19
300 22:3,17;63:12,15
30-odd 34:22
30th 38:25;201:1
31st 16:1;186:21;226:14;227:10,15
35 164:24
36 16:10
3rd 223:16

4

4 190:12,20;204:1;228:25
4:00 89:15
402 147:9
40-2-39.1 48:15
420 63:13
45 76:22
480 63:12
4th 89:15;259:24

5

5 45:2,9;164:20
50 36:5,14;58:4;208:21
50- 36:23
5000 172:23
500-foot 165:16
50-18-72 228:2
50-18-74 228:11
50-year 36:22
51 165:7
55 122:21

6

6.2.2b 229:5
6.7 229:11
6:00 79:12
6:30 72:12,17,18;79:4,12;149:21
60 15:21;16:17,18;112:14,16;121:19;123:7,11;165:11;208:21
6-2-1 228:25
6th 26:11;32:13;33:17,20;60:22;155:19;177:25;192:19

7

7 72:12,18;79:7;190:7;229:20
7,000 25:25
7:00 79:1,24;86:3,4;103:17;149:21
70 208:21,25
72 50:25
72-hour 50:20

8

87 89:10
8th 227:11;259:23

9

9 74:3;82:7,10,13;148:25;149:12
9:00 82:14;89:15
9:30 77:16;79:1,25;97:21;149:16;158:3;167:11,12
90 112:22;122:2,3,3,7,9,13;123:11,24;124:4,5,8,12;125:5,7;129:1,21;131:4;165:11
909 198:8
90-day 131:3;259:21
9th 136:22;140:21,25;141:5,18;142:10;143:11

A

a1 115:12
able 6:16;26:3;27:25;28:16;31:4;37:5;42:11;56:5;64:18;81:1;87:10;94:22;100:1;131:12;138:6;140:22;151:17;157:3
abortion 126:3,6
absolutely 123:3;143:25;192:23;221:6
Absolutely 122:8;143:25
abundance 126:11
accept 69:10;74:13;96:23;161:6;172:8;188:15;222:19;226:3
acceptable 95:2,8;107:17;115:7;169:19;170:9
accepting 172:15
access 6:9;7:10;61:22
Access 228:12
accessory 137:8;138:24;139:1
accommodate 55:20
accommodating 24:5
accomplish 246:8
accomplished 70:5;73:1;246:14;250:12
accomplishment 38:10
accordance 195:17;206:8
according 160:16
According 28:5
account 176:21
accounting 42:7
accumulating 25:8
acknowledge 224:12;231:22
acquired 229:8
across 95:22,23;107:25
act 223:13
Act 187:19;195:18;221:23;234:18
acted 235:14
acting 223:8
action 110:1,2,4;162:11;190:24;191:4;231:21
actions 228:1,23;250:13
activate 62:23
active 187:22
actively 181:23;188:4
activities 104:7
actual 121:13;143:13;179:22;205:21
actually 7:7;34:21;42:2;43:1;59:5;62:21;65:12;79:10;120:8;121:15;124:7;130:7,10;139:1;152:13;155:17;173:12;176:19;179:19;183:11;190:25;199:20;209:15;214:14;241:3;245:18;247:17
Actually 127:24;136:3;214:13
add 4:18;21:25;32:8;36:8;62:13;65:15;69:13;77:11;113:21;121:12;123:1,18;135:3;143:22;182:1;244:1;252:3
added 98:22;108:14,16;123:22
addendum 88:14
adding 51:14;199:14
addition 29:4;178:7,15,19,21
additional 17:21;21:24;37:11;51:14;62:4,6;63:1;123:1;125:17;191:11;259:25
address 47:24,25;66:12;88:15;100:7;148:21;154:11;170:13;171:20;191:5;204:23;

205:9;213:25;216:14;222:18;224:11;230:19,21,22
addressed 21:15;87:25;147:11;216:11,15;223:12,15;226:20,25;227:9;230:1;236:11
addresses 47:20;60:2;204:24
adequate 21:16;210:20
adequately 170:18;171:16;173:23;174:5;175:13,18;216:11
adhere 111:14,19;147:3
adjourn 261:2
adjourned 261:21
adjournment 167:3
adminis- 112:7
Administra- 108:9
Administration 111:10;112:25
administrative 112:3;223:5
administrator 222:21,23
Admission 103:17
adopt 124:18;136:23;181:15;182:16,18;183:13,18;184:8,10,23;185:17;187:4;192:25;195:3;196:2,3
adopted 110:22;170:2;183:23;187:6;193:7;211:24
adopting 90:17;182:2;186:4
adoption 185:14
Adoption 139:5;192:20
Adoptions 167:13,13
ads 143:8;155:12;195:19
advantages 17:6
advertise 144:8,14
advertised 137:14;139:16;143:11,16;195:9;196:10
advertisements 27:23;143:14
advertising 42:22;76:16;144:8;163:10;195:10
advice 144:19;233:12;252:9;254:11
advise 39:11,22;253:24
advised 222:19;225:7;226:16,23;254:13
advisory 110:10;114:17;134:8
Advocating 211:16
afford 175:19
afraid 73:25
afternoon 82:17;83:10
after-the-fact 59:22
afterwards 60:17
again 3:22;17:9;30:14;69:2;74:2;82:19,22;83:1;128:22;129:5;142:18;151:6;173:22;175:9,14;185:12;192:6;196:13;200:7;204:3;206:7;215:4;218:7;234:13;235:15,22;242:9;243:21;248:2
Again 18:6;38:13
against 88:25;126:8;250:19
agency 43:15
agenda 4:11,14,18;32:8;33:12,20;76:24;79:22;108:7;138:22;139:4;145:11;150:13,17;151:5,7;152:12,16;153:2,24;154:8;155:12,22;157:12,15;167:18;168:3;177:25;202:5;210:12;219:13,16
Agenda 152:4;156:21;167:1
agendas 212:8
aggravated 228:4
aggressive 59:15
ago 43:21;148:17;162:6;211:24;237:5;244:11
agree 15:1;17:12,23;30:25;36:25;69:19;71:14;88:5;119:9,13,14,22;125:21;130:3;160:21;161:20;164:17;172:8;186:3;188:18;203:1;213:20;215:19;221:23;226:8,9
agree- 45:14
agreed 11:19;12:3;13:13,14;42:6;170:2;186:12;260:5
agreeing 252:21
agreement 16:23;34:15;35:19,20,22;36:7,15;37:6;38:7,19,23;39:4,8;40:1,9;41:12,13,16;42:8;43:14;171:10
agreements 36:6;45:7,13,15,18
agrees 79:10
ahead 6:2;13:11;15:7;23:21;24:3;26:22;32:8;100:10;117:18;138:13;149:8;170:14;174:10;177:18;190:10;202:14;210:5;219:11;221:15
Aide 223:17,20;238:25;250:24
AJC 176:16
alarm 65:2,16
Alexander 3:5;4:24;33:24;44:13;46:23;48:13;68:2;73:8;78:7;80:20;81:12;95:2;98:8;105:24;146:7;151:16;153:10;168:25;180:17;189:5;210:13;211:13;213:7,25;218:18;256:9;257:7;258:2,25;260:11;261:7
ALEXANDER 3:6;4:25;16:3,6;33:25;40:14;44:3,14;46:24;48:22;50:3,13;51:16;52:19,25;53:5;59:25;60:18;65:10;66:5,8;68:3;70:16;72:20;73:3;78:8;80:4,14,18,21;81:13;83:5,22;84:13,17,25;85:8,11,23;87:7,16;88:7,20;89:18,21;90:11;91:5,16,19,25;92:22;93:16,22;94:12;96:10,14;98:9;99:1,4,7,10,16,19,22;101:22;102:4,11;104:14;105:3,9,25;106:12,18,24;107:3,6,12,15,24;108:5;143:2;146:8;147:8;151:2,10;153:11;154:22;158:14;169:1;178:3,10,14;180:18;185:5,25;186:16,20;187:3,10;188:12;189:6;193:21;212:12,21,25;213:8;214:4,8,9,16;216:4;217:21;218:19;256:10;257:8;258:3;259:1;260:12;261:8
Allocation 183:2
allow 126:5;253:25
allowed 7:4;94:16,17;98:25;99:13;103:22,24;141:5
ally 50:10
almost 43:8;48:6;119:11
alone 120:23
along 5:13;47:16;90:9;107:10;182:14;183:7;236:16
alternating 161:18
alternative 170:7
although 144:15;211:16
always 14:3;53:17,22;71:3;74:2;137:1;138:14;142:4;149:22;150:2;173:21;184:2;188:10
ambiguous 190:5
ambivalent 144:15
amenable 27:16;56:24;59:12
amend 42:14;75:5
amended 77:3;196:3
Amended 199:18
amendment 96:20;140:14;188:16;199:9;200:6;216:15,16;217:5
amendments 108:20;115:13,15,16,21;117:4,24;118:19;120:13;127:5;128:6;138:17,19;140:15;141:11;194:14,19;195:15;196:9
amount 10:25;11:21;170:9;173:22;176:1;178:24;179:2;211:6,7,10
amp 18:16,25;21:15;22:17
analysis 104:22,24
and/or 13:1
And/or 221:5
and-a-half 74:6;82:2
Anderson 74:18;102:18,23;107:8;126:23
ANDERSON 56:7;74:18;102:21;126:23;127:10,13,19;128:5;130:2,12;145:24;164:3;201:14,19,21,25;202:3,7,12,15;204:8,13,17,21;205:11;206:3,22;207:3,6;220:1;253:21
animosity 224:5,17
annexation 223:23;251:18
Annotated 53:3
annotations 52:24
announce 255:24
annual 82:12
anonymous 10:15;30:7,9
any- 135:12;252:2
anymore 8:1;147:25;249:5
Anymore 27:14;29:13;44:7;46:12;67:21;81:6;98:1;105:18;145:7;151:1;178:2;188:23;213:1;218:12
apologies 27:5
apologize 69:9;247:15
apparently 9:25;64:24;182:13
appeal 192:5,9
appear 108:6;228:23
appearance 241:15;242:9
appeared 210:11;212:7;241:25
appearing 225:7
appears 229:10
Applause 126:20;166:7;219:24
appli- 142:15;204:2
appliances 8:5;9:7
applicability 52:8;185:8
applicable 31:19;52:18;203:14;204:5
applicant 123:13;129:17;192:3,8
applicants 75:2;241:8
applicant's 217:13
application 108:18,24;211:7
applied 50:24;233:16
apply 48:11;50:22;88:12;95:22;104:1;132:20;161:17;184:15
appointed 109:9,15;147:1
appointment 109:23;132:16
appreciate 24:13;26:6;125:4,5;127:2;129:10;130:12;145:12,15;162:3;168:19
appropriate 65:22;75:13;90:18;210:22;211:11;233:22;236:8;245:17;253:23;254:3,19
approval 17:18;112:24;113:1;117:6;120:16;130:1;131:3;189:23;190:15;205:23;206:4;227:8,21
Approval 139:5
approvals 130:13
approve 131:14;195:23;198:8;202:24;245:22
approved 45:16;122:15;129:24;190:17;198:11;202:22
Approved 113:22;114:2,5
approves 131:9
approximately 62:9;227:16
April 26:11;32:13;33:16,20;60:22;82:13,20;135:6,8,10;136:4,22;139:16;140:25;141:5,17;142:10;155:19;177:25;192:19;224:9,13
arborist 208:1,5
ARC 128:19
area 94:22;161:14;163:3
areas 51:11;94:18;104:8
arena 69:7
Arena 43:21;63:6,11;67:13;68:23;69:4;92:17;94:18
argue 53:16
argument 129:17;215:13
around 22:2,3;63:14;74:19;77:16;82:16;83:11;92:12;151:12;161:8;163:17,18;177:16;202:5;250:16,17,18;251:10
arrest 172:11

arrived 248:14
article 176:16
Article 36:13
ascertain 39:20
aspect 51:5;60:2;250:7
Assembly 251:18
assign 62:21;94:19,22
assigned 65:23;187:14
assigning 62:21
assignment 64:14
assistant 223:5
assume 9:20;30:1;31:14;121:17;198:1,18;217:16
assuming 84:8;122:13
ating 26:9
ation 210:16
Atkinson 176:13;177:23
Atlanta 109:21;176:17
at-large 109:12
attach 211:3
attached 181:21;194:7,9
attack 60:16;244:4
attacked 244:6
attempt- 39:22
attempted 206:10;215:6
attend 109:20;224:15;237:10
attended 225:12;232:1;237:20
attention 35:2;160:9;240:12;247:20
attorney 73:24;74:10;76:25;138:15;149:13;152:1;154:19;155:24;159:3,5;254:10
Attorney 93:24;124:19;138:18;151:25;158:7;160:16;191:1;193:13
ATTORNEY 9:18;11:2,12,15;12:13,16;13:5;15:15;16:5,8,25;18:3,22;26:19;27:2,9;30:1;31:11,21,25;32:10,16;33:4,7,11,14,18;35:6,14,21;36:9;37:22,24;39:7;40:20;41:4,10;42:4,13;45:10;46:9,15;48:21,24;51:4;52:6,22;53:2,12;54:5;57:15;65:3;66:17;69:19;70:18;71:13,21,25;75:7;76:14;78:1;79:13,21;90:13;91:10;97:18,22;99:24;100:2;103:12;104:18;105:4,11;106:23;114:5,21;115:8;116:11,18,21;117:3,23;120:10;121:1,4,8,24;123:16;124:7,13;130:16,18;132:10,14;133:1;135:1,11;136:10,14;137:10,24;138:21;139:3,9,22;141:10;143:4,23;144:1,5,10,25;147:13,22;148:4,8,12;149:22,24;150:2,7,12;152:7,20,25;153:4;154:6,9,12,24;155:10,16,21,25;156:3,8,13,18;157:11,18;158:9;159:2;166:22;167:21;168:1,8,11,18;169:17;170:24;172:18;173:11,17,19;175:6;176:8;181:6;183:20,25;184:13;185:7,18,21;186:18;187:7,13;191:6,13;193:18;194:12,23;195:12,25;196:5,8,13,17,23;197:1,8,11,19;198:14,18;199:7;200:2;201:3;204:11,15,19,22;205:3,6,16;206:5;207:2,4;210:3,9,11;212:6;213:24;214:6,12;215:1,23;216:10,21;217:2;220:7,14,19,23;221:5,10;233:11;234:2,11;235:8;236:2;238:11;249:11;253:11,18,23;254:7,11,14;255:10;256:1;258:15;259:14
attorney/client 104:21
attorney-client 105:14
attorneys 36:10
audience 70:11;72:16;73:15;76:10;80:25;96:9;231:19
audit 176:16;195:8
audited 176:18
August 227:11,16;228:25;259:23,24
author 36:14
authority 111:23;255:13
authorization 103:19
authorize 51:19;60:6
automatic 11:6;15:19;129:6,8;130:8,13
automatically 16:15;112:22;122:14;130:1;187:8
automobiles 48:10
Autumn 88:9;107:25
available 109:13;137:20;226:19
avenue 244:15
avoid 71:12
aware 35:25;133:2;135:22;143:13;181:7,22;187:21;196:9;252:10
away 53:20;125:7;149:18;162:12

B

back 5:14;16:15;29:18;35:15;39:1,5;41:9;49:23;61:21;71:25;76:7;85:5;92:4;94:11;95:6;116:1,20;120:8;124:8;126:12;152:13,14;154:2;157:15;158:8;159:21;162:16,19;165:7;184:21;187:4;191:11,18;193:25;195:1;197:16,18;206:22;218:4;236:20;238:6;241:10;250:20;257:20
backed 171:5,5,6
background 144:12;213:21
backwards 13:8
bad 130:6;163:23;251:13,15
Badge 210:5
badminton 93:8
bagged 25:18
bails 177:1
balance 31:2;148:16
bank 14:11,18;30:10;32:3;177:14
bankings 30:6
banks 30:6
barks 209:10
Bart 4:12,13,18;5:13;9:20;11:10;12:19;13:1,7,13;16:12;17:8;19:15;23:17;24:5,11;25:1;29:16;31:21;32:2,21;33:11;159:14,25
BART 5:17,23;6:1,15;7:1,8,15,17;8:7,12,15,23;9:6,10;15:3;25:3,15;28:5,20;29:2;31:24;32:4,22;33:6,8
Bart's 159:22
baseball 94:14
based 17:18;24:1;95:16;108:24;120:21,22,24;129:12;144:18;171:2;214:11;238:23;256:5;258:18
Based 132:10
basic 12:19,20;62:17
basically 6:1;25:24;63:25;73:22;119:12;134:13;143:18;158:6;159:21;209:2;222:15;238:17;239:8;240:11;243:20;248:13;250:23
Basically 5:23
basis 15:16,18;28:23;36:19;201:7
Bates 3:7;5:1;30:15;31:11;34:1;40:21;44:15;46:25;58:23;68:4;78:9,22;81:14;90:24;91:6;94:15;98:10;106:1;146:9;148:15;153:12;159:19;169:2;180:19;189:7;213:9;218:20;256:11;257:9;258:4;259:2;260:13;261:9
BATES 3:8;5:2;12:1;19:22;20:3,6,9;21:9,17;22:25;23:10;27:13,15;28:15,25;29:7;30:12,17;31:18;34:2,13;35:7,18;36:3;37:4,16,20,23;38:2,18;39:24;40:12,17;41:2,6,23;42:10,14,19,23;43:6;44:1,6,16;45:4;46:2;47:1,13;49:2,5,8,12;50:18;52:5;53:10;54:12,16,20;55:1,5,24;56:6,9,20,23;58:12,16,19;59:1,4,24;60:11,20,25;61:7,15;66:7,10;67:1,7,11,17;68:5,17;69:1,5,7,10,13,16,23;70:14;74:7,15;78:10,23;81:15;82:18;85:15;88:5,8;89:8;93:10;94:3;95:1,15,18;96:23;97:24;98:11;99:5;101:1,4,9,12,24;102:2,7;105:7;106:2;107:16;110:12,15;113:3,7,11,21;114:2;115:20;121:22;122:9;123:3;124:15,20;129:10;130:5;134:4,10;137:3;143:20,24;145:2;146:10,20;147:7;148:23;153:13;155:18;159:9;168:22;169:3;170:20;178:1;179:11,17;180:12,20;183:12,22;184:2,8,22;185:3;186:5;188:15,22;189:8;195:21;196:1,7;197:4,14;198:7,17;199:11,23;205:4;212:24;213:10;218:21;233:6,25;234:5;251:25;253:5,7;254:23;255:2;256:12;257:10;258:5;259:3,18;260:14;261:2,10
bear 75:14;76:2;173:24;200:2
became 171:7
become 133:2
becomes 109:8,15
begin 72:11;159:16;203:3;215:15
beginning 124:8;212:16
begins 192:3
behalf 10:14;169:21;245:24
behavior 251:9
behind 61:21;101:2
behold 165:6
beings 148:13
below 156:21;157:20
Below 156:22
benefit 31:14
besmirching 250:17
best 23:21;26:23;37:16;52:22;177:9;193:23;202:2;211:21;254:11,22
better 10:6;28:11;36:25;37:3;72:5;144:16;209:11;215:12;223:4
beverages 103:22
beyond 124:1;160:2;236:18
bicker 247:5
bickered 247:4
bid 69:2
bids 65:20;66:11
big 89:3;135:18;193:4;197:15;200:4
bill 27:22;114:13
billed 231:24
billing 64:9
binding 143:18;183:17;187:25
Bird 100:11;107:9;108:1;159:12
BIRD 95:13,16;100:6,15,21,25;103:5,9;107:11,21;159:12;160:23;161:1,5,23
birthday 217:8,13
bit 33:2;130:9;211:17;217:16;236:20;248:23
biyearly 232:4
Blackmon 37:4;178:4;186:22
BLACKMON 3:4,7,9,11,13,15;4:23;5:1,3,5,7,9;29:25;33:23;34:1,3,5,7,9;37:7,18;38:17;44:12,15,17,19,21,23;46:13,17,20,22,25;47:2,4,6,8;55:2;62:5;63:11,22;64:8;67:10,19;68:1,4,6,8,10,12,22;69:24;77:21;78:3,6,9,11,13,15,17,20;81:11,14,16,18,20,22;82:6;98:7,10,12,14,16,18;102:14;105:23;106:1,3,5,7,9;107:2,4,7;108:1;145:5,22;146:6,9,11,13,15,17;149:20,23,25;153:9,12,14,16,18,20;158:16,20;168:24;169:2,4,6,8,10;178:8;180:16,19,21,23,25;181:2;186:24;189:4,7,9,11,13,15;198:13;199:22;200:25;212:23;213:6,9,11,13,15,17;218:17,20,22,24;219:1,3;255:7;256:8,11,13,15,17,19;257:6,9,11,13,15,17;258:1,4,6,8,10,12,24;

259:2,4,6,8,10;260:10,13,15,17,19,21;261:6,9,11,13,15,17
blah 64:3,3,3
blank 29:1;223:25,25,25
blocked 131:18
blush 126:15
board 95:23
Board 230:5,8;248:23;249:7
Bob 97:14;131:6;145:9;167:11;224:13,17,20;225:6
Bobby 208:4
bodies 147:1
body 108:23;133:16;134:8;136:19;148:6;199:20;233:17;235:12;248:16;253:12
boiler-plate 206:1
bolster 215:13
bolstering 215:20
bond 171:5;173:6
bone 215:12
Bonita 124:25;125:1;130:24;161:24,25;207:10
Bonita's 127:2
book 90:23;176:2,24;194:22;197:4,15,24;198:2,3,16;203:7;207:14;208:7;209:18
Book 111:11,12,20
booked 179:7
booking 172:9;179:10
books 176:19;216:6
boom 200:22
bore 65:7
bored 163:17
both 46:3;56:10;60:23,25;114:21;171:10;183:20;186:13;193:12;202:1,10;214:18,19;233:19
Both 60:24
bottled 25:19
bottom 91:1;109:7;157:23;190:2
bound 247:9
box 140:18
boxes 24:4;46:8
Boy 65:13
brand 94:8
breach 39:16,21
break 85:17,18;216:20,22;239:24
break- 160:2
brewers 9:8
Brian 34:12;61:6;130:3;163:7;164:1;259:16
brick 193:4,5;200:4
brief 62:3;117:19
Brief 85:20;216:24
brilliant 246:6
bring 3:19,22;5:19;6:11;8:8;9:6;13:19;29:16;35:1;82:15;141:14;184:5;221:20;237:13,16;244:10;249:5
bringing 8:25;76:8,9;159:23
brings 128:18
Brinkley 92:3;178:24
BRINKLEY 92:5;158:24;178:12,15,25;179:3,15,22;180:4,7,10
brochures 163:18
Brook 88:11
brought 4:2;6:5;82:11;92:23;132:4;160:8;225:5;239:15;240:11;249:1;250:22
Brown 47:19
bucks 58:11;165:8
budget 14:14;43:7;177:3;178:5
buffer 207:21
Buford 22:2;47:16
Buice 45:22
build 6:8;11:16;75:20;208:10;209:15;232:23
building 5:19;7:9;8:8;11:25;12:6;19:17;20:24;21:22;23:7;24:4,11;28:8,19,21;64:17;65:18;164:13;192:20;208:16,17
Building 61:17;209:17
buildings 28:10;62:2;63:4;207:22
built 18:20,24;211:15
bunch 163:8
burden 45:18,21
Bureau 34:17;40:4
Burgess 226:10,15,16,21,23;227:4;260:5
burglared 65:13
burglary 63:3
business 5:24;9:25;14:8;17:8;23:9;32:17;42:3;47:11;53:7;72:21;74:9;134:14;148:2;159:24;160:9;172:2
businesses 59:18;161:13
businessmen 162:8
butions 30:3
Byzantine 164:16

C

C-1 198:8,11
C1/C2 194:3
C2 208:24;209:3
cabinets 61:21
cable 204:3
calculate 27:25
calendar 11:5,9,14;15:24;16:14;17:21
calendar-year 15:18
call 59:5;76:16;94:17;121:15;239:16;241:1;249:6;254:8
Call 3:3;4:22;33:22;44:11;46:21;67:25;69:22;78:5;81:10;98:5;105:22;146:5;153:8;168:23;180:15;189:3;213:5;218:16;255:9;256:7;257:5,25;258:23;260:9;261:5
called 63:7,24;76:6;78:4;99:6;204:15
calling 250:16;251:10
came 9:19;148:17;171:10;215:1;237:5;241:6;244:15
campaign 223:3;242:5,6,7,11;245:12,14;248:22,23;249:23,25
campaigns 250:19
can 6:2;7:6,16;10:9,25;11:21;13:7;15:7,8;18:4;20:23;22:22;23:21;27:20;29:6,17;30:18,22;31:7,23;32:7;33:11;39:19,21;41:8,10;42:7;50:22;51:6;53:3,17;56:14;57:7;59:6,8;61:7,23;62:23;64:15,24;67:8;70:4;71:3;73:7,10,12,15,23;74:1,11;79:9;85:5,16;87:12;88:15;89:2,10,16;90:19,24,25;91:8;92:23;93:3;94:1,19;100:10;104:9,10;105:2,5;108:12,15;114:24;115:24;118:22;125:9;126:7,7,7,8;128:21;137:25;138:18;144:3;147:13,21,22;148:2,23;149:16,17,22;150:2;152:11,15,16;154:25;162:11;163:25;167:21,23;168:1,11;171:20;174:3;177:8,22;178:12;179:24;184:2,8,19,19;185:17;187:13,24;188:10;193:7,8;195:14;200:14;202:2;213:22;214:25;218:9;230:21;232:19,19,20;236:12;239:21;240:19;241:20;242:25;243:1,2;245:24;246:2;248:3;251:8;254:22
Can 77:19;96:25;107:4;113:21;132:8;160:14;175:19;193:14;221:3
cancel 64:25;65:2
canceling 64:25
cancellation 64:24
canned 25:19
capabilities 243:8
capable 233:17
capacity 88:18;243:8
capital 10:17,20;13:25;14:16;24:9;26:9;29:22
Captain 47:19;92:3;178:24;180:13
CAPTAIN 92:5;158:24;178:12,15,25;179:3,15,22;180:4,7,10
car 47:18;48:6;51:11;53:8;56:12,13;57:20,21,23,24;58:3,6,10;60:3,10;61:3;208:23
card 62:14,19,22,23;63:16;65:22;66:2,3;68:25
carding 62:8
cards 67:16,18,19
care 25:2;58:5;106:23;118:23;128:12;168:15;171:1;177:16;247:6,8
cared 247:7
career 237:2
careful 91:23;137:9;138:13
cares 247:7
Carol 92:9;98:23
carried 82:5
carrying 111:4
cars 47:15,21;48:5;57:4;209:6,6
car's 49:16
case 12:20;28:16;51:23;136:23;137:9;161:7;171:2;232:19;234:7,18;258:18
cases 75:22;234:9
cat 148:10,11
cated 30:13
cation 142:16;170:25;190:24
caught 190:8
causing 223:10
cautious 144:13
Cedric 181:7
center 6:24
Center 6:14,18;65:12,25;66:1;67:13;172:12
cents 159:18
CEO 183:3;186:10
certain 36:8;51:10;136:24;195:8;210:23;235:5
certainly 11:15;27:20;70:10;75:19;140:12;147:13;155:8;187:13;190:14;195:16;197:19;211:11;216:2;232:17;236:13;241:15;250:15
Certainly 113:8;196:18
certified 39:12
cetera 39:18;77:25;128:19;161:12;194:4,4,4;208:3;209:23;239:25,25;243:3,3
chairman 115:22
Chairman 121:2
Champion 144:9;195:11
chance 39:18;73:23;74:3;80:22;149:8;239:23
change 71:15;79:4;109:6;110:9,11;112:10;121:10;170:16;198:20,21;200:12;202:4;203:10,24;215:25;216:2;223:17;240:17;246:24
changed 49:13;110:19;111:21;166:13,14;181:18;182:10;202:5;203:7,12;217:23;218:1
changes 56:2;58:24;59:13;120:14,16;125:4;182:21;183:18;195:9;200:10,15;211:22,25
changing 71:23;111:22;112:5;214:5
Chapter 103:13
charge 11:25;58:4,4;92:2;103:8;174:18,22;178:17;182:5;208:15,20;211:10;214:2
charged 111:5
charging 29:4;123:13;170:8;176:18
charity 160:20,25
Charter 71:8,9,12,15,18,20;72:1,6;223:6;243:20;255:16
cheaper 66:22
check 14:5;19:7;49:22;66:20;72:1;188:17;213:21;236:13
cherry 245:15
Chief 175:14;176:12,12;208:18;210:16;211:16,17;214:24;215:9;223:23
Chief's 212:13
chips 25:19
choice 244:21
choose 96:5,22;100:20;101:6;103:11;137:2
chose 7:24;56:17
chosen 96:21
Chuck 177:23
ciencies 39:15
Circle 226:11
circum- 232:24
circumstance 132:11
citation 211:1
cited 50:16;51:6
cities 43:5;91:4;133:13;173:10;182:9;185:24;188:3
citizen 74:2,10;77:1,12,

13;80:11;95:5;125:24;
126:9,15;157:3,24;
230:17
Citizen 152:3
citizens 6:23;70:11;
74:3;77:25;85:12;87:19;
95:14;117:21;130:25;
131:15;149:8,19;151:4,
16;251:2
citizens' 73:16,24;
95:19;149:14;159:7
Citizens' 159:10
city 34:19,22;38:11;
42:3;43:10;47:21,23;
59:5,16;84:7;88:13,25;
89:4;90:5;103:15;119:8;
133:10,12;134:12;
164:14;165:4;171:9,13;
173:15;209:15;222:23;
223:9;224:8;246:16,24;
250:5
City 6:6;7:23,23;8:25;
11:8;17:12,22;23:17;
28:9;29:3;34:16;35:10,
10,13,15,16,19,20;38:21;
39:1,11;40:15;45:21;
49:10,13,20,23;55:23;
56:4;57:12,23;59:19;
62:1,9;67:13;74:9;82:14,
17;83:11,16;93:23;104:2;
108:9,19;109:16;111:5,
15;112:23;114:7,14,24,
24;116:6;117:15;118:5,
11,13;120:9;121:11,14;
123:8;125:16;127:25;
133:17;139:18;146:25;
160:12,16,23;162:2;
163:11;169:22,24;
171:24;181:23;190:15,
18;192:6;193:7;200:17;
202:25;208:8,17;221:22,
24;223:1,6,9,11;224:5;
225:6,10,15,18,23;
227:22;228:1,14,24;
229:9,21,24;238:24;
240:4;241:5,8,17;242:19;
250:24
City-initiated 190:24;
191:4
City's 8:7;12:21;163:8
civic 6:24
Civic 6:14,17;65:11,25;
66:1;67:13
clarifi- 190:23
clarification 121:17
clarify 122:1;136:20;
190:16
class 225:13;243:13
Class 225:11
classes 128:19
clause 11:16;129:13;
170:6;174:4;175:8
clauses 36:21
cleanup 82:13;83:3,9
clean-up 87:24
clear 29:15;31:21;
36:12;39:8;124:12;136:7;
138:4;170:21;192:5
clearance 215:8,14
clearly 51:11;182:2;
196:20;197:11;200:9;
240:20;241:22
Clerk 28:16;38:13;
61:25;198:2;199:12;
223:2;227:22;228:1;
236:5;238:24;242:19
CLERK 3:4,7,9,11,13,
15;4:23;5:1,3,5,7,9;
29:25;33:23;34:1,3,5,7,9;
37:7,18;38:17;44:12,15,
17,19,21,23;46:13,17,20,
22,25;47:2,4,6,8;55:2;
62:5;63:11,22;64:8;
67:10,19;68:1,4,6,8,10,
12,22;69:24;77:21;78:3,
6,9,11,13,15,17,20;
81:11,14,16,18,20,22;
82:6;98:7,10,12,14,16,
18;102:14;105:23;106:1,
3,5,7,9;107:2,4,7;108:1;
145:5,22;146:6,9,11,13,
15,17;149:20,23,25;
153:9,12,14,16,18,20;
158:16,20;168:24;169:2,
4,6,8,10;178:8;180:16,
19,21,23,25;181:2;
186:24;189:4,7,9,11,13,
15;198:13;199:22;
200:25;212:23;213:6,9,
11,13,15,17;218:17,20,
22,24;219:1,3;255:7;
256:8,11,13,15,17,19;
257:6,9,11,13,15,17;
258:1,4,6,8,10,12,24;
259:2,4,6,8,10;260:10,
13,15,17,19,21;261:6,9,
11,13,15,17
Clerk's 133:18
Click 199:18
client 17:9
clinics 126:3,6
clip 195:19
close 5:16;97:21
closed 103:16,18
closely 191:7;206:10
cluttered 89:2
cMedia 258:18
CO2s 25:21
co-counsel 144:19
code 51:9;65:16;86:6;
100:3;104:15;204:20;
205:10;206:11;216:14
Code 8:25;53:2;90:23;
105:1;198:16;233:15
Codes 209:17
codified 194:21;217:3
codify 198:15;199:21;
207:15
codifying 199:16
coffee 9:8;10:8;24:16
collected 43:19
collie 209:9
color 55:12;57:9
combat 51:15
combatted 51:8
combine 156:11;221:3
comfortable 18:6;
127:22;130:23;212:9
coming 7:11;29:18;
35:12,14;94:7,10;135:9;
200:25;236:16
Commandments
90:22,23
comment 10:22;14:25;
20:18;32:23;59:21;71:6;
77:13;84:16;92:19;94:15;
111:18;117:23;127:2,4;
138:10;191:1;207:9,11;
212:14;222:10;237:4;
253:25;254:1;255:20
commentary 215:2
commenting 229:19
comments 4:14,19;8:1;
10:2;34:25;39:25;40:21;
60:12;72:16,22;73:17,24,
25;74:2,10,11,19;76:25,
25;77:1,12,24;80:11,11;
94:14;104:23;115:9;
117:22;129:11,12;149:9,
9,13,14;151:1,3,24;
154:19;155:24;156:4;
157:3,25;158:8,23,25;
159:2,7,10;189:22;213:1;
217:10;220:11;224:16;
226:21;236:17;238:18;
239:18,19;253:19
Comments 151:25;
152:3;158:7,7
commercial 21:1;22:1;
23:3,5,9,10,12,13;24:21,
22;48:2;56:8,10;59:16;
60:15,23;164:14;176:7;
198:12
Commercial 198:9
commission 126:1
Commission 108:10;
109:5,19,21,25;110:2,6,
8,10,18,20,23;111:5,13,
23;112:1,7,13,13,15,19;
115:13,23;116:3,15;
117:12,13;118:15;119:5;
121:18;122:10,23;
123:19;124:10;125:23;
127:17;128:21;129:14,
20;130:10,22;131:9,14;
132:6,7;133:7,14,20;
134:1,3,6,19;135:25;
136:8;137:4;139:8,12;
140:6;141:19;155:7;
193:15;194:17;195:2;
202:25;220:2
commissions 117:25
Commission's 135:19
committed 172:14;
235:23;239:8,10
committee 95:5,19;
96:5,20;100:8,10,14;
101:8;102:8,19;104:24;
114:18;147:23
Committee 105:16;
248:6
committee's 147:16
common 64:22
commu- 51:7;131:18
communicate 232:9;
246:25
communication
246:23,25
communications
249:17
community 116:17;
117:18;119:6,7;120:24;
159:17
comp 31:19
companies 66:11
company 62:7;64:17;
171:11
compared 160:3;
170:16
comparison 59:8;
203:20
compatible 209:24
compelling 123:5;
188:9
compensated 114:20
competency 241:21
complaint 182:4;222:7,
14,17,20
complaints 222:18;
223:13;224:11;227:14;
228:7;231:23
complete 198:25;
207:16
completed 157:12
completely 14:20;
119:10;136:4;187:17;
215:18;242:8
compliance 40:5;
108:22;182:20;205:13
complicated 114:15;
206:20
complied 39:21
comply 31:23;206:25;
235:4
comports 188:1
Comprehensive
245:19
compromise 72:10;
217:9
computer 62:18;247:25
Computer 229:12
con- 15:12
concen- 202:15
concentrate 70:8,10
concept 72:9;80:2;
235:16
concern 51:17;70:20;
122:19;123:2;130:21;
144:11;173:21;182:4;
186:1,3,6;210:18
concerned 10:20;
100:10;123:13;126:2;
134:18;155:1;211:17;
236:6;240:5
concerns 10:17;79:4;
84:5;210:14;211:21
concession 32:25
concise 31:10
conclude 149:16
concluded 233:19
conclusion 39:4;
118:16;122:12;129:7,9;
131:4
concur 28:3;74:7;
88:15;123:4
conditional 125:13,22;
126:16;127:3,6,22;128:1;
130:23;134:20;140:1;
142:6,12,15
Conditional 125:14;
127:13
conditions 109:1;
189:23;191:8;205:23;
206:3,4,6,13,19
Conditions 139:4;
167:13
condone 251:9,15
condos 161:12
conduct 92:2,7;249:12
conducted 225:20
conducts 121:4
confi- 229:7
confident 31:23
confidential 226:17;
232:16;233:5
Confidential 229:6
confines 222:6
confirm 188:13
confirmation 186:9
conflict 184:12,14,20;
187:4;223:8,10
conflicts 208:11;223:15
conform 209:18
conformity 164:15
confused 115:10;
166:15
confusion 217:22
conscious 236:12
consensus 75:18
consider 6:21;111:14;
112:1,7;131:17;135:15;
137:18;230:2
consider- 210:15
consideration 112:20;
123:20,22;134:24

considerations 203:9
considered 125:18; 140:14;147:5;160:23; 163:4;190:6;203:8; 210:17;229:3;239:2
consist 111:24
consistency 222:25
consistent 232:12
consortium 36:1
constitution 36:13
constitutional 36:12, 16
consultant 223:3; 249:23,25
consultants 245:12
Consumer 176:8,10
contact 87:21
contacted 48:13;181:7; 226:10
context 234:14
contingencies 17:18
contingency 14:11; 24:1
contingent 17:15
Contingent 15:10,11
continually 243:22
continue 54:15;71:4; 150:3,13,14,15,17; 154:25;167:21;181:11; 222:12
continued 94:9;224:4, 17;225:5,22
continues 148:5; 229:22
continuing 176:4
contract 9:13;10:24; 11:4;13:1,6;16:10;34:24; 36:5;37:6;39:17;63:10, 18,19,23,25;64:5,7,9,15; 65:4,5;66:18;169:18,20, 21;170:2,13,15;171:8,22; 173:9,9,16,20;175:19; 176:5,14;178:7,20;179:4, 9,16;195:6;223:23
Contract 169:18
contracting 64:20
contracts 66:14,15; 178:16,21,22
contri- 30:2
contribution 12:21
contributions 242:7
contributors 10:16
control 51:23;72:7
convenience 211:10; 214:2
convention 43:2
Convention 34:17;40:4
conversation 128:13; 212:13
conversations 87:18
convicted 234:17,25; 235:18
conviction 234:7
Conway 101:1,13;107:8
CONWAY 101:3
cook 25:5,14
cooking 25:6
coordinate 52:1;105:1; 106:15
copied 118:6,8;227:17, 18;235:25
copies 45:12;194:15; 227:13
copy 5:23;9:19;35:5; 37:15;47:24;48:20,23; 52:20;63:23;64:4;85:10, 14;165:8;193:1,14; 195:10;227:18
corporation 35:9;38:7
corre- 42:15
corrected 21:12;40:15; 193:1;197:17,18
corrective 231:21; 252:13
correctly 239:10
cost 5:16,18;6:5;12:22; 14:13;25:17;27:21;28:23; 31:15;53:18;55:16,20; 116:6;117:15,16
cost-cutting 3:21
costs 19:20;22:10;23:3; 25:17;29:5;31:14;177:17, 17;192:7,10
council 16:4,7;171:18
Council 4:15;6:12;8:2; 12:18,25;15:20;17:17,17; 29:17;30:8;32:1;34:20; 45:11,16;47:25;48:18; 60:19;76:7,8;79:10; 82:11;83:23;84:8;90:15; 95:21;103:20;104:9; 109:4,10,17;111:6; 112:15,23;118:5,11,13; 120:9,15;121:21,25; 122:14;129:3;130:16; 131:13;133:11,15,19; 134:7,22;135:2,14;136:8; 139:2,18;141:23;147:1,3, 16;148:9;160:11;174:2; 181:6;182:16;187:21; 190:5;192:9;193:7;203:1; 205:17;221:24;223:4,16, 17;224:6,9,23;225:11,14, 16,17,19;227:7,21;230:2; 236:1,11,22;238:15,21; 239:3;242:1;243:14,18, 18;244:20,25;245:22; 253:18,24;254:16; 255:13,16;258:17;260:6
Council/Staff 225:11; 243:13
Councillor 125:3,12
councillors 126:7
Councillors 162:2
Councilman 24:15; 32:10;90:24;157:14; 159:19;206:9;210:13; 211:13
Councilman's 217:3
Councilmember 3:4,7, 9,11,13,15;4:23;5:1,3,5, 7,9;33:23;34:1,3,5,7,9; 44:12,15,17,19,21,23; 46:22,25;47:2,4,6,8;68:1, 4,6,8,10,12;78:6,9,11,13, 15,17;81:11,14,16,18,20, 22;98:7,10,12,14,16,18; 105:23;106:1,3,5,7,9; 146:6,9,11,13,15,17; 153:9,12,14,16,18,20; 168:24;169:2,4,6,8,10; 180:16,19,21,23,25; 181:2;189:4,7,9,11,13, 15;213:6,9,11,13,15,17, 24;218:17,20,22,24; 219:1,3;256:8,11,13,15, 17,19;257:6,9,11,13,15, 17;258:1,4,6,8,10,12,24; 259:2,4,6,8,10;260:10, 13,15,17,19,21;261:6,9, 11,13,15,17
COUNCILMEMBER 3:6,8,10,12,14,17;4:16, 17,21,25;5:2,4,6,8,11; 8:3,11,14,17;9:12,16; 10:3;11:10,13,22;12:1,2; 13:10,17,21,24;15:6,11; 16:3,6,22;17:25;18:4,8, 10,14;19:10,14,19,22; 20:3,6,9,12,15;21:9,17; 22:8,25;23:6,10,12,23; 24:14;26:2,14,16,17,21; 27:5,7,13,15;28:15,25; 29:7,14,21;30:5,10,12, 14,17,19,24;31:6,8,9,18; 32:2,5,7,12,14,19;33:9, 12,16,19,25;34:2,4,6,8, 11,13;35:7,18;36:3;37:4, 16,20,23;38:2,18;39:24; 40:10,12,13,14,17;41:2, 6,7,23;42:10,14,19,23; 43:6;44:1,3,5,6,14,16,18, 20,22,25;45:4,6;46:2,5,7, 10,19,24;47:1,3,5,7,10, 13;48:22,25;49:2,4,5,6,8, 9,12,24;50:3,6,9,11,13, 14,18;51:16;52:5,19,25; 53:5,10;54:1,6,12,14,16, 17,20,22;55:1,3,5,6,24, 25;56:6,9,15,20,21,23, 25;57:17;58:12,13,16,18, 19,21,22;59:1,2,4,20,24, 25;60:11,13,18,20,24,25; 61:1,7,11,15;63:9,17; 64:6,13,23;65:6,10,19; 66:5,7,8,10,13,21;67:1,3, 5,7,11,15,17,20;68:3,5,7, 9,11,14,15,17,19;69:1,3, 5,6,7,9,10,12,13,15,16, 23;70:1,14,16;71:5,17, 19,22;72:4,13,20,23; 73:3,5,18;74:5,7,14,15; 75:4;76:4,20;77:2,4,8,17; 78:8,10,12,14,16,19,21, 23,24;79:3,6,15,23,24; 80:1,4,6,7,12,14,16,18, 19,21,23;81:3,13,15,17, 19,21,24;82:1,10,18,20; 83:5,8,19,22;84:10,13, 17,23,25;85:3,8,9,11,15, 23;87:5,7,16;88:5,7,8,20; 89:8,18,21;90:9,11;91:5, 16,19,25;92:8,22,25; 93:2,10,12,16,18,22,25; 94:3,5,12,13;95:1,15,18; 96:3,4,8,10,12,14,19,23, 25;97:2,4,5,7,10,12,14, 16,20,24;98:3,9,11,13, 15,17,20,21;99:1,4,5,7,9, 10,12,16,17,19,20,22,25; 100:9,19,23;101:1,4,5,9, 10,12,14,16,18,20,22,24, 25;102:2,4,5,7,9,10,11, 16,18,22,24;103:2,3,7, 10;104:11,14;105:3,7,8, 9,10,13,17,25;106:2,4,6, 8,11,12,18,24;107:3,6, 12,15,16,18,24;108:4,5, 8;110:12,13,15,16;113:2, 3,5,7,8,9,11,13,14,16,17, 19,21,23;114:1,2,4,8,9, 10,16;115:5,6,20;118:14, 18;119:9,19,23;120:4; 121:22;122:8,9,18;123:3, 7,15;124:5,11,15,16,17, 20,22;125:14;126:4,17; 127:9,11,15,21;128:3; 129:10;130:5;131:20,21; 132:1,3,12,18,22;134:4, 10;135:24;136:9,16; 137:3,19;138:3,23; 139:15,19,24;140:4; 141:16;142:19,25;143:2, 20,24;145:2,4,8,14,19, 21;146:8,10,12,14,16,19, 20;147:7,8,19;148:1,7, 10,14,23;149:3,7;150:4, 9,11,16,18,19,22,24,25; 151:2,6,10,14,21;152:5, 18,21;153:3,6,11,13,15, 17,19,22;154:1,4,7,10, 20,22;155:2,18,23;156:1, 5,20,25;157:2,6,9,17,22, 24;158:1,2,4,5,11,14,19, 22;159:8,9;161:19; 162:15,23;163:5;166:16, 19,25;167:5,7,8,10; 168:5,10,13,14,16,20,22; 169:1,3,5,7,9,12,15; 170:20;171:21;172:6,19; 173:14,18;174:8,11; 175:3,24;176:9,15; 177:24;178:1,3,10,14,23; 179:1,5,11,13,17;180:1, 5,9,11,12,14,18,20,22, 24;181:1,4;183:12,22; 184:2,8,22,25;185:3,4,5, 25;186:5,16,20;187:1,3, 10;188:7,12,15,20,22; 189:6,8,10,12,14,17,19, 21;190:10;191:2,10; 193:14,20,21;194:5,8,20; 195:7,21;196:1,7,11,14, 22,25;197:2,4,5,9,14,15; 198:7,17;199:2,8,11,23; 204:6,9;205:1,4;210:1; 212:3,12,21,24,25;213:8, 10,12,14,16,19;214:4,8, 9,13,16,18,20,21;216:1, 4,19;217:21;218:6,10,19, 21,23,25;219:2,5,11,17; 220:10,15;221:1,9,17; 222:16;230:6,9,13;231:2, 6,10,14,18;232:7;233:6, 25;234:5;235:2,24; 236:14;237:14,18,24; 238:3,13;242:12,17; 246:13,20;250:10; 251:25;252:2,4,5,19,22, 24;253:1,5,7;254:9,12, 23,25;255:2,4,5,22; 256:10,12,14,16,18,21; 257:2,4,8,10,12,14,16, 19,22,24;258:3,5,7,9,11, 14,20,21,22;259:1,3,5,7, 9,12,18;260:7,12,14,16, 18,20,23;261:2,3,4,8,10, 12,14,16,19
Councilmembers 218:3;247:12
Councilpeople 240:11; 244:13;251:3,4
Councilperson 95:20; 96:6,21;100:20;101:17, 19;102:1,3;239:17,21; 240:2;251:8
Councilwoman 57:2; 145:15
counsel 13:2,7
counsel's 35:2
counteract 60:9
counteroffer 175:20
country 166:4
County 34:21;35:10; 38:14;40:3;41:25;163:9; 164:21;165:20;166:1; 181:8,14,24;182:10; 183:5,10,15;187:12; 208:17;209:20
couple 35:1;56:25; 75:24;151:18;200:14; 212:8;236:17
course 53:15;66:13,24; 71:16;94:7;154:14;198:4; 215:9;240:25;254:20

court 3:24;180:2;211:2;235:11,16;254:2
Court 63:6,14;67:13;68:23;173:7;233:3
courts 179:20
court's 178:20;179:7
Court's 63:12
cover 60:1;114:21;170:18;171:16;173:23;174:7;175:13,18;177:14;192:10
covered 92:1,7;128:24;138:22;145:1;171:10;175:11;188:11;214:1
covering 40:22;192:7
covers 52:8
CPI 176:6
craft 17:19
Crawford 115:23;136:16;139:24
CRAWFORD 89:13,19;90:5;116:1,8,13,19;117:2,9;118:4,12,25;119:16,21,24;120:5,20;121:3,6;127:24;136:17;140:2,5,17,21;141:2,6,14,22;142:5,11,17,23;143:10,15;144:3,7
create 55:15;229:17;246:1
creating 205:22;225:22
Creative 126:12
credentialing 215:7,15;217:15
credit 14:5;15:12;215:16,16,18;217:15,18
Creek 154:12;158:17,17;167:12;169:18,20;170:15,21,25;171:13,24;172:1,13,14,16;173:5,7;174:14;175:22;176:3;178:6;179:20
Creek's 169:23;178:17
Crime 172:12
criminal 178:19;235:23
criteria 111:8,11,15;125:17;147:3;190:3,13;202:23;203:2,6,11,23;204:14,18,23,25;205:5,7,9
cross- 254:15
crowd 70:21
crunch 137:25
crystal 136:6;138:4
curb-stoning 57:4
cure 39:19
curious 160:5
current 50:1,15;54:4,7;63:22;181:13;195:24;196:3;217:7
currently 27:9;115:14;147:16;242:22
Cushman 48:3
cussion 27:11
custodian 236:4,7
custom-made 59:10
cut 3:24;73:13
cutoff 241:18
CVB 38:8,14,22;42:24

D

daily 103:16
Dana 144:19
dangerous 203:15
dark 86:3,4
darn 132:16
data 26:4;172:11;244:3
date 36:8;52:20;55:11;82:18,25;122:10;135:5,15;137:16;138:2;142:20;182:10;183:18;185:15;192:22;193:9;227:8;230:12;237:13;248:24
dated 228:25;259:23,24
dates 184:14;185:2;186:6,7,10
dation 6:16;116:25;129:16
dawn 91:13
day 38:11;56:12;66:3;82:13;83:3;89:20;94:11;103:17;114:11,13,17,19;122:13;124:15;134:16;172:25;173:2;174:19;176:18;230:25
days 87:24;112:11,14,16,21,22;121:19;122:2,3,3,7,9,22;123:7,11,12,21,24;124:4,5,8,12;125:5,7;129:1,21;131:4;164:24;165:8,11;241:18;255:19
day's 115:3
Days 163:13
days' 15:21;16:17,18
day-to-day 241:20,21
DCVB 42:1;43:8
deactivate 62:23;66:3
deal 11:21;12:18;16:14;48:4;159:23;165:16;170:10;171:17;177:19;251:7
dealer 50:4;209:1
dealerships 53:9;208:23
dealing 92:21;191:23
deals 103:13;169:23;205:18
dealt 170:4;210:19
death 208:5
debates 36:11
debating 74:22
Decatur 35:11,13,15,16,20;36:1;40:16
December 15:25;250:21
decide 12:18;75:21;141:25;182:16
decided 25:18;157:7;203:10
decision 17:9,10;24:19;26:3,11;123:10;129:2;212:2;238:15,16,22
decisions 111:25;174:1
declined 226:6
defame 222:8
defend 254:21
defended 240:7,9
defensible 211:11
defer 10:21;26:3,10;33:10,20;62:3;176:12;177:25
defi- 39:14
defined 110:25;111:25;236:8
defining 148:3
definitely 53:7;104:12
definition 147:21;148:5
definitions 108:16;126:14;147:9
degree 210:23
Dekalb 34:16;35:10;38:8,22;40:3,4;159:20;163:9;164:21;165:20;166:1;181:8,14,24;182:10;187:12;208:17;209:19
delay 112:17;121:20
delayed 151:7,8,8
delegate 107:9
delegating 108:2
deleted 108:14;109:24;110:3;194:21
deliberate 221:13;256:4
deliberated 142:21
delinquent 247:19
delivery 181:19
Delivery 154:13;156:16;158:17;181:10,13;186:15;187:19
demand 39:14;42:7
denial 129:8;130:8
denied 78:20;231:4
dential 229:8
department 80:11;225:20;237:8,9
Department 48:14;49:18,19;68:21;73:24;74:10;87:22;149:13;151:24;158:7,23,25;170:12;178:18;216:11,12
Department's 149:9
depending 17:7;21:24;62:12;70:20;90:15;229:4
deposit 87:24;247:18
Deputy 176:12
description 223:7,20;227:25
designated 104:8;181:12;188:17
designations 198:20
desirable 225:9
desperate 241:16
destruction 203:17
detectors 62:11
deter- 22:6
determi- 171:17
determination 235:13
determine 21:6,25;114:24;162:20;192:4;208:18
determined 52:15;117:20
determines 108:24
determining 52:23
developer 125:6;241:9,9
developers 45:20,25;242:3
devoted 248:7
dictated 11:3
die 162:20
died 162:17
dies 16:15
difference 37:12;75:8;169:22;173:9,12,15;185:2,6;205:24
differences 173:13,20
different 25:25;56:13;61:14;62:16;74:20;88:18;131:13;181:20;182:11;185:15;230:12;240:2;256:2
difficult 152:8
diffused 225:3
diligence 24:18
diligently 108:11
dime 248:25
direct 184:20;258:17
directed 133:18
direction 155:8
directions 155:6
directly 216:15;241:6;243:18
dis- 27:10;101:20,22
disagree 144:16;222:13
disagree- 232:17
disagreement 232:11
disagreements 144:22
disappeared 160:10
disappointed 248:5
disapprove 130:4
disci- 252:8
discipline 222:22,25;229:14;252:14
Disclosure 228:3
discovered 176:19
discuss 84:24;148:24;220:2;226:1
discussed 58:25;146:22;182:12;192:10;211:14
discussing 85:25;125:15;253:3,4
discussion 27:14;28:7;29:13;44:7;46:12;58:17;67:21;77:5;81:6;82:2;93:23;95:24;98:1;105:18;116:3,6;117:14;127:10,15;145:7;146:1;178:2;188:24;192:21;218:12;222:9;224:22,24;226:10,13,17;227:2,6,15;228:8;232:14;255:11
Discussion 46:6
discussions 61:18
dishonor 222:8
dismissal 229:3
disorderly 92:2,7
displayed 60:8
disrespectful 231:3
distasteful 244:17
distributed 39:3;83:22;133:18
distribution 233:9
district 101:8;102:6;109:11,16;198:12
District 198:9
Districts 183:2
disturb 137:12
disturbing 42:5
divergence 108:22;109:2
divided 75:10
division 90:19
doctrine 52:7
docu- 180:2;230:7
document 46:16;120:12,15;187:12;188:1;203:5;206:24;227:17;228:8;230:5;252:17;253:2
documents 45:23;66:18;116:23;179:25;227:1,6,8,20;228:5,6,22;232:16;234:19,20,23;235:3,5,7,11,21;236:19;238:19,20
dog 88:25;208:19;209:8,8
dogs-must-be-put-on-a-leash 88:23
dollars 6:6;17:12;19:9;22:12;23:2;34:23;41:25;59:22;159:18;208:22,25;220:12;233:2
donated 249:16,21
donation 160:20,24
Donation 160:25
done 6:7;8:5;13:23;19:24;23:19,20;37:9;38:24;49:17,25;71:14;79:17;97:19;116:8;120:11;136:25;162:3;

167:15;184:6;186:21;191:20,21;193:11,22;194:1;195:7,9,13,17;214:22;239:1,22;240:17;241:21,22;242:14;244:13;246:11,17;247:14,16;251:23;253:14,16
Donna 128:12;255:7
door 62:10
doors 61:21,23
Doraville 34:16,19;35:19;36:2;39:1;42:3,24;47:21;82:12;84:7;86:11;87:21;88:9;111:16;121:11,14;126:3;152:2;159:24;160:9;163:10,13,20,22;164:23;165:24;169:22;171:25;172:1;174:14;190:18;228:24;229:11;246:16;251:2
Doraville's 164:16
double 59:21;181:24;182:5;183:7;222:2
doubt 41:11;124:2
down 3:24;6:18,21;7:2;25:17,17;29:19,19;32:3;38:4;53:25;62:15;77:21;89:17;94:9;122:24;127:4;128:8;135:13;137:22;170:14;208:2;212:16;220:6;230:20
downstairs 7:2
draft 9:20;12:25;13:6;35:22;47:25;48:18;49:1;52:2;59:3;60:21;86:1;116:14;123:17;185:10;189:25;210:18;227:18
drafted 37:13
drafter 191:15
drafts 84:19;223:19
draftsman 206:8,18
draftsmanship 37:1
drain 165:21
drainage 24:20;25:10;45:20;46:1;165:19
drains 209:22
drawn 9:13
draws 247:19
dress 86:6;93:3
drivers 213:22
driver's 218:1
driveway 56:3;164:14
dropped 228:14
due 24:18;129:13,18;156:17;219:8;225:6;232:1
due-diligence 28:4
DUI 7:9
duly 196:9;236:4
duly-authorized 108:23
dumpster 165:22
dumpsters 165:20
duped 232:5
duplicative 182:5
during 6:25;103:18;119:17;232:14;236:10;239:8
During 194:12
dusk 91:13
duties 111:4;228:1
dwelling 148:19

E

earlier 177:5;225:2
early 11:17;79:11;182:13
ears 145:10
easier 7:10
easily 200:13;242:21
easy 51:14;100:4;128:7
economic 242:2
education 125:5;128:16
effect 53:6;135:16;149:14;206:16;236:1
effective 135:5,15,17;137:16;138:1;141:24;142:20;143:6,21;174:5;193:5;259:19
effectively 141:4,11
efficiency 122:19
efficient 122:17
effort 163:1;225:9;246:24
eight 22:11;23:2;205:12
either 20:22;69:4;86:24;87:13;139:14;168:9;236:15;244:4;245:10
Either 13:8,8
Either/or 114:1
elaborate 234:12
elec- 18:10
elected 11:7
electric 9:7;23:24;27:22
electrical 8:20;13:19;19:23;21:21;22:23;23:2,20;24:4;27:21;28:6,8
electrician 5:17;19:1
element 51:2
elements 30:18
eliminate 100:4
Ellis 186:10;208:25
else 5:21;31:25;64:21;76:9;83:13;91:11;129:25;131:17;143:8;149:16,17;164:11;166:9;175:15;197:12;201:8;219:6;244:13;246:12,22;253:11
e-mail 60:18;115:22;116:9;118:5,9,22;192:13;229:21;235:25;236:3,11,15;242:25
e-mailed 116:15
e-mails 164:7
emphasis 70:7
employee 221:23;229:7;243:19;244:25;255:17
employees 223:10,12;225:10,24;229:14;240:4,19;255:14,15
Employees 229:22
employees's 226:18
employer 251:22
employment 61:19,20
empty 133:2
encouraged 109:20
encouragement 130:9
encumbering 16:4,7
end 11:8,11;13:6;16:14;37:21;40:24;73:21;77:24;99:14;123:18;149:12;199:21;211:1;212:17;229:9
ending 36:7;79:1
enforce 90:16,20;91:22,24;92:17
enforceable 86:8;91:21
enforced 91:8
enforcement 90:19;173:5
enforcing 50:25;51:2
engage 104:6
engaged 181:23
English 83:21,24;86:12;95:7
enhanced 62:1
enough 31:22;70:19;77:6;96:7,9;123:15;137:11;141:19;187:22;203:9;212:1;219:20
ensure 49:16
enter 172:11;175:7;178:18,20;259:21
entered 179:12,14,25
Enterprises 48:4
enthusiastic 100:16
enticement 130:9
entire 134:12;248:8
entirety 52:9
entitled 38:19
entity 36:1;43:12;64:16
entrance 21:22
entry 62:10
enumerated 111:3
envelope 227:22
environment 239:24
epiphany 91:6
equipment 21:5;22:5;23:14;229:24
escrow 38:19,22,23;40:9;42:12
especially 6:18,25;70:12;94:8;213:22
essentially 77:15;154:15;170:1,13;181:12;182:24;243:9
establish 95:5
established 111:15
establishing 109:5
estimate 5:14;6:10;8:9,20;20:4;22:9;27:21;28:1,13,17,23
estimated 27:18;30:13;31:2,5,13;62:7
estimates 19:23;20:10;27:21;28:6
et 39:18;77:25;128:19;161:12;194:4,4,4;208:3;209:23;239:25,25;243:3,3
ethical 229:2
Ethical 229:5
ethics 249:5
Ethics 230:5,8;248:6,23;249:6
evaluation 224:21;231:25;232:3;252:17,20,20,24,25
even 10:10;14:16,23;19:20;23:16;24:5;42:20,24;50:4;63:20;66:3;86:7;119:17;131:13;160:1,3;167:9;175:21;209:6,17,20;230:25;240:6;241:19;248:1,1
Even 77:9;205:1
evening 108:13;152:16;167:2;224:23;234:15
event 82:23;83:2;236:12
events 233:20
every- 76:8;94:6;148:5
everybody 5:24;43:6;65:23;73:11;126:25;165:5;190:8
everybody's 208:19
everyone 82:15;83:12;118:14;244:13
everything's 122:21;236:24
evidence 108:25;221:11
evidently 225:4
exact 133:24;179:24;211:6
exact- 139:22
exactly 29:16;31:12;118:16;133:23;160:17;181:18;232:22;245:13;246:10
Exactly 91:19;120:4
examined 254:16
example 52:24;75:24;92:1;198:22;208:23;229:16
exceed 112:20;123:21
excellent 10:5;26:7;97:22;253:13
except 104:7;151:25;208:20;250:7
exception 73:8;99:11
exceptions 104:10,12
excess 208:25
excited 97:18
excluding 78:2
Excluding 78:3
excuse 176:6;252:6
Excuse 18:19;22:15;242:14
executed 37:21;41:3,18
Executive 70:13;75:16;76:13,17;77:11,14;79:9,11;149:6;151:15;152:2;156:7,9;167:16;220:19,24;221:13;226:6,7,9;251:5,6;252:1;253:7,9;254:24;255:23,25;256:23;257:1;258:19
Executive-Session 77:10
exhaust 9:8
exhausted 244:14
Exhibit 38:3,5
exist 109:1;229:25
existence 37:8;209:2
existing 20:25;21:10;206:12;216:5
exits 9:2
exotic 126:13
expand 148:5;150:3;152:9,11,22
expanding 161:15
expansion 153:1;168:2
expect 14:13;162:11
expectation 41:16;229:23
expectations 225:15,17
expected 177:12
expedite 238:25
expend 35:9
expendi- 190:3
expenditure 190:6
expenditures 31:5
expense 128:9
expenses 14:14;27:17,18;28:2;29:11;30:13,21,22;113:20;114:6,23;177:13,14
expenseswhere 29:9
expensive 206:20
experience 95:17;232:21
expiration 55:11
explain 237:15;238:9
extend 73:10;167:19,22;203:16
extended 147:11
extension 112:20;122:4,5,6,14;123:6,20;124:3;181:9;182:11,24;

183:1;184:13;202:17
extensions 123:23
extent 39:25
extraordinary 109:1
extremely 161:13;
222:23
eyes 118:20;119:3,6;
131:7;145:10

F

facilitate 226:12
facilitated 226:9,13;
227:5
facilities 17:24;103:15,
18,21;174:16
facility 12:22;17:13;
104:1
fact 39:2;63:19;125:7;
140:12;181:23;198:18;
210:25;232:15;238:23;
239:9,19
fact-finder 260:3,4,5
fact-finding 120:3
factor 144:20,24;173:1;
193:11
facts 234:14,15;246:10;
256:5
Failing 228:11
Failure 112:21
fair 12:3;53:7,8;70:10;
73:15;76:10;80:25;
246:20
Fair 123:15
fairly 239:16
faith 232:9;235:14,15
fall 24:17;195:20
falling 92:12
falls 167:3
familiar 125:16
families 147:11,11
family 147:9,21;148:3;
161:10
fan 9:8
far 5:12;10:20;12:9;
14:10;23:19;26:20;27:22;
42:17,22;51:18;60:14;
87:9;92:5;100:9;102:15;
128:5,8,15;138:17;
142:14;155:1;215:20;
236:6;239:11;240:21;
243:11;250:8
fast 133:3
favor 66:11;162:8,9;
163:2;176:13;234:19;
249:23
favorable 59:14
features 45:20;46:1
February 223:16,18,21
fed 177:2
Federal 174:17
fee 54:21,22,24;55:18,
23;179:9;192:6,9;211:4,
19;213:25;214:3;216:6,8
feedback 76:1;84:1,4;
88:4;106:19;116:16,20
feel 17:7;18:5;23:15;
31:23;54:7,9;70:4;72:8;
73:14;114:16;127:17,21;
130:23;141:17;151:15;
159:15;170:17;218:7;
246:2
feeling 116:21;120:23;
159:25
feels 30:8
fees 55:7;178:6;210:19
feet 6:8;164:19,21;
186:13;207:22,23,24
felt 98:24;109:10;
144:20;223:4
few 21:13;43:21;115:9;
244:1
fication 49:22
Fiedlers 106:16
fifty 58:10;220:12
figure 31:4;62:15;99:23;
165:9;170:10;193:25;
200:15
figured 5:18;238:24
file 61:20;226:19
filing 195:13;228:16
fill 133:3
filling 132:20
final 17:18;112:14;260:1
finally 34:15;212:2;
240:7;251:21
financial 10:19;24:9;
26:4,8;38:9;40:6,6;177:9;
239:5,7;245:21
find 37:5;38:1;53:23;
143:6;164:17;171:23;
176:22;203:15;209:15;
236:14;243:1;244:17,17;
251:16
finding 39:6;103:5,8;
120:8;163:7
finds 215:9
fine 18:3;19:5,9;27:2,8;
30:11;41:21;72:19;75:12;
79:22;102:12,12;103:11;
115:25;116:22;120:20;
121:1,5,7;137:14,24;
143:7,12;148:9;155:21;
156:14;168:13;215:10;
251:16
Fine 204:17;216:21
finer 13:2
fingerprint 172:10;
174:24
finish 168:3
finished 145:16;220:8
fire 245:3;250:7;255:14
fires 255:16
firm 186:7,11;247:17
first 9:19;28:7;32:17;
39:23;41:4;58:1;63:18;
65:3;69:21;84:6;97:11,
15;100:5;152:8,9,14,19;
154:5,15;155:13;157:4;
174:16;184:21;185:13,
21;199:16;200:14;
203:14;205:17;211:4,23;
212:4,7;226:20;243:17
First 10:4;71:7;236:21;
237:4
fit 18:2
five 6:8,13;22:11;35:8;
51:19,25;60:6;85:16;
118:19,21;119:2,12;
120:13,16;131:7;186:2;
201:22;207:22,24
Five 85:18
five-minute 117:6;
216:20
Five-minute 216:22
fix 72:25
fixed 30:22
fixing 205:13;216:6
flag 93:20
flat 179:9,16
Fleming 3:9;5:3;24:15;
27:15;28:3;31:7;34:3;
44:17;47:2;57:2;68:6,19;
78:11;81:16;98:12;106:3;
125:3,12;142:23;145:15;
146:11;153:14;169:4;
174:9;179:18;180:21;
189:9;206:9;213:11;
218:22;231:8;233:8;
239:15;248:14;252:7;
256:13;257:11;258:6;
259:4;260:15;261:11
FLEMING 3:10;5:4;8:3,
11,14,17;10:3;18:8,10,
14;23:23;26:2,16;27:5;
29:21;30:5,24;31:8;32:2,
5,12;33:9,12,16,19;34:4;
44:18;45:6;46:7,10,19;
47:3;48:25;49:4,6,9,24;
50:9,14;54:1,6,14,17,22;
55:6;59:20;63:9,17;64:6,
13;67:20;68:7,19;69:3,6,
9,12;71:19,22;76:20;
77:4;78:12;81:17;82:1;
84:23;92:8,25;94:5,13;
97:14;98:3,13,21;99:9,
12,17,20,25;101:20;
102:5,9,18,22;106:4;
108:8;110:13,16;115:6;
122:8;124:17,22;125:14;
126:4,17;127:9,11,15,21;
128:3;131:20;132:1;
135:24;136:9,16;138:3;
139:15,19,24;140:4;
141:16;142:19,25;145:4,
8,19,21;146:12;148:14;
150:9,18,22,25;153:6,15;
154:4,7,10,20;155:2,23;
156:1,5,20;157:2,9,17,
22;158:1;162:15,23;
163:5;166:16,25;167:7,
10;168:5,14,20;169:5,15;
171:21;172:6,19;174:11;
175:3,24;176:9;177:24;
179:5,13;180:1,5,9,11,
22;189:10,19;191:2,10;
194:5,8,20;196:11,14,22,
25;197:2,5,9,15;199:2,8;
204:6,9;205:1;210:1;
213:12;218:23;221:17;
222:16;230:6,9,13;
252:19,22,24;253:1;
256:14;257:12;258:7;
259:5;260:16;261:12
Fleming's 27:3;32:11;
157:14;195:22
flip 36:17;171:15
flood 208:12
Florida 47:23;54:18;
59:5
flow 10:12
focus 238:12,13
folks 18:22
follow 31:12;76:15;
83:13;195:21;206:10;
237:1
followed 129:18;239:4
following 83:3;103:17;
109:19
food 25:5,6
foot 207:21
football 93:20;94:21
forget 74:1
form 17:3;35:16;45:15;
154:17;169:19;181:9,25;
182:18;218:5;224:3
formal 96:1
formality 41:15
format 116:23
former 184:17;226:10
for-sale 49:6
forth 8:10;24:2;28:6;
94:25;111:15;189:24;
190:13;206:22
forum 133:8;248:2
forward 9:19;153:2;
182:8;192:24;210:4;
217:9
forwarded 112:22;
118:11;181:9
forwardness 145:13
fostered 253:13
found 47:22;66:21;91:3;
164:15;191:9;209:1
fountain 25:20
four 62:11;81:2;105:4;
126:6;140:9,11,18,19;
167:14;169:16;173:2;
174:20,21;175:25;176:1;
177:1;259:25
four-hour 70:6;73:1
fourth 35:4
four-wheelers 99:21
frame 11:3,7;123:24;
124:1;168:4;185:10;
216:18;236:10
frankly 132:23;243:3
FRAYSSE 161:3
free 246:2;248:7;253:17
French 25:14
friction 247:9,20;250:14
Friday 261:21
friendly 39:13,24;40:3;
69:11;74:13,16;89:9;
93:6;95:9;96:20;188:16
friends 248:8
fries 25:14,18
front 6:14;7:9;13:6;
22:19;46:18;57:5;61:3;
113:25;140:7;199:15;
221:21;224:7
fryers 25:4
fully 41:18;235:3
fully-executed 37:6
fun 58:3;95:11
function 21:18;35:17
functioning 48:11
functions 6:25;225:24
fund 55:24
fundamental 232:10
funds 35:9;190:4,7
further 38:20,22;
127:10;155:6;183:7;
215:13;253:19
future 16:4,7;72:5;
131:1;220:24;255:3;
256:3;258:16

G

galley 162:7;163:2
game 93:7,7,15,18;
94:21
garnering 253:17
gave 5:24;46:13;63:23;
120:8;192:14;215:15,17;
228:7;232:24;234:7
GCIC 178:6;179:25
GDOT 165:16
gear 129:24
general 27:24;31:19;
52:7,8;70:25;76:15;88:6,
8;95:6,22;103:14;123:9;
184:16
General 55:24;251:18
generally 234:16;
255:14
Generally 173:11
gentleman 5:15;20:22
Gentlemen 238:11
Georgia 28:17;53:3;
54:10,11;121:14;165:25;
172:11,13,14,16,22;
209:17;228:2,10
germane 146:21

get-abouts 99:5
get-go 216:7
gets 3:25;19:15;48:7;170:22;183:11;194:16
GIRMA 171:9,13;173:16
given 45:11;66:18;129:19;141:15;233:8;249:1
gives 16:17;36:18;43:8;63:24;241:15;242:9
giving 31:3;163:8;172:21;242:1
glacier 122:25
glad 33:15;103:6;130:19;159:13;179:23;188:5
GMA 226:11
goal 200:23;245:25
goals 246:1,7,7,8
goal-setting 246:5
goes 38:23;41:1;124:1,7;128:9,16;134:21,21;207:16;229:18;242:12;250:25
good 4:1;12:7;23:17;43:9;119:8;125:6;131:2;152:8;157:5;159:23;163:1,12;171:17;198:21;202:17;232:8;235:14,15;237:6;240:19;242:23;243:4;251:1;253:15,16
Good 125:8;193:20
Gordon 133:5;248:8
gosh 122:5
government 52:10,12;122:25;170:5,6;233:1;250:5,7
governmental 43:15;58:14
government's 234:9
grace 211:14,18;212:18;214:10
grandparents 147:10,12,14,15
grant 122:5;239:11;245:23
granted 122:4;190:21;207:1
grants 239:9,12;245:20;246:2,3
gratuity 224:3
grease 24:23;25:7,9
grease-trap 25:3
great 117:5;141:12;170:10;192:10;195:3;245:12
Great 103:2
greater 176:3;185:7
grew 250:5
gross 27:19
grounded 126:24
grounding 19:5;21:12,14
grounds 229:3
group 66:20;75:17
guess 7:23;26:15;29:1;51:16,21;52:1;53:6;57:17;59:25;65:10;79:7;83:25;87:16;89:21;91:5;119:11;122:18;127:8;128:23;142:1;150:4;179:17;185:25;186:5;214:9;217:22;240:24;243:25;249:25
guidelines 137:18
guys 96:16;106:21;117:24;136:23;141:3;142:15;189:25;193:3;200:24;219:20
guy's 65:4

H

Haeberlin 135:24;144:11;155:2;195:13
HAEBERLIN 7:20;116:7;118:10;123:10;135:8;136:3,13,20;137:6;138:7,25;139:7,17,21;140:11,19,25;141:3,8;142:3,8,14;143:12,17,25;144:18;155:5,15;189:22;190:12;191:4;192:2,18;193:16,23;194:6;200:16;201:8;219:8,14,19;220:3
half 73:10;77:9;79:1;81:4;247:14
half- 79:18
Hall 49:11,13,20,23;56:4;57:23;62:1,9;67:13;82:14,17;83:12;223:10,11;224:5;225:6;228:14;250:24
Halpern 48:3;88:10
Hammett 107:24
HAMMETT 107:14
hand 25:11;230:21
handed 133:17
handicapped 6:9;7:3,6;9:1;12:9;104:13
handing 145:15
handle 21:1;33:7;77:24;138:12;148:20
handled 28:9;49:10;158:15;201:25;202:7,15;242:21
happen 72:1;149:15;177:19;194:25;198:6;200:3;206:13;213:22;214:25;218:9;240:20
happened 126:10;160:7;162:10;232:14
happening 92:14;132:17;199:25;233:2;240:6
happens 123:25;143:8;233:4;244:19
happy 13:5;117:24;145:1;147:17;161:13;207:17;214:10;218:2;237:15;251:22
hard 6:10;162:3;195:10
hardship 203:20
harm 168:17;203:20
harmless 175:9
harmonize 184:19,20
harsh 211:9
Hart 133:5;207:12
HART 133:5;134:9,12;164:12;207:13
hassled 91:18
hastily 241:1
hate 105:11;244:9,10
haul 53:17
hazmat 215:7,15;217:14
head 172:18;225:20;237:9
health 31:20
hear 18:23,23;113:3;137:11;140:22;141:8;147:1;162:13;248:15,15
heard 129:22;136:12;215:21;239:19;240:1,12;256:5
hearing 74:19,22,24;75:9;120:6;135:6,9;139:20;141:4,11;155:17;162:6;191:20;240:3;246:11;255:17,18
hearings 75:6,11;135:20;137:14;174:17
hearsay 245:9,10
hearts 209:2
heated 224:24;227:2
heavy 23:13
heck 165:9,13
heck's 134:22
Heights 133:5
held 226:4
Helen 161:9
help 15:8;43:1,3;50:24;51:15;243:21
helped 249:24
helpful 252:12
hereby 109:5
herein 111:25
here's 194:23
Here's 58:2
Hey 117:4
hidden 96:17
high 21:25;154:14;228:4
higher 211:19
Highway 22:2;47:16
hill 6:19,21
himself 241:9
hire 14:12;238:22;241:5;255:13
hire/fire 243:19
hired 20:21,21;239:13;240:9;241:13;243:21
hiring 241:17
historically 239:3
HME 217:25
Hoffmeister 125:1;161:25;162:19
HOFFMEISTER 125:1,21;126:5;161:25;162:22,25;207:11
hold 12:14;15:4;60:20;164:24;175:8;193:4;219:9;237:8
home 140:3;245:8
Homeland 214:11,22
Honeysuckle 94:19,22
Honeysuckle's 96:18
Honorable 162:2
honors 259:17
hook 62:18
hoops 43:16;181:17
hope 82:14;83:12;122:16;131:8;162:12;197:19,20;198:19;200:24;242:16
hopefully 83:13;124:2;132:14,15;251:6
Hopefully 133:1;195:2
hopes 132:18
hoping 159:16;182:9
horseshoe 86:19,21;93:6
hostile 223:11
hot 93:6;99:17
hotel/motel 34:14,18;40:1;43:9
hour 73:10;76:22;79:19;114:12;176:1;220:13
hours 4:1;21:13;50:25;52:4;70:4,12,19;71:1;72:11,20;73:8,12,16;74:12;77:7,23;79:1;80:2,3,9,24,25;81:4;82:2;91:8;149:1;163:16;173:2;174:21,21;175:25;176:1;177:2
house 14:23;18:20,24;24:16;56:11;57:5;60:3,10;65:1;140:7;172:24
house- 155:10
housekeeping 192:25;193:10
Howe 156:12;221:19;222:4,8;223:1,8,21;224:14,16,24;225:7;226:15;227:3,17;228:17;230:3;231:7,21;234:17,25;235:13,18;236:1;237:1;238:12,14,23;239:7;240:9,10;241:2,6,25;242:6;243:14,20;245:1,3;252:6;253:12;254:16;259:20
HOWE 43:1;222:13;230:18;231:24;232:8;245:7;246:23;248:19;249:3,16,21;251:17;252:15,21,23,25;253:13;261:1
Howe's 226:21;227:25;228:23;235:9;239:18
Hudson 181:7
huge 218:7
human 148:13
hundred 59:22;179:2;220:12
hundred/a 220:12
hundreds 119:5
hurt 170:22
hurtful 244:18

I

ID 49:25,25;210:5
idea 5:15;10:8;24:15,17;28:13;118:19;165:17;177:17;179:6,19;237:19;246:6
ideally 200:16
Ideally 41:2
identi- 49:21
identical 230:11,12
identification 49:16
identified 61:18;90:6;196:15;197:6,12;225:13,15,16,18;260:4
identify 67:15;196:21,23;200:9;222:17;246:1
Identify 67:17
ignored 248:13
ignoring 215:18
II 247:18
illegal 37:2;93:19,21
immediate 139:10
immediately 76:24;135:18;143:7;259:19
immunity 234:20
impede 135:12
imple- 259:23
implement 137:18;259:22
importance 154:14
important 17:15;37:24;40:22;70:9;95:24;154:18;169:22;171:14;175:12;211:25
imposed 203:21
impression 194:10;252:16
improperly 234:21
improved 162:4
in/one 62:19
inadequate 215:10
inappropriate 92:13;223:22;249:11

Inappropriate 229:13, 15
inaudible 140:3
Inaudible 18:17;113:2
incentive 130:6
incentives 242:2
include 15:7;28:14; 31:14;40:19;42:15;63:15; 68:18;69:4;75:5;109:11; 113:11;130:20;147:14, 18;148:5;169:23;170:9; 175:10;193:22;217:4,6; 228:1
included 8:12;69:21; 72:2;95:25;113:15;124:3; 147:14,16;153:1;168:6; 169:24;175:10;194:14
includes 56:9;194:3; 229:16
including 65:11;70:3; 224:8;229:14
inclusive 193:24;194:2
income 174:1;178:5
increments 174:21
incur 23:1;30:21
indecency 92:15
indemnifi- 170:24
indemnifica- 175:7
indemnification 174:4
indemnify 170:2,5; 175:4
indemnity 171:3,4
independent 133:8,12, 16,21;260:3
Index 176:8,10
indi- 30:12
indicate 31:12;68:20
indicated 27:18;36:3; 109:8;155:24;182:2; 226:22;228:17
indicates 38:21
indicating 31:1;38:10, 14
individual 45:25; 203:21
individuals 48:8;224:5, 8
Industrial 207:20
industry 215:3;217:11
infor- 239:5
inform 187:22
information 12:24; 39:17;62:6,25;135:25; 143:5;182:14;225:21; 228:18;229:8;234:8,10; 251:12,13
Information 228:3; 229:6
informed 184:1;231:7; 236:4
informing 143:19
initial 42:12;215:7,14
initially 235:12
initiate 192:6,9
initiating 192:8
innocent 242:9
inoperative 48:10
input 95:14;120:21; 126:18;131:15,22
inquire 36:2
inserted 109:18; 194:21;196:12;197:25
insist 175:22
inspect 208:1,3
install 21:6;22:6;66:22
installed 21:7
installing 8:4
instance 134:1
instead 29:18;72:12; 216:9;217:19;241:2
instruc- 206:8
instructed 227:22
instruction 202:24; 203:4
instructions 223:9
insulting 229:20
insurance 27:23;29:9; 31:19,20;169:25;170:8; 171:5,11;173:18,21; 175:5,12,23
insured 169:24;175:10
intend 247:22
intent 52:9;119:17,17; 121:23;122:5;215:11; 232:20,22
interaction 120:24
interest 58:17,19;101:2; 177:10
interested 100:13
interesting 244:5
intergovernmental 36:6
internet 126:13
Internet 243:2
interpretation 126:6
interrupted 174:13
intervene 227:4;247:12
intervention 58:14
interview 239:8;241:19
interviewed 223:1
into 7:11;25:12;29:6; 62:18;65:1;70:13;74:9; 75:20;76:9,24;80:10; 87:23;93:23;111:10; 134:15;149:14;151:3,15; 152:1;156:7;164:1; 167:16;175:7;194:21; 200:20;211:15;220:24; 226:18;232:5;237:5; 241:4;250:9;251:25; 253:7,9;254:24;255:23, 24;259:21
Intown 45:14;46:3
Intoxicating 103:22
Intoxilyzer 172:23
invested 208:24
investigate 111:1
investigated 64:19
investigating 61:25
investigation 229:4; 233:18;240:22,23,24
investigations 111:17
investment 12:7;23:15, 17;159:17
investments 208:21
invited 95:14
inviting 95:9
involve 149:5,5
involved 119:7,8;188:4; 234:9
involving 227:2
ironic 244:8
irresponsible 14:21
issue 52:16;53:14; 64:14;156:11;164:22,23; 169:19;170:4;171:7,14, 20;218:8;221:18;222:4, 22;230:14;237:7;240:21; 250:21;253:20
issued 210:25;236:9
issues 21:12,14;66:12; 171:22;181:25;221:21; 222:1,4;224:12;225:4,8; 226:2,3,20;230:3;240:3; 241:4;247:4,10;256:4
issuing 223:9
italicized 205:21,25
item 3:20,21;4:11;8:18; 33:12,20;34:14;35:7; 36:4;38:5,18;43:7;47:12, 13;54:13;59:21;61:17; 64:14;71:23;76:24;84:12; 98:21;108:6;125:15; 136:19;138:5;139:25; 149:4;151:5;157:4,13; 166:14;167:2;172:7; 177:25;178:5;183:14; 192:16;203:14,16,19; 207:7;210:11;221:11,16; 258:16
Item 49:4;82:7,9;108:8, 21;109:18;151:7;152:4; 156:21;157:13,15;167:1; 183:14;204:1;221:17
items 8:21;17:16;25:25; 32:17;39:20;40:23;61:6; 64:3;65:14;108:14; 110:25;139:11;140:18, 19,22,23,24;141:20; 143:22;144:25;146:21; 154:11;155:7,11;156:2,8, 24;157:19;160:13; 201:15,16,21;202:1,5; 203:6;207:8;220:20; 221:6,14;224:21;253:2,3
Items 138:21;151:24
IX 36:13

J

jail 170:22;171:8;176:2, 22;178:16,22
Jail 169:18
jails 176:17
Janice 102:24;107:8
January 223:2,7
Jaycee 43:2
jeans 92:11
Jenkins 37:10;222:22; 226:15;242:8
JENKINS 3:2,18;4:7,11, 20,22;5:12,21,25;6:4,20; 7:5,12,16,18,25;8:24;9:9, 15;10:1,23;11:20,24; 12:12,14;13:4,16,18,22; 15:1,4,10;18:9,13,15,18, 24;19:12,18,25;20:5,8, 11,14,17;21:3;22:13,16, 20,22;24:12;25:1,13; 26:13;27:12,14;29:12,23; 33:22;34:12;42:17,21; 43:20;44:7,11;45:1,8; 46:4,6,12,21;47:11; 60:23;61:5;67:21,25; 69:22;74:17;75:3;77:19; 78:5;79:2;81:5,10;82:4,7; 83:17,20;84:11;85:1,5, 13,18,22;96:2;98:1,5; 102:13;105:18,22; 115:25;124:21,24; 126:22;130:15,17;132:2; 133:4;134:25;145:7,17, 20,25;146:5;147:6; 148:25;150:21;151:1; 153:5,8,23;156:6,10,15, 19,22;157:5,8,10,20; 159:1,4,10;160:11; 161:21,24;162:13; 164:11;166:9,13,24; 167:4,19,24;168:21,23; 169:13;173:8;177:21; 178:2;180:15;181:5; 182:25;184:4;185:1,16, 20,23;186:14,19;187:2; 188:23;189:3,18;192:17; 201:12,17,20,23;202:2,4, 9,14;207:10,12;210:2,7, 10;212:10,19;213:1,5; 215:22;216:22;217:1; 218:12,16;219:6;220:5, 17,21;221:3,7,15;230:4, 7,11,15,20;231:5,9,12, 16;237:12,16,21;238:1,8; 242:11,16;244:24; 246:17,22;248:18,21; 249:4,19;250:8;253:6,9; 254:5,8;255:9;256:7,25; 257:3,5,20,23,25;258:23; 259:13,16;260:9,24; 261:5
Jenkins' 223:3
jest 224:1
Jim 226:10;260:4
job 127:25;194:24,24; 195:4;197:21;198:6; 199:1;209:11;223:7,19; 227:25;242:23;243:4; 247:6,7,8;248:10;249:22; 253:15,16
jobs 247:9
John 24:12;126:24; 177:22
Johnny 134:2
John's 154:12;158:16, 17;167:12;169:18,20,23; 170:15,21,25;171:13,24; 172:1,13,14,16;173:5,7; 174:14;175:21;176:3; 178:6,17;179:20
Johnson 107:8
JOHNSON 103:1
judge 246:7,8
July 89:14;225:25; 226:5,7,14;227:10,15
jump 43:16;181:17; 186:12
June 38:25;225:5,12,21
junk 50:16,19
junked 48:10
junky 53:11

K

Karen 107:9;227:11
Kay 100:11;107:8,20; 108:1;159:12
keep 25:16,23;36:22; 43:13;130:6;168:1,11; 203:22,24
keeping 155:11;175:25
Keeping 25:23
key 62:8,14,19;63:2,16; 65:22;66:2,3;67:16,17, 19;68:24,25
kill 165:21;167:22
kind 9:13;14:5,24;28:14; 33:1;57:13;72:18;73:20; 74:20;79:14;86:17,23; 103:25;117:20,21;120:2; 161:5;163:16,22;187:21; 189:24;190:1;231:20; 239:2;247:19;250:1; 252:8,13
kindly 203:9
King 176:12
King's 223:23
kiosk 84:3
kit 128:16,19
kitchen 21:1,19;22:1; 23:3,5,11,13;24:22
kitchens 24:22
knees 92:13
knew 228:17;249:3,16,

21
knowledge 37:17; 38:17;193:24
knowledgeable 222:23
knows 43:7;217:16
Koontz 86:2;107:7; 130:17
KOONTZ 84:15;86:2; 87:8;88:22;91:14,17,20; 97:9;130:19;131:22; 160:19,25;163:6

L

labor 21:13;25:17; 27:21;29:9;31:13,15; 115:4
lack 162:17,20;215:11
lacks 222:24
land 108:18;190:14,15, 17,17
landlord 14:1
language 41:19;65:9; 92:6,6;123:17;146:25; 182:2;191:22;192:1; 196:24;204:20;205:19
large 109:11,16;190:3,6
last 3:19;46:14;73:12; 77:9;82:22;123:24; 140:17;142:13;151:18; 158:1;167:2;190:2,7; 211:14;241:5
Last 164:4
late 47:15;72:9;210:21, 22,25;211:3;223:7; 225:21;226:5
Late 224:9
later 38:11;167:9; 183:16;184:9,16;185:17
laundry 115:2
law 11:4;13:3;36:4; 43:11,12;48:15,23;51:18, 18,21;52:2,3,8,15,18,20; 60:1,2,19;65:4;88:24,25; 90:19;91:21;171:2; 174:17;181:11;188:1; 195:17;207:21,23;228:2, 11;232:20;234:18; 235:16;254:2
Lawler 134:2
laws 89:4
lawyer 17:9;75:21; 232:19;254:20
leadership 240:18
league 93:14
lease 9:20;16:24,24; 17:1,3;19:16;32:24;33:5, 15
leash 88:24;89:1
leasing 23:16
least 15:17;19:2;31:4; 80:9;145:10;149:4;171:8; 188:10;196:19,19; 203:11;206:20,20;209:23
leave 115:14;241:23
left 18:1;130:21
legal 13:2,9;37:2;74:25; 75:8;76:14;116:9;160:17, 22;169:19;187:15,16; 215:19;233:12
legality 160:15
legally 16:16,19;59:19; 75:13;86:7;91:22;187:25; 210:22;211:11;235:16; 236:8
Legally 144:14
legislation 51:15; 52:11,16;136:23
legislative 52:9;232:20, 22
legitimate 53:8;70:20
length 12:23;15:12; 161:16;192:11
less 36:24;52:14;66:23; 89:2
lessee 60:5
lesser 169:24;175:10
lets 89:19
letter 39:12,13,14,22, 23;40:3,22;182:8
Letter 111:13
lettering 89:7
letters 40:25
letting 164:7
level 52:10;65:15,22
Lexus 209:1
liability 27:24;57:13; 63:24,25;170:22;171:1
liable 64:3;65:8
liaison 95:20
liars 250:17;251:11
Librarian 242:21
library 10:11
Library 62:8;63:15; 68:16,18;69:14
license 218:1
life 16:15
Life 48:8
light 134:16
lighting 6:10;9:1
liked 211:19
likes 144:12,13
like's 218:7
likewise 234:6
limit 10:24;18:5;36:22, 24;70:2;73:15,25;74:12; 75:1;77:22;80:5;84:6
limitation 36:13,16
limited 117:16
line 43:7;127:5;137:12; 178:4
lines 25:22
link 200:22
linked 200:18
Lisa 107:11,13,24
list 10:15;22:5;31:22; 32:1;42:24;90:21;103:20; 112:2;115:2;120:2
listed 30:6;35:20;42:20; 111:8;112:4,11;121:11
listen 137:23
listing 10:16;55:7
lists 229:18
literally 75:1;237:10
litigation 220:25;255:3; 256:3;258:17
litter 83:6
little 23:7;33:2;58:24; 79:11;110:19;115:9; 122:3;125:10,19;130:9; 133:6;134:18;155:9; 163:14,18,23;166:14; 211:8,9,17;217:16; 236:20;250:18
live 213:23
lives 100:11;107:25
lo 165:6
load 21:5;23:13;200:17
loads 21:24
Loafing 126:12
lobby 163:17,25
lobbyist 215:4,5,5,12; 250:2
lobbyists 215:3
local 52:10,12,16;250:7
local-government 36:10
locally- 109:21
location 7:24;48:7; 50:23;198:1
locked 61:20
log 199:17
long 14:2,2;15:22; 28:22;65:7;74:23;79:21; 136:10;137:10,19;139:9; 142:22;143:4;150:15; 161:8;244:11,11
longest 244:7
longevity 219:9,18
long-term 45:19
look 20:19;33:15;52:24; 53:11;59:16;91:11;100:3; 116:1;118:20;130:25; 142:17;161:15;178:8; 187:14;199:4;232:19,20; 247:3;248:22;249:5; 251:13,15
Look 240:16
looked 9:14;165:2
looking 9:14,24;23:16; 32:24;47:22;72:3;75:19; 131:8;154:8;163:18,21; 164:1;212:3
looks 159:22;163:22; 176:24;177:19;199:4; 210:3
loss 174:1;176:20
lot 43:9;48:5,5;51:11,12; 60:3,10;61:3;66:23;70:7; 72:14,15;76:17;119:4; 160:9;161:11;171:22; 181:17;192:21;208:2,3; 213:22;218:8;220:16; 239:14,14;240:19;243:6, 7,9;245:16;246:9;247:15, 23,24
lots 47:16,18
love 24:15,17,17;208:4; 250:3
low 92:12
LOWE 160:15
Luke 156:11;221:19; 222:4,10;223:1;230:3,20; 238:12;245:6;248:18; 249:19;260:25
Luke's 246:18
lunch 82:15,16
lution 187:9,25
ly 139:23

M

M1 209:4,5,5
M1/M2 194:3
M2-P 162:7
ma'am 18:9;46:9,20; 49:5;54:16;63:11;77:20; 126:4;136:3;139:17,21; 154:6,9;155:25;156:3; 194:6
Ma'am 145:20
mad 208:19
Magellan 45:13;46:3
mail 39:13;65:24; 229:21;247:25
mailbox 46:11
main 21:21;52:17; 155:11;199:20;210:12, 18;215:5
Maine 144:19
maintain 46:1;181:13; 200:19;222:7
maintaining 45:19
mainte- 45:12
maintenance 45:7,19; 104:2;161:4
Maintenance 63:7,13
major 29:10
majority 117:13; 120:17;127:16;149:11; 260:6
makes 53:10;86:4;87:3; 126:25
making 17:17;23:25; 24:18;40:10;51:22,24; 56:2;92:19;95:9;111:16, 18;125:4;128:10;129:14; 132:13;160:24;176:23; 210:19;242:3;252:10
Making 143:6
manager 223:9
mandate 136:24
manila 227:22
manipulated 246:9
manipulating 244:3
manner 123:14
manual 61:19
Manual 228:25;229:11
many 7:19;14:12;30:17; 102:13;154:10;179:6,19, 25;202:21;206:23;214:24
Many 223:11
map 42:23;127:5
March 135:9,10;142:20; 182:13;224:4;261:22
March/early 224:9
Maria 83:21;84:23;85:7, 22
mark 145:18
marked 48:1
marketing 253:16
marks 164:25
massage 126:11,13
match 185:20;209:16
matching 239:10
material 226:18
materials 233:17
mation 239:6
matter 9:19;50:23,25; 66:2;72:24;112:12;124:9; 139:13;148:8;154:17; 167:3;171:11;193:10; 198:4;205:3;233:13; 234:16;255:12
matters 111:3;222:1; 256:2
maximum 36:5;76:21; 123:23
may 30:22;41:17;50:24; 60:1;66:14;77:13;84:15; 112:19;118:20;123:20; 125:17;135:21;149:5; 152:1;167:22;173:23; 179:5;196:15;198:3; 228:1,10;229:2,13;230:3, 11;232:15,17;251:15; 254:20;255:14
May 54:15;82:21; 135:16;136:6;137:18,23; 139:13;140:21;141:25; 154:4;183:16;195:15; 196:19;200:9;225:5
maybe 17:21;29:17; 37:13;59:25;60:2,13,16; 73:21;77:11;79:9,11; 113:24;120:7;130:25; 158:13;165:25;177:2,3; 198:2;209:11
Maybe 132:19;242:8
mayor 37:14;226:11
Mayor 8:19;11:2,23; 13:15;18:1,8,23;19:11; 20:12;37:10;45:10;61:12; 85:4,15;103:20;104:8; 109:4,9;112:15;115:24;

118:6;120:14;126:8;
130:16;133:10,15,19;
134:7;135:1;146:25;
147:2;162:2;169:17;
182:7;183:13;184:3,11;
185:11,17;186:9;187:11,
18;188:2,13,16;194:13;
201:2;208:6;210:3;
212:14;217:2;221:24;
222:18,22;223:3,12,13,
16,18,20;224:10,11,14,
15,19,22;225:1,10,14,16,
17,20;226:2,6,8,15;
227:3;228:15,20;231:2;
232:3;237:9,9,25;238:25;
240:15;242:8,14;243:21;
249:17,22;250:24;254:7;
258:15;259:15,18
MAYOR 3:2,18;4:7,11,
20,22;5:12,21,25;6:4,20;
7:5,12,16,18,25;8:24;9:9,
15;10:1,23;11:20,24;
12:12,14;13:4,16,18,22;
15:1,4,10;18:9,13,15,18,
24;19:12,18,25;20:5,8,
11,14,17;21:3;22:13,16,
20,22;24:12;25:1,13;
26:13;27:12,14;29:12,23;
33:22;34:12;42:17,21;
43:20;44:7,11;45:1,8;
46:4,6,12,21;47:11;
60:23;61:5;67:21,25;
69:22;74:17;75:3;77:19;
78:5;79:2;81:5,10;82:4,7;
83:17,20;84:11;85:1,5,
13,18,22;96:2;98:1,5;
102:13;105:18,22;
115:25;124:21,24;
126:22;130:15,17;132:2;
133:4;134:25;145:7,17,
20,25;146:5;147:6;
148:25;150:21;151:1;
153:5,8,23;156:6,10,15,
19,22;157:5,8,10,20;
159:1,4,10;160:11;
161:21,24;162:13;
164:11;166:9,13,24;
167:4,19,24;168:21,23;
169:13;173:8;177:21;
178:2;180:15;181:5;
182:25;184:4;185:1,16,
20,23;186:14,19;187:2;
188:23;189:3,18;192:17;
201:12,17,20,23;202:2,4,
9,14;207:10,12;210:2,7,
10;212:10,19;213:1,5;
215:22;216:22;217:1;
218:12,16;219:6;220:5,
17,21;221:3,7,15;230:4,
7,11,15,20;231:5,9,12,
16;237:12,16,21;238:1,8;
242:11,16;244:24;
246:17,22;248:18,21;
249:4,19;250:8;253:6,9;
254:5,8;255:9;256:7,25;
257:3,5,20,23,25;258:23;
259:13,16;260:9,24;
261:5
Mayors 183:2
Mayor's 4:19;222:6;
242:5
MCC 195:4;198:15
MCCi 200:25
MCC's 194:24;195:4;
197:21;198:6
meals 172:24;173:1,3;
174:23;177:4
mean 7:12;11:23;12:5;
13:16;14:1,7,17;24:14,
15,16,21;31:9;35:12;
53:13;57:1,7,10,10,19;
61:1,2;71:8;72:4;85:13;
86:6,22;100:11;108:17,
22;113:9;114:12;116:22;
118:18;122:2,20;123:7;
132:4;138:23;143:9;
148:10;154:22;163:14,
23;167:5;171:3;173:19;
174:6;176:24;177:19;
185:12,16;186:19;
195:10;197:7;208:15,19;
209:7;231:3;234:24;
235:5,22;236:18;238:8;
241:16,20;242:11,18;
243:25;245:10;247:9;
250:2,6,10,24
meaning 38:8
Meaning 116:11
meaningless 170:7;
197:13
meanor 228:13
means 56:4;93:13;
122:3;175:8;222:9,17;
232:9
meant 61:12;152:21
measures 62:1
mechanism 206:17
mechanisms 39:9;
232:24
mediation 232:10,15
medical 174:15;175:5
meet 82:14;126:7;
183:6;201:1;209:20
meeting 3:19,24;26:12;
32:9;41:14;70:4;71:3,7,
11;72:10,12;73:2,6,9,21;
74:20;75:9,12;76:6,8,11,
16,22;77:24;79:14,19,19;
82:11;112:18,19;116:12,
14;117:1,6,7,17,20;
118:3;119:2,5,18;121:21;
122:1;123:19;128:5,8,9,
11;136:17;138:1;140:21,
25;141:18,22;143:5,19;
148:19,21;149:11,16;
150:3,6,14,18,19;152:10,
11,22;153:1;155:19,20;
163:15;164:4;167:20,22;
177:5;182:13;183:5;
194:12;214:19;219:10,
18;221:12;224:10,14,16,
23;225:2;226:1,4;230:17,
19,23,24;231:1,7,11,17,
19,20,21;232:6;237:8,20,
22,23;241:1;252:7,12;
257:21
Meeting 3:2;217:1;
261:21
meetings 70:3,17;71:2;
73:14;74:12,21,21;75:21;
76:7;77:22,23;78:2,4,25;
109:25;110:6;115:11;
116:2;121:5;135:20;
136:11;144:14;151:19;
161:17,18;164:5,8;
187:18;225:20;231:4;
243:1
meeting's 143:10
Meetings 70:1;221:22
member 100:7;109:9,
15;221:24;244:25
members 45:10;83:23;
109:19;116:15;118:5;
128:17;131:13;132:20;
135:1;224:6,10;225:14;
254:16
Members 253:18
memo 37:25;40:21;
62:3;104:22,24;105:6;
233:8;259:22
memorandum 227:19;
228:9
mendation 95:7
ment 230:8;259:24
mention 121:9;128:15
mentioned 36:15;
37:25;57:3;160:6;245:1;
248:21
ments 45:15;180:3;
232:18
menu 26:1
merely 206:24
message 164:13;
229:23
messages 229:17
middle 10:9
might 7:10;17:6;24:5;
39:16;40:24;41:19;53:16;
71:2;94:22;115:10;
128:15;130:24;135:14;
156:23;163:24;209:14
mileage 115:3
million 208:22,25
mind 75:15;121:10;
125:6;173:24;175:25;
176:11;180:6;200:2;
208:10;235:10
minds 41:14
mine 22:7;47:14;221:18
minimal 160:1
minimum 21:2,23;
203:21
Minimum 21:3,4
minor 29:8
minute 85:16,18
minutes 3:18;70:23;
73:21;74:23,23;76:23;
77:23;80:3,5,8,9,10,15;
81:1,2;82:2;116:2;
162:17,19;201:22;245:15
misde- 228:12
misdemeanor 228:4;
235:18
misidentifies 57:8
misinformation 246:9
misnomer 206:6
miss 164:5;207:8
missed 82:22;115:10;
164:4
missing 14:8
mistaken 115:19;
127:23;142:7;162:16
misunderstanding
214:15
mix 62:24
model 55:13;57:9
modified 181:25
modify 146:23
modifying 56:24
Monday 146:22;147:5,
6;148:19,21,24
money 14:18;18:6;23:8;
41:9;43:23;66:23;113:24;
125:9;144:8;160:19;
163:9;176:23;177:11,12,
14;178:24;179:2;183:10;
197:22;233:5;239:11;
243:6,9;253:15
moneys 12:11;35:12;
38:15,24,25;39:2,5;
43:18;114:18
monitor 66:24
month 11:21,25;13:13;
14:13;15:17;17:20;38:12;
64:1,1;178:17;179:3;
181:16;192:25;199:13;
205:13
month-and-a-half
237:5
monthly 27:22;28:1;
30:13;38:8;40:7;64:8;
199:22;225:19
months 17:22;23:4;
122:16;148:17;162:5;
247:19;248:3,6
month's 108:7
month-to-month
16:23;17:4,5
moot 138:10
more 7:3;10:1;13:17,18;
18:6;19:2,21;21:18;23:7;
29:17;51:19,24;52:13,17;
55:15;58:24;59:14;60:6;
62:25;63:13;70:5,7,9,10;
72:7;73:1,15;87:3,5;89:9;
118:20;125:19;130:6;
145:25;159:13,14,16;
161:15;184:17;217:14;
218:2;220:11,16;229:2;
236:19;240:15;245:16,
16;247:15;251:24;252:10
morning 83:10
Moskowitz 215:4
most 17:14;30:19;42:5;
53:24;91:4;117:25;
134:13;192:12;195:24;
196:3;232:17
mostly 155:10
motion 4:3,7,17;10:25;
12:15;13:12;15:5,7,8,9;
17:19;24:3;26:2,10,15,
18,23;27:1,4;29:12;
32:11;33:9,19;40:2,11;
42:15;44:4;62:11;67:2,5,
12;68:18;69:21;70:2,15;
75:5;76:21;77:1,3,3,18,
20;78:25;81:5;82:4;96:1;
98:2,4,6;102:2,6;105:12,
13;124:18;145:2,5,23,24;
149:24;150:3,14,17;
151:22,23;152:8,10,12,
14,19,25;157:14;158:5;
162:17,18;166:18,20;
167:1;168:6;177:24;
184:23;186:23;212:10,
13,20;215:24;216:2;
218:4,7;251:5,7;253:6;
254:24;259:19
Motion 78:20;117:5;
168:20;253:5;256:25;
257:20
motions 24:1
motor 51:19;60:7;
100:3;103:23;104:12;
165:22
Motor 47:14;48:14
motorized 98:24;99:3,
9;103:24
Mountain 182:7
mounting 250:18
move 13:23;46:2;48:5;
50:20;74:9;80:10;131:5;
142:19;146:20;149:10;
153:24;156:21;167:1;
192:24;251:25
Move 261:2
moved 48:7;49:19;
257:2,22;258:20
moves 122:25
Movies 82:21
moving 49:22
much 10:6;11:24;14:10,
13,18;17:12,23;19:4;
20:15;21:13;32:6;41:1;
43:4;51:13;59:12;70:5;

71:9;76:12;89:9;108:6;113:24;128:4;143:1;147:24;185:9;215:16;217:14;245:9;247:2;251:22
multi- 16:9
multiple 20:10;23:14;29:18;66:11
Muni 209:13
munici- 187:5
municipal 62:2;211:2
Municipal 61:17;173:7
municipalities 183:15,23;186:2,11;188:14,18
Municode 192:22;193:8;199:12,15,17,20;200:18,19,22
Murphy 224:18,20,25;239:18,20;247:21
Murray 11:1;12:12;45:2,8;97:21;116:10;118:6;120:7;136:21;144:3,21;157:10;173:8;190:1;250:8
Murray's 118:25
must 87:23;92:9;112:17;121:19;161:7;205:9;255:18
muster 37:3
myself 14:1;117:10;193:13;201:1;226:16;236:22;240:12
Myself 244:12

N

name 107:10;121:13;246:13;250:12
names 30:9;106:25;241:7
nance 45:13;212:5
narrowed 51:13
nately 35:3
nation 171:18
nature 38:6;41:15;103:25;110:10;222:14;228:4
neath 165:20
nebulous 235:16
necessarily 37:21;48:11;71:11;118:15;119:21,25;191:25
necessary 12:17;25:9;145:12
need 8:4;9:10,22;10:15,23;11:20;13:12;18:2,23;19:14,16;21:15,19;22:5;26:17;29:2,5;30:8;36:8;38:1;40:18;45:24;52:16;53:12;57:24;59:15;60:17;65:21;66:1;67:1;69:17;70:8;71:25;72:24;75:23,25;86:25;88:2;90:12;99:22,25;101:5;104:12,15;105:4;111:9;113:10;114:10,14;125:17;126:9,15;131:5,24;134:23;138:1;139:11;142:24;143:21;145:22;149:10;150:13;151:9;154:11,15;156:15;158:4,20;161:15;164:5;166:17;167:14;168:2;182:25;183:18;184:10;192:5,7;198:5;221:7,20;225:19;230:1;239:23;240:16,17;247:11;250:9
Need 67:5
needed 7:3;20:20;62:16;70:9;98:22;109:10;148:20;226:24
needs 8:5;19:19;20:24;21:7;27:10;29:16;49:17,25;52:17;88:6,13,23;111:11;123:5;128:7;141:12;163:12;165:24;246:5
negative 224:7;225:23
negotiate 13:2;183:1,6
negotiations 181:24
Neighborhood 198:9
neither 208:5
nevertheless 39:13
new 37:13,14;55:15;94:8;128:17;137:18;159:23;199:19;208:23;212:4;239:24;250:6
New 47:11
new-member 128:16
newsletter 242:22
next 26:12;32:9;34:14;38:2;45:1;47:12;61:17;66:3;82:11;83:15;94:11;108:6;112:18;121:20,25;137:13;149:4;150:6;151:4;156:17;157:13;164:19,22;166:14,17,21,23;169:14,16;183:4;192:15;207:24;210:2;250:23
Next 4:11;38:18;47:13
nicating 131:19
nice 82:23;90:1
night 36:22;46:14;48:6;75:11;146:22;148:24;163:15;164:4
night's 148:19,21
nine 22:19,19;36:4
nities 51:8
nize 215:14
nobody 165:12
nobody's 87:11
nod 69:20
Nods 172:18
noises 127:1
nominations 97:1
nonbinding 111:1
nonconforming 134:15,20
none 173:11
None 14:15;159:4;173:11
nonetheless 204:18
Nonetheless 128:12
nonprofit 43:14
Noonan 20:14,16,17,19,21;126:24
NOONAN 20:25;21:4,11,21;22:11,15,18,21,24
nor 187:23;196:12,14;227:9
Norcross 134:1
normal 123:8;172:9
normally 125:10
Northwoods 100:11;103:4;107:25
noted 69:20
notice 11:9;15:21;16:17,18;50:20;63:17;64:23;71:7;126:25;144:9
noticed 14:7;47:15
notifications 242:25
notify 227:23
number 6:20;29:22;34:25;45:9;47:15;49:4;50:7,12;51:7;54:17;55:11,13,14;63:18;64:14,24;82:7,9;83:18;112:10;167:3;172:8,25;179:13,22;199:9;220:6;221:18;229:16,20;240:8
Number 83:20;157:20;158:8;171:23;179:11;181:5;189:21
numbered 35:3
numbers 14:9,9;22:18;112:5;179:24;195:5;198:16,20,23

O

o0o- 261:23
Oak 83:21,24;86:12;95:7
Oakcliff 87:2,6;94:23;101:8;125:2;162:1
oath 254:2,18
objec- 108:24
objective 200:23
observe 133:13
observing 134:19
obtaining 239:9
obviously 7:22;104:3;193:12;250:11
Obviously 35:22;51:10;256:1
occasion 247:5
occupancy 147:23
occupation 31:16
occur 25:4;190:15;255:18
occurred 182:13;195:15;223:8;226:14;229:12;233:20,21
occurring 187:20
OCGA 48:15
o'clock 72:12,18;74:3;79:8;82:13;148:25;149:12
off 12:14;53:17;61:23;73:13;92:12,14;93:8;99:13;108:2;114:11,13,17,19;115:1;145:16;157:19;167:17;176:23;219:9
offense 234:25;235:19,23
offered 128:17
office 21:10,16;23:13;133:18;222:6;244:11
officers 110:21;172:20;173:5
official 110:1,2,4;118:2;208:16,17;223:19;236:4,7
Official 53:2;111:16;121:12
officially 227:9
often 92:21
Oftentimes 61:22
O-I/O-W 194:4
oil 165:22
old 32:16;163:19;196:2;198:10
once 61:9;129:5;152:3;173:22;175:9,14;185:12;200:7;204:3;206:7;209:10;215:4;234:13;235:22;240:16
Once 17:8;196:13;235:15
one 3:23;6:11;7:9,21;10:13;13:8,9;15:24;17:21;19:6;20:1,10,11,13;29:17,22;32:17,23;36:9;37:7,8,13;41:8,17,20,21;45:13;53:15;62:10,17,19,20;63:5;76:22;84:6,9,24;85:24;86:11,15;87:4,10,16;89:22;90:16;92:8;94:6,8;96:15,17,17,22;98:21;100:20;101:6,9;102:1,3,6;103:5;106:13;111:1;115:11;116:2;121:16;123:17;124:15;129:15;132:4,18;133:22;138:5;140:23;142:1,5,11,13,13;162:5;170:5,16;171:12,23;182:16;183:14;185:14,21;186:4;190:3;195:8,14;200:8;202:20;203:2;204:24;207:8,23;208:8;214:15;215:25;216:3;218:5;227:19;228:7,8;229:2,19;237:13;238:19;240:8;244:4,6,6;248:25;251:24;258:16;259:13
One 75:14;90:13;101:16,18,20,22;121:10;142:3;156:15;160:5;161:16;182:23;190:13;224:15;256:2
one- 73:6
onerous 95:10
ones 6:18;10:6;46:8;100:4;154:18
one's 45:1;94:7
ongoing 222:3;226:1
online 193:9
only 14:24;18:15;37:7;49:18;50:18;53:6;58:16;59:20;74:19;81:1;84:7;101:9;117:11,23;120:22;121:8;122:19;123:2;128:23;135:2;138:5;142:1;169:19;173:5,12;174:18,20,21;194:9;211:22;240:10,13;247:16;252:5;255:20
Only 88:17
onto 195:1;200:5,17
open 61:3,23;110:7;133:8;162:6;221:12
Open 221:22;222:13;227:12,23;228:16;232:11,13,18,22;234:18;235:4,6;240:22;244:2
openly 224:6
openness 159:13
oper- 26:8
operate 103:24
operating 10:17,20;13:25;24:9;28:2;30:13;37:19;59:18
Operating 29:21
operation 25:23
operations 28:19
opinion 11:3;21:18;75:13;118:2;133:23,24;134:5;139:11;150:12;170:5;171:2;175:9;197:22;200:3;206:6;233:7,14,14,20,21;234:13;235:17,21;236:5,9;254:20
opinions 151:18;210:16
opportunity 36:19;151:17,19;251:1
opposed 76:12;215:18
opted 56:18
option 52:13
order 3:2;56:5;73:10;76:16;118:1;174:12;

206:19;217:1
ordi- 212:4
ordinance 7:21;47:20, 23,25;50:19,22;51:2; 54:18;58:9;61:13,16; 90:17,20;91:3,7;103:21; 108:19;111:9;115:15; 134:5;135:15;147:17,24; 148:17,20;165:1,5,9; 166:2;191:8,9,15;192:20, 25;193:2,6;196:6,19; 197:18;198:11,24;199:5, 19;200:4,20,21;203:15; 205:7,8,20,22;206:1,12; 207:7,14,19;208:12,13; 210:18;211:23;212:6; 215:2,20;216:5,7,12; 217:4,23
Ordinance 48:9;108:9, 23;112:4,9;139:6;210:6
ordinances 61:14;91:2; 106:22;111:3;126:2; 148:15;162:4;164:16; 166:3;195:1;199:14; 200:8
Ordinances 111:16,22; 121:12,13
ordinarily 70:18;75:16; 104:21
Ordinarily 233:11
organized 86:17,20,22; 93:10,13;104:4,7;110:18, 21
origin 192:1
original 77:18;104:25; 191:11,18;206:18;211:6, 10,20;214:3;216:7;218:5
originally 37:9;49:12; 145:11;214:17
others 226:19
otherwise 174:7; 247:22
Otherwise 89:17
ought 198:22
ours 97:8;170:23
ourselves 183:17; 247:11
out 6:17;8:19;10:24; 11:8,11,17;12:6;14:22; 16:1;23:1;38:1;39:6,14; 42:18,24;49:10;56:13; 57:4;59:9;60:15;61:10; 62:16,19;63:19,24;64:15, 20;66:1;67:4;69:2;75:10; 77:15;90:21;92:24;94:10; 95:4;99:23;105:2;111:4, 7,10;112:3,8;124:2; 127:4,7,9,12,13;130:7, 21;149:25;159:18; 163:17,18;165:9;170:11; 171:23;173:7;174:12; 176:22;177:1;193:25; 200:15;204:20;208:9; 209:2,16;210:13;213:23; 221:21;223:6;230:21; 235:25;237:10;241:1,23; 243:1;245:15;250:23; 251:6,16,18;256:25
outcome 227:5
outdated 33:2
outlined 43:12;124:19; 201:7;258:19
outside 30:3;187:17
ovens 22:4
over 3:18;7:13;49:19; 51:23;82:24;86:19;107:4; 108:14;140:17;164:25; 165:10,15;177:3;221:25; 234:7,10;235:21;243:19; 244:11;255:11
overall 124:4;225:23
overboard 25:25
overlapping 8:18,21
overriding 88:12
overseeing 148:18
oversight 125:25
Overspeaking 249:9, 14
overview 126:9,15; 134:6
owe 223:25
owed 224:3
own 43:10;57:19;66:22; 96:18;134:11;163:25; 198:2
owner 51:22;53:19,19; 60:5
owners 51:7;53:8,16,17
ownership 54:9

P

Pachuta 106:14; 107:10;227:12,23;228:6
PACHUTA 106:17
packages 142:12
packets 140:2,5,9; 143:3
pad 62:10
page 35:4;36:4;38:4,23; 164:19,22,25;166:1; 190:1,7,8,12,19,20; 192:2,14;197:18;202:18; 204:7,10;205:18;207:16; 208:11
pages 35:3;38:4,20; 164:17;197:25;200:14; 205:12,15
paid 114:3,6,23;173:23; 243:5
palities 187:6
Pam 166:24;177:21; 252:7
panel 62:10;63:2;68:24; 235:12
papers 128:20
paperwork 12:15
parades 43:22
paragraph 115:12; 190:19;192:3;259:25
parallel 133:20;182:6; 198:23
Parallel 187:17
paraphrasing 103:16
Pardon 16:5;178:25; 230:6
parentheses 52:21
park 84:7;86:6,15;87:2, 4;88:3,9,14;89:1,3;90:1; 91:7,18;92:6;95:5,22; 98:25;102:20;103:14,25; 106:19
Park 83:21,24;88:10,10, 11
parked 51:25;60:8
parking 6:12,24;7:2,19, 21;47:16
Parking 49:2
parks 86:10,12;87:1,5; 88:13;91:3;94:8;95:8,9, 23;96:16;103:14,21; 104:7
Parks/Recreation 105:15
parlors 126:11,13
part 4:18;8:8;12:8; 13:14;28:4;32:10;42:15; 49:14;91:14;102:19; 118:1;163:1;192:7; 193:18;217:23;240:21; 249:22
Part 41:12
participant 187:23
particular 63:10;88:14; 94:6;148:15;160:13; 171:22;210:14;241:11
particularly 134:14
parties 30:3
parts 205:21;206:2
party 108:19;236:8
pass 97:11,15,17,24; 131:25;147:23;166:2; 188:8,9;199:6;207:13; 209:19
passage 207:6
passed 52:21,23;69:25; 108:13;150:1,5;156:16; 158:12,18;199:15; 223:25;251:18
passes 37:2;126:9; 141:12;143:21;157:14; 185:22
passing 58:8,20
past 28:21;79:18; 193:11;240:1;251:19
path 99:13
patrol 83:6,9
Patrol 172:13,15,16,22
Pause 84:21
pavilion 83:24;87:6,21; 88:1;89:14,14;90:2,3
pavilions 87:9;88:18
pay 13:13;14:18;15:16; 28:12;31:15,16;54:25; 56:22;66:23;113:6,18; 114:25;115:2,3;165:15; 183:11;259:20
paying 63:14;174:6
payment 210:21,22
PC 148:17;155:20
PD 62:20;171:20; 175:15;211:5
Peachtree 207:20
Peet 182:7;183:14; 184:11;185:1,11;186:9; 187:11,18;188:2
Peet's 185:17
penalize 56:16
penalizing 53:16
penalties 91:2
pending 15:19;75:25; 220:24;255:3;256:3; 258:16
people 7:3,10;14:12; 42:2;51:6,24;53:22;57:3; 66:16;75:2,23;79:5; 82:24;89:15,20,25;91:17; 93:19;95:11,25;96:9; 104:13;106:18;119:4,12; 125:9,10;131:11;134:22; 161:11;163:25;164:6; 165:15,25;208:20,24; 209:14;222:24;232:24; 233:1;236:22;238:21; 240:4,19;242:24;244:4; 247:8,13;248:12;249:24; 250:15;251:11,19; 253:21,25;254:15
per 64:1,9;70:23;101:16, 18,20,22;102:1,3,6; 116:8;172:24,25;173:2; 175:25;176:1,1;179:3,10
percent 34:18;170:23
percentage 176:9
perception 225:23
perfect 170:11
perfectly 75:13;245:17
performance 259:24
perhaps 116:9
Perhaps 115:23
period 11:5;12:6;15:18; 16:11,12;17:2;28:22; 36:18,24;51:20;58:2; 60:7;70:6,7;130:14; 172:25;181:12;182:12; 185:8;211:14,18;212:18; 214:10;215:11;217:5,6,7
periods 103:18
permission 4:15; 104:19,20;172:21
permit 49:7,14;54:2,3, 21,22;55:18;56:5;57:25; 59:22,23
permits 127:6,6;128:2; 164:23
permitted 51:13;104:6
permitting 49:10;55:22
person 46:14;62:22,22; 85:24;96:22;100:20; 103:24;104:6;117:11; 133:23;176:3;188:17; 234:7;240:8;241:11,12; 244:4
person- 50:9
personal 65:1;66:24; 164:12,13;198:2,3; 229:21;232:21;252:19, 20,22,25
personally 72:8; 118:21;239:19;240:12; 242:18
personnel 156:11; 176:2;221:6,13,18,21; 222:1,4,17,18,22;223:10; 224:11,21;225:4;226:2, 13;230:3,14;231:25; 232:3;233:22;237:7; 240:17;252:17;255:2; 256:4
Personnel 228:24; 229:11
persons 172:14;212:16
person's 217:8;234:9
pervious 208:3
petition 124:6;136:5
petroleum 154:21,25
Petroleum/Propane 210:5
phase 255:11
Phase 247:18
philosophy 215:19
phoenix 16:16
photocopies 84:21
photograph 172:10; 174:24
phrase 110:3
physically 197:25
pick 96:6
picked 245:16
pickup 93:15,18
picnic 82:15;93:20
picnics 94:24
piece 164:14
piecemeal 61:10
pipe- 137:11
pipeline 135:13,21; 136:12;137:21;138:20
pit 86:19,21
Pittman 3:11;5:5;34:5; 44:19;47:4;68:8;78:13; 81:18;98:14;106:5; 146:13;153:16;169:6; 180:23;189:11;213:13; 218:3,24;256:15;257:13; 258:8;259:6;260:17;

261:13
PITTMAN 3:12;5:6;34:6;44:20;46:5;47:5;68:9,15;74:5;78:14,24;79:3,24;80:6;81:3,19;82:10,20;83:8,19;96:3;97:12;98:15;102:24;103:2;105:10,17;106:6;113:2,5,9,13,16;114:1,4,8;146:14;153:17;158:4;169:7;180:24;189:12;213:14;214:13,20;218:10,25;252:4;255:5;256:16;257:4,14,24;258:9,21;259:7;260:18;261:4,14
pizza 22:3
place 14:2,4;43:3;161:1;208:15
places 7:19;190:3
plain 68:23;70:22;208:12
plan 9:25;17:8;259:24
Plan 245:19
Planner 125:16;127:25;133:12,15,20,22;134:6,8,21;135:4;144:16;195:20;208:18;241:5,8,17
planning 117:25;125:25
Planning 108:10;109:5,19,25;110:1,6,8,10,17,20,23;111:5,13,23;112:1,7,12,13,15,19;115:13,23;116:3,15;117:12,13;118:15;119:4,14;121:18;122:10,23;123:19;124:10;125:23;127:17;128:21;129:14,19;130:10,22;131:9,14;132:6,7;133:6,14,19,25;134:2,6,19;135:19,25;136:7;137:4;139:8,12;140:6;141:19;155:7;193:15;194:16;195:2;202:25;220:2
plans 165:10
plant 83:14
planting 82:16;83:6,10,11
play 93:20;94:1;144:12
playing 93:7;191:17
Plaza 45:14;46:3
please 3:3;4:22;33:22;44:11;46:21;67:25;77:20;94:17;98:6;104:15;106:19;139:25;146:5;153:8;156:21;166:3;169:16;180:6;200:2;257:25;261:5
Please 39:17;199:9
pline 252:9
plug 200:20
plunging 210:4
plus 6:7,7
pm 86:3;89:15;103:17;201:1
podium 85:2
point 13:11;36:7;57:2;80:10;97:3,23;119:1;120:23;138:20;139:22;160:3;193:16;215:5;219:15;227:3;235:6;238:5,9;244:1;248:14
pointing 39:14
points 13:2
police 91:9
Police 49:17,19;55:23;73:23;74:10;76:25;77:25;149:9,12;151:24;158:6,23,25;170:12;178:18;208:18;210:16;216:10,12
policy 169:25;245:21;250:4
political 223:22
pool 33:1
poor 24:19;203:8
portion 29:8,10;43:11;108:10;111:10;112:25;148:16,18;211:9;217:3;243:10
position 67:8;109:8,14;181:22;223:2,17;229:9;234:22;241:8;242:6
positions 109:12
positive 159:24
possession 128:20;237:6
possibility 39:16
possible 109:23;191:7;195:24;196:4;206:10;244:14,15
possibly 19:2;71:12;74:11;94:19;108:12;252:12
Possibly 229:20
post 84:3;89:24;207:21
posted 243:2
potential 129:17;159:23
potentially 57:11
power 19:4;28:18
Power 28:17
practice 211:5
practicing 94:10
preamble 204:12,13,16,24;205:18,25
Preapproved 114:22
precedent 83:12
preclude 185:14
precooked 25:7
predates 35:23
preemption 52:7
prefer 24:2;30:5;77:7;171:4;233:11
preference 36:23
prepared 9:20;169:21;170:15;175:16;182:22;184:23;185:9;187:25;219:15;227:7;254:1,15
presen- 10:5
presence 187:20
present 54:10;100:7;112:17;121:19;138:5;226:14
presentation 10:5;26:7;128:10
presented 112:12;124:9;159:19;227:1,7,9,21;233:17;253:2
president 226:11
press 253:14,17
pretty 70:22;71:9;132:16;133:3;233:3;245:9;251:22
prevent 132:16
previous 10:6
previously 140:13
Previously 27:17
price 12:4;175:17
Price 176:8,10
primary 173:19
print 59:9
prior 37:10;77:23;155:19;187:8,11
Prior 141:22
Priscilla 224:18,20;239:18,20;247:4,7
prison 177:4
prisoner 170:21,22;174:15
prisoners 172:13;173:4,25;179:7
privacy 229:23
private 48:1;233:12
Private 45:6
privilege 104:22;105:6
privileges 105:14
probably 22:3,19;27:1;41:24;42:8;70:19,25;77:15;78:1;88:21;100:2;149:5;191:19;211:8
probation 259:22
problem 7:11;16:21;23:24,25;49:22;50:18;51:8,15;53:15;73:9;92:18;93:9;131:11;144:21,23;160:15,18;164:13
problematic 51:12
problems 19:5;57:7;202:18;229:25
procedure 110:22;255:12,21
procedures 172:9
Procedures 195:18
proceed 6:3;60:14;175:19
process 28:4;59:7;129:13,18;144:22;172:9;192:24;193:12;215:8,10
processing 123:14;179:20
Processing 175:2
produce 41:8
produced 232:16;252:16
profane 92:6
profanity 91:21
profession 250:1
professional 247:6
profit 177:8
program 38:10
programmatic 38:9;40:7
programs 163:20
progress 38:9;40:6;135:12;159:15;190:22;192:4;205:14
progressive 252:8,14
prohibited 103:19;104:5
project 130:11
projected 14:15
projects 246:1
promote 34:19,22;39:3;163:12
promoting 42:2;43:10
proof 54:9;237:6
propane 154:25
proper 73:11
properly 59:18;234:23
properties 60:15,16;129:15;134:14,15
property 7:23;48:2;51:22,25;56:8;60:6,8;164:15;190:25;203:17;204:2,5
proposal 5:24;6:13;8:16;10:14;14:8;28:14;31:1;32:24;56:1;108:17;110:24;125:13;159:22;162:7;177:7;183:16;204:2;217:10
proposed 183:13,23;184:9,11;186:9
protect 59:16;65:17;163:3;224:19
protecting 59:17
prove 247:22
provide 26:3;27:19;28:1,17;42:11;59:6;64:12;104:23;112:16,21;121:18;128:22;172:24;174:14,16,25;190:1;194:15;209:4,4,20;225:9;235:7
Provide 228:11
provided 47:24;48:15,19;109:22;128:16;238:19,20
providers 30:7,9
provides 28:18;208:1
providing 40:5;161:1
provision 170:25;171:3,5;234:20
provisions 11:6;206:11,12
proximity 5:16
public 74:19,22,24;75:6,8,9;84:7;92:15;110:7,8;112:18;119:1;120:5;121:25;133:8,22;139:19;203:20;221:21,25;225:7,22;236:24,25;247:1;253:25;255:17;256:6
Public 67:14;68:20;228:12
published 194:22
pull 156:23
punished 210:24
punitive 210:23;211:8
purchase 55:9
purpose 38:6;45:17;49:3;155:11;222:16
Purpose 229:1
purposes 105:15
pursuant 87:18;181:10
pursue 55:17
pushed 240:9
put 3:20;4:13;6:10;8:9,15;17:3;18:5;22:25;29:6;32:3;38:21;45:18;46:8,17;55:10;56:12;59:10;67:4;70:7;71:11;73:20;88:2;89:16;90:24,25;92:9,20;94:16;103:7;113:10;125:8;137:8;145:10;149:23;150:8,23;153:2;165:21;166:3;182:8;191:25;198:16;203:10;207:22;209:13;217:9;219:16;226:18;234:13
puts 42:24;242:22
putting 19:3;22:3;86:18;125:4;129:22;209:11

Q

qualified 43:14
Qualify 48:8
quarter 199:14
ques- 70:16
quick 132:16;161:16;163:6
quickly 123:18
quite 43:21;141:16;182:22
quo 181:11
quote 224:19;227:13;228:18;229:6,9,13;234:5
quote/unquote

223:24;229:19
quoting 229:1

R

rain 83:2
raised 216:8
ran 143:8;237:10;241:4
rate 28:11;170:8,11;175:13
rates 170:18;171:16
rather 45:20;80:14;90:1;94:23;135:16;190:4;198:24;219:12
Rather 191:17
re- 55:1
reach 75:17
read 77:19;78:1;85:3,6,7;89:7;108:15;109:14;111:22;116:23;124:19;157:15;190:17;212:7;232:19;245:21
reading 85:16;154:15;155:13;203:4,19;204:9;212:4
reads 110:5;112:6;157:12;200:14
ready 10:18;24:10;84:3;122:21;192:15;227:24;245:8
real 60:5,8;121:13;123:17;138:17;163:6;177:11;207:17;208:21;209:8
realize 54:18;122:24;221:20;240:13
realized 241:11
really 6:23;10:8;20:20;24:16;25:5;26:7;28:22;33:1;59:14;61:8;62:15;66:4;71:10;75:5;88:1;119:3;123:5;128:18;137:17;140:9;144:18;159:22,24;168:5;206:16;219:12;240:23;248:4,5;250:3
realm 187:18;195:20
rears 129:24
reason 6:5;7:1;11:17;49:13,18;122:11;123:5;128:6,10,25;129:22;160:22;188:9;198:21;232:24;245:2
reasonable 14:20;113:20;114:6,23
reasonably 109:22
reasons 76:18;92:9;112:17;121:20;131:12;214:23
rec 103:15
recall 45:17;138:18
receipt 50:1
receipts 27:19
receive 136:21;164:7;221:10;227:13;229:17
received 34:15;35:9;38:13;62:2;135:25;136:2;140:3,6,9;141:21;142:15;193:3;206:9;215:2;229:24
receives 122:10
recent 171:2;196:4
recently 176:16
recess 85:20;216:24
recog- 215:13
recognition 217:25
recognize 71:1;221:20
recognizing 217:10
recollect 116:5
recollection 115:20;236:12
recom- 95:6
recommen- 6:15;116:24;129:15
recommend 16:25;121:25
recommenda- 121:18
recommendation 95:21;111:2;112:14,16,21,23;117:5;118:2;119:15;122:12,23;129:2,3,4,19,25;132:8,9,9;133:11;248:13
recommendations 95:8;111:18,24;119:25;129:6,14;137:20;147:2
recommended 130:1;193:12;211:13;245:18
recommending 120:15
reconsidered 162:24
record 42:2;108:15;110:8;233:10;236:25;251:8
recorder 3:25
records 61:20;110:7;179:11,14,19;233:9;236:5,7
Records 222:13;227:12,23;228:12,16;232:11,13,18,23;234:18;235:4,6;240:22;244:2
recoup 23:4
Recreation 87:21
recreational 94:16;104:1
Recreation's 104:23,24
rectify 195:5
redundant 89:4
refer 199:9
reference 72:5;91:1
referring 8:6;20:22;48:9;49:1;148:16;179:8;180:3;204:11;248:1
refers 121:14;234:3,4
refundable 55:4
Refundable 55:5
refusal 169:23;234:10
refuse 231:12
refused 175:23;224:15;226:2;230:16,23;237:10;240:24
refuses 222:19
Refusing 228:11
regard 32:1;57:16;90:14;103:12;104:4;105:6;181:18;188:2;221:11;222:3;233:13;234:11;235:8;255:12,20;258:16
regarding 34:17,25;40:1;47:19;48:18;59:13;70:17;154:7;182:4;212:2;217:25;223:22;228:15;233:7,8;237:7
regards 112:10;179:8;221:19
Regional 109:21
registration 55:13
regular 21:10;25:10;26:12;32:9;36:18,19;74:21;76:7,8;77:22;79:19;121:25;201:7;257:21
regularly 45:17
regulated 174:17
regulations 90:18
reheating 25:6
reimbursed 113:22,24
reimbursement 128:14
Relations 225:11;243:13
relationship 225:10
relationships 253:14
relative 91:2;203:19
relatively 171:2
relayed 234:15
release 173:4;234:19
released 225:22;234:21,23
relevant 40:23;65:17;147:24;205:7;233:15;253:20
reliable 64:20
relying 195:12
remain 12:20;109:3;212:17
remainder 15:24;17:1,20;109:17;198:24;206:1
remained 222:5
remaining 17:14;169:19;173:12
remains 233:14;235:17
remarks 224:7
remember 24:24;160:17;236:15;239:10
remind 201:23;234:2
reminder 149:20
remove 49:21;212:15
removed 249:12
render 112:13
rendered 233:7,21
renew 212:18
renewal 11:6;36:18;210:20;215:17;217:4,6,7,12
renewals 15:19
rent 12:1,23;13:14;14:19;15:17;17:20;23:4;29:4;56:11;161:12
rental 15:17;16:23
rented 14:2,3,4
renter 89:24
renters 24:6
rentif 23:1
renting 14:22;24:11;60:9
repeal 187:8
repeat 254:23
repeatedly 176:21
Repeatedly 242:24
replaced 196:16;197:12
replaces 197:1,6
replete 208:7
replied 228:20
report 15:12;38:9;39:10;133:10;134:7
reporting 39:9;42:11;181:18
reports 40:6,7;42:6;225:18
represents 96:15;181:8
reprimand 245:2
reputation 250:18
request 54:2;87:23;164:3;227:13,24;228:16;230:2;235:4,7;236:9;240:22;244:3;255:18,19
requested 122:13;224:10,14;225:25;226:5,7,21;227:12
requesting 40:4;108:18
require 116:25;120:17
required 7:21;39:10,10;43:11;50:2;111:14;128:17;144:15;187:5;190:23,25;204:23;212:16
requirement 191:3,8
requirements 209:21
requires 49:14,15;50:20
research 234:6
researched 193:25
reserve 87:10,13,20;88:1
reserved 87:11;89:14,16;90:3,7
resident 56:21;57:22
residential 56:10;59:13;60:16;61:2
residents 10:10;56:16;84:7;85:25;94:24;151:12
residing 147:12
reso- 187:8,24
resolution 40:8;71:20;72:1;104:10;181:10,15,21;182:1,3,8,11,17,17,19,23;183:13,19,24;184:6,9,10,23;185:9,10,13;186:6,10;187:15;188:9,19
Resolution 154:13;167:12
resolutions 182:7,15;184:15
resolve 230:3
resolved 244:10;247:11
Resources 229:12
respect 75:19;110:23;111:2;232:1
response 4:5,9;41:1;44:9;67:23;81:8;105:20;129:11;146:3;166:11;172:4;189:1;201:10;213:3;218:14
responses 104:25;118:21
responsibilities 225:13
responsibility 232:25
responsible 51:24
responsive 243:4
rest 30:8;34:20;60:19;120:14;166:4;237:2
restrict 95:11
restrictive 52:13,14,18;217:14
restricts 48:16
resumes 241:18
retreat 245:25;246:5
return 66:6;152:4;259:21
reveal 229:7
revealed 241:7
revenue 14:15,24;31:1,2;55:23,23
revenues 12:6
revert 218:4
reverts 191:18
review 26:5;58:24;61:19;67:3;85:12;95:5;111:24;115:21;116:16;117:17;129:24;130:11;137:4;138:6,15;141:20
reviewed 9:21;34:24;194:16
reviewing 35:2;117:24;130:7;140:15
revised 60:21
revision 217:24
revisions 9:22;124:18
revoking 190:20
revolutionary 247:1
re-vote 69:17

rewire 5:18
rewired 18:11;21:19
rewrite 33:5
rezoned 134:13
rezoning 108:18;134:17;142:3,9;191:3,7
rezonings 133:9,17;136:1;138:9
RFP 67:9
RFPs 67:4,6,12
Rhonda 29:24;67:7;105:2;107:1;194:13,14,18;247:5
rid 58:6;147:20
ridicule 221:25
right 11:1;15:16;16:20;20:8;43:20;46:17;49:15;53:4,13;54:24;56:11;60:21;64:12;71:17;74:17;77:5;82:3;87:8;88:21;94:2;101:2;103:9;118:13;121:24;135:13,21;137:13;138:3;140:24;141:2,17;145:3;151:3;153:23;154:8;161:23;166:20;169:13;172:7;176:10;180:5;188:23;197:16,16;198:1;199:25;201:5;208:10;210:9;214:12;231:16;232:2;240:18;255:17
Right 7:8;9:11;19:18;20:5;41:23;50:13;56:23;66:13;79:23;87:8;89:12;91:16;99:16,19;118:4;124:16;131:21;148:1,4,7,12;153:3;159:8;168:2;215:23
rightly 177:6
right-of-way 207:23,25
risk 53:22;159:25;170:9,19;171:16;173:23;174:7;175:14,18
Road 137:7
roads 209:22
Roberts 101:7
Roche 3:13;5:7;28:3;34:7;44:21;47:6;68:10;72:14;74:8;78:15;81:20;98:16;106:7;107:15,16;123:4;145:9;146:15;153:18;168:6;169:8;180:25;186:23;189:13;213:15;219:1;224:17,20;225:6,25;226:5,16;227:1,3,18;256:17;257:15;258:10;259:8;260:19;261:15
ROCHE 3:14;4:17;5:8;13:24;16:22;24:14;30:10;34:8;41:7;44:22;47:7;56:25;57:17;58:13,18,21;60:13;61:1;64:23;65:6,19;66:13,21;67:5,15;68:11;71:5,17;72:4;73:18;77:8;78:16;79:6,15,23;80:1,7;81:21;85:3;93:12,18,25;96:4,19;97:2,5,10,16;98:17;100:9,19,23;101:16,25;102:16;103:3,7,10;105:8,13;106:8;107:18;108:4;113:19;114:10;115:5;118:14,18;119:9,19,23;120:4;122:18;123:7,15;124:5,11,16;131:21;132:3,12,18,22;137:19;138:23;145:14;146:16;147:19;148:1,7,10;149:3;150:4,11,16,19,24;151:6,21;152:18,21;153:3,19;154:1;156:25;157:6,24;158:5,11,19,22;159:8;166:19;167:5,8;168:10,13;169:9;176:15;180:14;181:1;184:25;187:1;188:7,20;189:14,21;190:10;193:14,20;195:7;212:3;213:16;216:19;219:2;221:1,9;235:2,24;236:14;237:14,18,24;238:3,13;242:12,17;246:13,20;250:10;252:2;256:18;257:16;258:11,20;259:9;260:7,20;261:3,16
rods 99:17
roll 3:3;4:22;33:22;44:11;46:21;67:25;69:22;78:5;81:10;98:5;105:22;146:5;153:8;168:23;180:15;189:3;213:5;218:16;255:9;256:7;257:5,25;258:23;260:9;261:5
Ronald 45:22
room 237:11
rotate 152:12,16
rough 28:1;86:1
route 199:17,24
rule 52:7,17;65:3;70:22,25;71:2,4;90:21;233:16
rules 76:16;83:24;84:3,15,16;86:10,13,15;87:1,3,4,19;88:2,9,10,11,12,12;90:16;95:6,10,22;102:20;103:14;104:17,25;106:25;110:22;182:20;184:14,16,21
Rules 105:15
ruling 233:18
run 5:20;25:12;36:6;65:1;66:1;74:2;134:2;155:13;250:23
running 176:20
rush 135:19

S

safe 19:17;144:12,16;191:17
safety 144:20,24;193:10;218:8
said/she 247:23
salary 239:11
sale 47:21;48:1,12,16;49:3;50:17;54:2,8,25;55:11;56:3,12;57:18
Sale 47:14,17
same 36:4;46:15;52:10;61:6,13,16;86:13;87:3;109:3;118:13,16;123:25;126:10;131:8;141:12;166:1;171:11;175:11;186:4;187:5;190:19;192:2;206:21;211:6;212:17;214:19;230:4,7;232:9;236:10;255:19
sample 59:6;182:8
Sandy 165:4;171:8;177:20
sanitary 25:12;165:19,21,23
Saturday 83:4
savings 30:2
saw 89:13;92:23;142:13,18
saying 14:10;31:7;42:21;60:4;64:7;86:9,16;87:10;91:21;93:1;113:6;130:24;131:7;141:7;151:11;157:1;177:11;190:22;191:17;202:11;230:22;241:14;243:22;254:10
scan 200:11
schedule 79:18;173:6;181:21
scheduled 112:18;121:20;136:4,18,22;138:9,13;141:18;142:9;241:19
science 133:24
Scientific 29:1
scope 20:7
Scott 7:18,19;115:8,17;116:4,5,9,20;118:8;121:16;128:6;135:7;142:2;189:19,20;194:13;195:16;198:3;201:12;219:7,22
Scott's 6:15
Scouts' 65:13
scratch 84:8
scratched 82:8;83:17
scribbled 165:10
Scurry 248:19
se 64:1,9
seal 57:12
search 236:3
seats 7:22
second 4:20;26:13;27:10,12;29:13;33:21;40:13;44:4;58:3;68:18;70:14;74:15;79:6;81:6;145:3,6;150:14,21;152:10,15;153:5,7;162:17,21;167:4;183:19;184:10,25;185:14;186:24;188:21;203:16;207:7;212:24;216:17;218:4,10;242:15;254:25;260:7
Second 4:21;27:13;46:4,5;67:20;79:2;96:2,3;105:17;124:20;150:25;168:21,22;178:1;252:4;255:4;257:3,4,23,24;258:21,22;261:3,4
seconded 186:23;255:5,8
section 91:3;104:15;105:1;108:17;109:7;110:25;151:3;196:15,21;197:9,17;198:8,23,25;205:10,23;212:15;233:15
Section 60:1;198:22;223:6;228:25;229:5,11;255:15
sections 112:2,3;197:12
secure 17:7;61:22
secured 64:17
security 62:1,8;63:1,6,8;66:12,16,22;67:12;161:3;214:23;215:8,14
Security 61:18;214:11,23
seeing 14:23;24:25;117:11;147:10
seem 12:20;63:20;71:10;236:15
seems 15:15;71:8;86:13;160:8;165:12
selected 110:21;228:6,22;235:10
selectively 235:5
self 238:10
sell 56:5,17,19,22;57:23,24;58:10;209:6
selling 57:4;58:3
send 13:1;34:18,23;39:12,12,21,22;40:2,22;120:18;131:12;201:4;229:17;235:25
Send 201:4
sending 42:25
senior 6:22
sense 86:4,23;87:3,13
sensitive 221:25;225:8
sent 9:21;38:15;39:20;41:25;51:17;90:14;118:4,12;170:17;198:15;229:24
sentence 110:5;112:6;123:18,24;190:2,8;207:24
separate 61:5,8;75:11;118:21;178:4
separately 176:22
series 40:24;202:23
serious 219:14;226:24
seriously 248:10
serve 109:17;260:1
served 223:3
service 5:19;20:25;21:7,10,15,22;22:7;28:8;64:16;182:5;199:13;200:1
Service 154:13;156:16;181:10,13;186:14;187:19
services 64:19;69:2;126:14;171:25;172:23;181:19,20;183:11;209:20
services-rendered 224:2
serving 100:13
session 3:23;162:6
Session 70:13;76:17;77:11,14;79:9,11;149:6;151:15;152:2;156:7,9;167:16;220:20,24;221:13;226:6,8,9;251:5,6;252:1;253:8,10;254:24;255:23,25;256:23;257:1;258:19
sessions 161:17,22
Sessions 75:16;76:13
set 23:8;36:8;65:25;83:12;86:10,15;87:1,4,19;88:10,11,11;111:15;112:3,8;128:20;168:4;173:6;176:6;186:8;190:13;203:8;209:21;223:5;246:7
sets 118:20;119:2,6;131:7
setting 189:24;233:12
settle 75:22;230:20;258:18
seven 6:6;19:8;23:2;88:13;186:2;205:11,15
several 223:19;224:9;229:18
Several 162:5
sewer 25:12;165:23;209:22
shall 35:9;51:19;60:6;103:24;104:1,5;108:17,21;109:9,15;110:6,8,10,18,20,22,23;111:14,23;112:1,7,13,22;114:6,23;123:23;174:14;229:7;260:4
shape 4:1
share 251:4

sheet 21:5,5;47:12
Sheltie 209:9
shirt 92:14;93:8
shirts 86:5;91:15,24;92:9,10,16,24;94:1,2,2
shock 160:4
shop 10:9
shorter 182:12;185:10
shortly 228:14
show 82:24;117:21;126:12;161:9;177:7,8,8
showing 47:16;119:4
shown 108:25;234:6
shows 193:5
Shrine 43:22
Shriners 160:6
shut 137:22
shy 125:7
side 7:14;36:17;41:18;45:24;59:13,16;70:23;215:21
sidewalk 12:10
sidewalks 6:8;209:23
sign 54:19,24;55:6,12,14,15,19,20;57:6,8,19,21,25;59:7,10;65:4;88:2,23;89:2,3,9,13,24;90:1,6,25;170:15;182:10;190:22,25;191:11,20,25
signage 90:22
signed 41:13,16,20,21;45:23;71:20;84:12;85:24;164:6;169:20;201:14,17;202:1;253:21
significant 242:7;246:15;247:2
signs 55:10;89:25
sign-up 47:12
similar 57:20;125:25;240:3
simple 25:24;66:9;90:16;163:23;193:10
simpler 86:14;89:2
simply 39:21;63:23;146:25;194:14;234:13
single 11:5;90:21;234:6
singling 210:13
sink 25:11,11
sit 46:18;62:15;70:11;80:25;85:5;128:7;186:22
site 164:7;165:3,4,6,14;166:4;171:15;194:22;199:3;200:5,18,20;209:14;242:18,20,20;243:6,11;247:3,13;251:20
sites 243:7
site's 247:14
sits 49:15;56:10
situation 6:12;25:3;58:5;61:2;66:25;77:10;122:20;138:11;143:18;207:19;241:24
situations 132:5
six 6:14;102:8;164:17;247:19;248:3,6
six- 192:24;205:12
six-month 202:17
Sixteen 179:2
size 21:7;22:7;70:21;88:19
skins 94:1
slapped 195:1
slightly 111:21
slimy 250:1
sloppy 125:11
slow 122:24
small 18:15;89:7;164:14;243:10
smaller 22:7,8
smart 209:8
smear 250:19
Social 226:11
soda 25:19
solicit 172:1
solicited 171:23
solid 241:18
solids 94:4
solution 222:9
some- 14:5;151:8;155:13
somebody 29:19;54:25;60:9;61:3;66:2;84:11;93:5;96:6;97:3;163:9,21;165:11;176:11;193:4;215:24;238:1;255:16
Somebody 246:5
somehow 130:25;209:1
someone 14:23;20:13;32:19;56:11;57:18;58:6;62:15;64:21;66:23;87:25;107:9;108:2;132:3;170:12;176:25;177:1,6;199:3;237:7;239:24;251:13
someone's 62:21;115:1;132:14
sometimes 70:12;144:21
somewhere 22:24
soon 12:24;109:22;239:16
sorry 16:5;18:22;19:11;24:8;26:16;27:6;42:1;59:3;82:19;101:19;102:9,10;124:22;130:18;139:3;140:4;142:21;144:17;147:19;162:14;174:9;176:7;184:3;191:2;197:23;202:3;214:14;216:13;245:7
Sorry 45:4;99:4;150:20;212:25;251:19
sort 17:17;18:1;36:1;90:6;103:14;164:12;175:22;191:14;208:4
sorted 60:15
sorts 25:21
sound 231:3
sounded 224:2
sounds 119:11;163:8;245:13,13
Sounds 132:24
source 133:12
sources 30:2
space 7:22;21:16
spaces 6:14,17;7:4
Spangler 3:16,25;5:10;9:18;26:20;27:6;30:25;34:10;44:6,24;47:9;57:2;68:13;76:21;78:18;81:23;92:22;98:19;106:10;146:18;153:21;167:22;168:16,19;169:11;181:3;189:16;212:15;213:18;218:3;219:4;224:13;225:1;252:3;256:20;257:18;258:13;259:11;260:22;261:18
SPANGLER 3:17;4:16,21;5:11;9:12,16;11:10,13,22;12:2;13:10,17,21;15:6,11;17:25;18:4;19:10,14,19;20:12,15;22:8;23:6,12;26:14,17,21;27:7;29:14;30:14,19;31:6,9;32:7,14,19;34:11;40:10,13;44:5,25;47:10;50:6,11;55:3,25;56:15,21;58:22;59:2;60:24;61:11;67:3;68:14;69:15;70:1;72:13,23;73:5;74:14;75:4;76:4;77:2,17;78:19,21;80:12,16,19,23;81:24;84:10;85:9;87:5;90:9;93:2;96:8,12,25;97:4,7,20;98:20;101:5,10,14,18;102:10;104:11;106:11;113:8,14,17,23;114:9,16;146:19;149:7;151:14;152:5;153:22;158:2;161:19;168:16;169:12;173:14,18;174:8;178:23;179:1;181:4;185:4;189:17;213:19;214:18,21;216:1;218:6;219:5,11,17;220:10,15;231:2,6,10,14,18;232:7;252:5;254:9,12,25;255:4,22;256:21;257:2,19,22;258:14,22;259:12;260:23;261:19
speak 9:17;62:7;80:22;81:1;84:14;85:24;117:10;183:4;201:15;239:21;245:24;248:9
SPEAKER 18:17;88:17;89:6,12;91:12;99:2;107:22;132:19,24;175:2;219:21
speaking 120:22;232:21;237:19
special 54:19;55:10,14,19;57:6;86:11,15;87:4;127:6;128:1;138:11
special- 76:5;78:3
special-called 70:3;76:11;77:22;78:2;226:1
specific 28:18;31:22;88:14;159:14;184:18
specifically 138:19
specify 115:2
speculate 235:9
speed 128:18
spend 12:11;13:14;17:12,23;18:7;144:8;152:16;165:7
spending 159:20
spent 170:10;243:9
spondence 42:16
sponsor 160:13
sponsored 43:22
sport 86:20,22
sports 86:17;93:11,13;94:17,18;104:5,7
spot 133:2
springs 16:15
Springs 165:5;171:8;177:20
staff 188:13,17;225:13,15,18;245:25
stand 32:25;61:2;77:17
stand-alone 198:25
standard 45:15;176:6;209:21
standards 108:25;205:18;222:2;229:2;233:19
Standards 229:5
standing 158:10;186:2;259:23
stands 27:4,9
Star 242:2
Stars 82:22
start 22:3;63:19;65:8;100:4;113:15;149:21;150:5;202:19;242:25;247:18;248:24
started 128:13;145:9;240:3;242:1
starting 8:19;76:24;79:1;123:12
state 52:9;54:10,11,11;55:13;60:1,2,19;165:4;213:23
State 11:4;36:4;43:12;48:15,23;51:17,18,21;52:2,3,15,18,20;165:25;172:13,15,16,22;174:17;181:11;209:16;228:2,10;233:3
stated 110:9;229:25
statement 10:19;24:10;26:8;29:6;30:10;32:3;109:24;224:2,18
Statement 229:1
statements 223:22;224:1;226:22,24;254:18
states 64:15;91:7,15;109:4;146:25;176:5;229:6
stating 223:24
status 181:11
statute 70:21;181:16
statutory 182:20
stay 55:22;72:9;123:25;167:8
Stephe 86:2;88:6;97:4;107:7;130:17;132:2
Stephens 83:25;95:21
stereotype 250:2
Stewart 137:7
stick 57:19;130:10;132:19,23,25;151:12
sticker 57:19,25;58:2
sticking 89:25
still 10:16;16:9;26:14;30:23;31:12;63:2;65:17;72:21;79:13,16;122:6,22,25;125:15;142:19;148:20;160:2;164:8;171:16;174:11;188:20;192:18;215:17;217:15;222:7;229:25;230:1;234:22;247:5,14,15
stingy 75:15
stipulate 114:11
stipulated 40:7
stipulates 36:5
stipulation 73:20
stipulations 51:18
stolen 49:17;64:3
stone 71:10
Stone 182:7
stop 73:22;74:9;76:23;160:12
stopped 43:24;160:7
stopping 77:23
stored 229:23
stormwater 45:12,19;46:1
story 65:7
stove 9:8
straight 200:22
straighten 241:1
Strategy 154:13;156:16;158:17;181:10,13;186:15;187:19
street 53:11;61:24
strict 108:22
strike 137:1;210:20
Strike 138:16;216:13
striking 140:23
Stripes 94:3

strong 222:21
strongly 98:24
struck 138:14;142:1,2
structure 137:8
structures 138:24;139:2
Stuart 74:18;97:13;102:22;107:8;126:22,23;130:15;201:24
Stuart's 163:1
stuck 66:14;72:18
stuff 19:13;89:17;118:20,23;130:6;163:12,13,24;176:22;209:8;245:4,5,14;248:23
subdivision 190:14,14,16,17
subject 115:12;204:2,4;229:13
subjected 221:25
subjecting 254:17
submit 38:8;67:12;182:21;183:15
submitted 182:1;224:22
submitting 113:1
subsection 260:2
subsequently 233:7
Subsequently 48:13
substan- 190:21;260:2
substantial 192:4;193:5
such-and-such 24:1
suddenly 241:11
sue 75:22
sufficient 41:20;229:3
suggest 55:17;135:14;137:17;182:18
suggested 106:25;124:19
suggesting 76:5;83:24
suggestion 123:17;217:24
suggestions 211:12
suit 83:13;182:4
suitability 204:1,4
suited 223:4
summarize 233:9
summarized 192:13
summer 43:3
sunset 189:24;206:11,12,17,24
sunsetting 191:24
supersedes 184:17,18
supervise 255:15
supplement 250:3
supplemental 198:11
supplied 225:19;227:20;228:17
supply 54:19;228:5
supported 244:7
suppose 57:7;107:18
Suppose 57:8
supposed 5:13;19:25;20:2;164:21;173:4,6;207:20;228:21;241:2
Supreme 233:3
sure 8:17,21;14:3,4;19:15,16;32:15;39:24;41:10;43:17;51:24;59:17;64:18;80:8,21;84:2;96:14;107:5,19;132:13;135:19;143:3,7;161:13;187:15;193:1,6;194:17;195:22;198:1;210:15,19;214:7;233:3
Sure 56:20;76:19;97:9;106:17;107:14;144:5
surfaces 208:4
surround 106:19
surroundings 252:11
suspect 40:25
suspend 71:2,3
suspended 259:20
suspension 229:4
swag 30:23;31:7
Swag 28:25
swagged 30:15,18,20
swear 184:7
sweet 177:19
switch 6:17
system 23:24;25:12;62:8;63:6,8,16;66:22;72:25;75:20;165:23
systems 67:12;229:17

T

table 26:15;177:22
tag 48:6;50:1,15;54:4,7;55:14;94:21
tagged 50:4
tags 50:4
talk 5:22;64:10;74:24;75:2;98:23;128:8;135:4;165:17,24;175:16;177:22;192:19;202:9;220:16;221:7;241:20;242:18;248:3
talked 19:1,6;32:18;90:14;135:3;140:23;246:3
talking 17:11;24:21;41:24;47:19;58:8;65:8;83:15;86:18;159:14;165:18;174:12;190:20;193:19;199:12;206:16;237:17;246:18,18
Talking 247:3
tank 92:10,16
tation 10:6
tax 31:16;34:14,18;233:2
Tax 183:1
taxation 181:25;182:5;183:8
taxed 43:18
taxes 31:15,16,17;43:9
taxpayer 160:19
taxpayers' 233:4
team 86:17,20,22;93:10,13;94:18,20
teams 94:9
technically 117:7
telephone 27:23
telling 250:16
tells 89:10
temporary 90:6
ten 6:6;19:8;22:21,22
Ten 90:22,23
tenancy 17:6
tenant 11:9
tends 222:24
tension 225:6
tentatively 136:22;137:1
term 12:24;16:11,12;17:21;64:21;74:25;109:17;110:17;215:12;249:24
Terminals 45:13
terminate 36:19
termination 15:20;36:21;229:15
terminations 36:20
terms 12:19,20;16:10;39:8;65:21;159:14,23;258:19
test 205:25
testify 254:1
thanked 248:12
thanks 164:1
Thanks 131:25
Thanksgiving 241:6
that'll 80:7
theirs 68:21
theory 42:10
thereabout 227:17
thereafter 17:22
therefore 11:7;25:8;171:9,14;204:22;205:8,20;229:22;235:11
Therefore 200:10;211:3
there'll 135:18
thereof 30:2
thinking 76:3;87:17;150:5
third 58:4;190:19
third-party 64:16;260:3
thoroughly 30:25
though 10:14;70:17;75:15;93:11;148:22;162:16;175:21;205:1;217:5;220:11;234:1
Though 226:8
thought 7:13;19:11;56:7;63:5;86:9;98:22;101:10,14,24,25;102:5;118:8;119:20;120:2;127:24;135:12;142:5,13,18;147:20;156:23;157:2;167:7,24;190:5;209:18;212:21;216:5;217:24;225:3;233:22
thousand 6:6;19:8;22:12,21;23:2;34:23;41:25;82:24;160:3
threaten 168:17
three 7:22;22:1,14;38:20;63:4,7;70:12;81:2;102:14;122:16;140:17,22;158:8;163:16;165:8;202:5;203:2;246:14;247:16
Three 251:17
three- 70:6;73:1;99:20
three-compartment 25:11
three-hour 94:21
three-year 16:11
throughout 232:12
throw 95:4;101:2;215:12
tial 190:22
tiated 245:11;260:3
till 13:23;86:3,4;136:4;137:23
timely 123:14
times 29:18;71:8,11;75:17;79:17;86:5;90:10,12;92:10,17;202:5;206:23
tion 70:17;108:10;121:19;175:8
tions 206:9
title 50:8;54:11,11;74:24;200:7,9,11
Title 16:10
tive 108:25
to-cure 39:23
today 5:14;20:1,2;139:4;184:5;230:1;244:12
today's 92:11;142:20
toddlers 92:24
together 94:20;166:1;207:15;208:13;209:12,14;242:22
told 5:13;28:8;57:24;138:15;177:6;225:2;241:7
Tom 133:4,5;134:25;207:12
tomorrow 105:2;178:9;179:24;180:10
tonight 26:25;58:20;75:24;97:1;117:11;141:24,25;143:21,21;149:21;151:9,20;154:17;192:21;193:3;199:6;212:4;219:20;236:25;240:20;244:16
took 111:7;128:12;157:4;176:2,3;248:10;251:20
top 7:6;13:14;202:21;211:20;214:3;239:7
tops 92:10,16
torn 94:9
total 123:12
touching 126:25
tourism 35:16;39:3
toward 224:5,6,17
towed 52:3;53:20
Towers 242:2
towing 50:25
town 10:9;243:19
towns 161:6
track 53:25;191:7
tracked 191:22
tract 15:13
trade 35:17;56:18
training 109:20;113:6,18,22;114:3,6,22
Training 113:19
transaction 192:13
transcript 65:9;241:25;242:4
transfer 193:8
transmitting 187:11
transportation 174:15,25
trap 25:9
traps 24:23
trative 112:8
tree 207:18,21;208:12
Tree 83:16
trees 82:16;83:7,10,11,14;208:2
trically 202:16
tricity 18:11
trict 101:21,23
tried 48:4;72:13;78:23;191:6;237:8;241:4
trigger 182:20
trouble 176:25;239:7
troubles 65:1
trucking 215:3;217:11
True 53:19
truly 29:8
try 163:12;167:12,14,17;192:23;201:13;231:22
trying 25:16;52:1;65:2;86:14;92:16;94:23,24;108:12;135:17;152:7;170:10;183:9,9,9,9;190:23
TSA 217:16,25
ture 190:4
turn 177:15;189:25
turned 17:16;134:13;235:21
twelve-month 205:13
Twenty-five 55:2
two 3:25;15:23;17:14;

36:20;37:12;38:20;45:12;61:13;70:4,12,18;71:1,5;72:20;73:7,13,16;74:12;77:23;80:9,25;96:16,16;101:11;109:12;111:1;121:9;126:7,7;131:11;143:22;146:21;148:14,17;154:18;156:2,8;163:19;167:15;172:24;173:1,3;174:23;178:21;182:15;184:21;201:15,16,21,25;202:8;207:8;208:24;212:18;214:17;215:23;216:8;217:12,20;218:8,9;220:19;221:4;227:6,20;228:7;229:16;232:2;240:10;244:12;256:2;259:20
two- 16:11;74:5;82:1
two-and-a- 78:25;81:3
two-and-a-half 72:11;73:12;74:6;77:7;80:2,3,24;149:1
two-and-half 145:18
two-hour 70:5;73:6;76:22
two-wheelers 99:15
two-year 213:20;215:11,17
type 24:1,9;26:4;30:4;31:5;120:21;160:13,20;199:1;222:10;251:9
types 27:24;31:20;36:20;62:17
typical 22:1;247:10
typically 123:11;250:1
typo 35:24

U

ugly 89:3
ultimate 53:19;232:25
ultimately 223:16
unauthorized 103:23;225:21
Unauthorized 228:3
unavailable 260:5
unclear 133:6;134:9
uncomfortable 130:13
undecided 12:21
under 4:13;21:13;22:22;36:4;38:3,5,6;42:7;54:12;63:10;86:12;92:1;108:17;165:21;194:10;221:13;252:15;254:1,18;255:15
Under 56:1;57:6;82:22
under- 61:1;158:9;165:19;186:1;259:22
Underfinanced 125:9,10
underneath 53:14;170:18;181:9,16;195:20;233:15
Underneath 169:24
understood 162:8;234:16;248:11
undoubtedly 103:11
Unfortu- 35:2
UNIDENTIFIED 18:17;88:17;89:6,12;91:12;99:2;107:22;132:19,24;175:2;219:21
unincorporated 183:10
uninhabited 28:21
unlawful 104:6
unless 16:17;157:18;166:17;198:6;220:14;253:25;254:15,18
Unless 194:1
unlimited 18:1
unquote 224:1;227:15;228:19;229:15
unsubstan- 245:10
up 3:20,22;4:2;5:19;6:5,9,11,14,22,24;7:6,11;8:8,25;9:6,13;11:6;12:17;13:14,19;15:4;16:1;18:5;20:18;22:13,16;23:8;31:12;32:16;33:14;36:22;40:24;47:16;58:16;62:12,20,24;65:25;82:11,24;84:12;85:1,24;86:14,25;87:11;90:25;92:23;93:5;99:14;113:25;114:25;117:21;119:4;126:12;128:18;132:4;135:9;136:4;137:13;144:6;148:9;151:9;159:11;161:9,9,12;163:21;164:6;165:2;178:8;182:15;183:5;184:5;190:8,11;191:25;192:22;193:4,9;195:21;199:24;201:14,17,20;202:1;205:17;211:1;229:14;236:20;237:13,16;239:4,15,21;242:4,24;244:10;248:24;249:5;250:5,22;251:8,21;254:8
update 20:23;71:20;108:12;163:24;192:21
Update 139:6
updated 63:21
updating 199:14
upgrade 23:3;24:3
upgraded 21:2,18,20,23
upgrades 23:5
upgrading 23:24
upon 17:7,18;70:21;90:15;108:24;129:12;132:10;175:22;229:4;256:4,5;258:18;260:6
Upon 259:21
upper 7:14
upset 239:17
upwards 41:24
urge 254:3
USA 83:16
use 6:22;7:7;43:13,21;45:17;51:14;59:7,7;64:5;65:8,15;77:9;86:21;87:12,13;90:5,8;94:9;103:23;104:8;126:16;128:1;142:6,12,15;172:22;176:5;206:13;229:7,13,15,16,21
Use 229:12
used 39:3;43:20,23;47:18,20;51:11,19;56:12;60:3,3,6,10;87:14;89:20;104:2;206:15,18,21,21;226:18;227:14,17;228:8;247:4;249:24
used-car 51:12
uses 125:13,15,22;127:3,6,13,22;128:1;130:23;134:15,20,20;138:24;139:1
using 25:4;38:15;48:9;60:10;63:8;229:20,24;243:8,10
Using 160:19
usually 15:20;24:22;41:14;91:4;120:11
Utilities 31:18
utility 28:23
utilize 95:25;173:6
utilized 10:10

V

vacancy 106:13;132:5,6,21
vacant 109:9,15
vacated 109:11,16
vaguer 184:18
value 43:17
values 251:3
variance 108:21;110:24;111:17;134:16;136:18,21;137:5,6,7;138:11;142:9;189:23;190:20;202:20;203:7,8,13;204:3;205:2,5,7,14,14,23;206:4,24,25
variances 111:25;112:3,8;130:20;133:9,16;136:1;141:4;146:24;147:4;189:24;191:24;202:24;206:17
Variances 139:5;202:19
various 182:9;239:9
vary 70:23
vehicle 48:12;50:16,16,19,23,24;53:20,23,25;54:2,8;56:2,5,17,18,22;100:3;103:25
vehicles 47:25;48:16;51:20;60:7;98:25;99:12;103:23;104:2,13
Vehicles 47:14;48:14
vent 232:25
verbal 20:4
verbiage 187:5;203:22
verify 187:11
version 40:15;147:17;170:17;175:7;195:24;196:2,4;198:10;211:4,23;216:14
versions 116:14
versus 49:19;89:10;147:2
via 115:21
VIN 49:15,15,21,25,25;50:7,11;55:10
violating 91:2;221:22
violation 51:6;71:18;228:2,10,24;229:10;234:17;260:2
violations 53:15;172:15;229:1
violators 172:17
Virtually 234:8
virtue 51:9;210:24
visitors 224:8
Visitors 34:17;40:4
voice 133:21;134:11;151:18;229:21;247:25
voiced 157:4
volleyball 93:7
volunteer 96:11,13;100:24;106:14
volunteered 20:19
volunteering 100:18,25
volunteers 100:16,17,22;102:17;103:4;132:23
vote 6:2;24:10;26:25;29:15;71:3;120:1,18;126:7,8,8;131:10,10,17;132:7;145:22;148:24;149:11;152:15;154:16;161:6;186:15;212:9;215:22
Vote 145:24
voted 131:14;149:1;158:21;160:11;161:7;167:19;175:21;239:3
votes 12:25;141:24,24
voting 3:24;145:19,21

W

wait 13:12;125:9;128:19;130:18;155:1;165:8;185:19
Wait 85:9
waiting 122:22;125:7
waive 105:14
waiving 105:5;182:3;233:13
walk 61:23
walking 88:25;99:13;163:17
walkway 7:11
wants 21:6,24;54:25;57:21;58:6;84:8;88:1;94:20;170:12;175:15;176:11;239:21
warning 39:15;129:23;260:1
warranting 109:1
warrants 178:19,20;179:21;180:2
wash 209:6
waste 197:21
wasting 150:9
water 25:22;28:9;209:22
way 13:8;16:8;26:24;29:5;37:3;51:14,21;52:22;64:25;65:25;71:14;72:6;76:19;77:12;89:23;90:16,20;114:24;117:14,16;119:6;124:2;131:23;133:21;139:14;152:17;159:24;171:12;175:11;182:3;191:21;200:13
ways 53:13;75:18
wearing 92:11
Web 164:7;165:3,3,6,14;166:3;194:22;199:3;200:5,17,20;242:18,20,20;243:6,7,11;247:3,13,14;248:22;249:5;251:20
Weed 9:14;15:8;32:7,24;34:24;35:5;48:19;64:11;83:23;99:23;124:19;129:12;138:18;147:8;154:5;167:15;168:17;183:12;184:24;185:1;191:1;193:13;203:9;226:15;232:18;233:6
WEED 9:18;11:2,12,15;12:13,16;13:5;15:15;16:5,8,25;18:3,22;26:19;27:2,9;30:1;31:11,21,25;32:10,16;33:4,7,11,14,18;35:6,14,21;36:9;37:22,24;39:7;40:20;41:4,10;42:4,13;45:10;46:9,15;48:21,24;51:4;52:6,22;53:2,12;54:5;57:15;65:3;66:17;69:19;70:18;71:13,21,25;75:7;76:14;78:1;79:13,21;90:13;91:10;97:18,22;99:24;100:2;103:12;104:18;105:4,11;106:23;114:5,21;115:8;116:11,18,21;117:3,23;118:17;

120:10;121:1,4,8,24;
123:16;124:7,13;130:16,
18;132:10,14;133:1;
135:1,11;136:10,14;
137:10,24;138:21;139:3,
9,22;141:10;143:4,23;
144:1,5,10,25;147:13,22;
148:4,8,12;149:22,24;
150:2,7,12;152:7,20,25;
153:4;154:6,9,12,24;
155:10,16,21,25;156:3,8,
13,18;157:11,18;158:9;
159:2;166:22;167:21;
168:1,8,11,18;169:17;
170:24;172:18;173:11,
17,19;175:6;176:8;181:6;
183:20,25;184:13;185:7,
18,21;186:18;187:7,13;
191:6,13;193:18;194:12,
23;195:12,25;196:5,8,13,
17,23;197:1,8,11,19;
198:14,18;199:7;200:2;
201:3;204:11,15,19,22;
205:3,6,16;206:5;207:2,
4;210:3,9,11;212:6;
213:24;214:6,12;215:1,
23;216:10,21;217:2;
220:7,14,19,23;221:5,10;
233:11;234:2,11;235:8;
236:2;238:11;249:11;
253:11,18,23;254:7,11,
14;255:10;256:1;258:15;
259:14
week 56:13,13;156:17;
161:9
weeks 140:18;247:16;
259:20
Weeses 106:16
welcoming 89:9
weren't 194:9;214:10;
238:21;248:12
what-not 59:11
what's 111:19;117:15;
121:11;132:8;137:21;
163:22;203:24;206:14
What's 210:2
whatsoever 124:2
wheelchairs 99:3
Wheelchairs 99:1
wheelers 99:21
whenever 168:3;196:18
whereas 203:16,19;
204:1
wherefrom 110:17
Where's 7:18
wherever 76:23
whoever's 90:7
whole 5:18;65:6;66:23;
147:20;162:7;163:1;
205:11;206:23;220:16;
235:6
whomever 28:18
who's 209:7
Who's 208:15
wild 29:1
willing 64:10;101:7;
175:4,6;254:1
wiring 8:5,20,25;19:4
wish 222:5
withdraw 26:18;27:1;
151:21;152:19
withheld 235:3,5
withhold 251:12,14
withholding 236:19
within 51:20;52:3;
59:19;60:7;73:7;112:14,
16,22;121:19;122:7;
123:23;136:19;164:19,
20,20;177:1;207:22;
222:5;255:18
Within 124:5
without 10:21;24:18;
27:10;58:7;72:3;88:25;
92:24;103:19;115:1;
128:18;187:20;190:15;
230:21;259:20
wonder 91:6;165:11
wondering 127:7
word 26:24;99:23;
100:1;203:12;206:5,13,
14,19,21
wording 173:20
words 15:23;18:20;
115:14;117:3;214:2
work 3:23;6:7;10:23;
13:7,8;19:23,24;21:10;
23:20;103:5;114:12,20;
133:14,15;161:17,21;
162:3,6;243:14,17;
250:15;253:15
worked 108:11;248:6,9;
249:17;250:6
worker 242:5
workers' 31:19
working 104:16;159:17;
183:3;186:17;205:2;
209:19;247:17
workplace 223:11
works 16:1;100:8;183:4
Works 67:14;68:20
workshops 109:22
worn 86:5;92:9,16
worried 122:4
worry 13:25;25:20,21;
137:15;138:1;219:17
worth 23:7
wrecked 48:10
write 16:9;29:19,19;
59:11;196:18
writing 20:4;24:10;
87:23;209:7
written 19:23;37:1;
50:20;51:22;62:6;71:9;
89:23;103:19;104:10;
200:8;204:3
wrong 57:9;120:7;
129:16;179:18
wrote 77:21;127:4;
202:21

X

X-dollars 17:23

Y

y'all 130:19;131:16,17,
24;132:25;247:22;248:19
yard 54:25;57:18;61:4
year 11:5,9,14;15:14,24,
25;16:10,12,14;17:1,21;
31:3;36:24;37:9;43:8;
51:25;63:12,12,13;82:23;
160:2;199:16,21;213:21;
214:10,14,22;215:25;
216:3,9;217:7,20;218:5
years 15:23;36:5,14;
43:21;163:19;212:18;
214:17;215:24;216:8;
217:12,20;218:8,9;
251:21
yellow 128:25
your- 238:9
youth 92:11,21

Z

zone 51:13;53:14;209:2
zoned 51:11;208:22
zoning 7:20;51:6,9;
53:14;70:17;71:1;73:9;
75:2,11;108:16,19,21;
110:24,24;111:3,17,24,
25;112:5;127:5;135:5;
136:6;164:16;165:1,5,9;
166:2,3;191:12,18,19,20;
192:25;193:2,6;197:24;
198:2,3;200:4,20,21;
203:11,12,23;204:2,20,
23,24;205:8,9,10,19,19;
206:11
Zoning 108:23;111:11,
12,16,20,21;112:4,8;
121:12,13;139:5;146:23;
195:18
zonings 146:24;147:4