In The Matter Of:

City of Doraville

State of Georgia

Special-Called Meeting

November 2, 2009

American Court Reporting Company, Inc.

52 Executive Park South

Suite 5201

Atlanta, Georgia 30329-2217

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

Original File 59209-1.TXT

Min-U-Script® with Word Index

This Page Intentionally Left Blank

CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

* * *

SPECIAL-CALLED MEETING

* * *

Transcript of the proceedings held in the City Council Room at Doraville Civic Center, 3770 Central Avenue, Doraville, Georgia, Mayor Ray Jenkins presiding, before Theresa Bretch, Certified Court Reporter, commencing at 6:05 p.m. on Monday, November 2, 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. This is a special-called meeting on the items that were left over from the October 19th, 2009, Council meeting, and I want to 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: First item is Alcohol Beverage Ordinance, Murray Weed.

ATTORNEY WEED: Mr. Mayor and Members of the Council, this is the second appearance of this item on your agenda.

Per your request, I had done a review of the original alcohol beverage ordinance in light of a police operation related to the same, and I had some

suggestions to make on the document. And then at Councilman Bates' more specific request after looking at the first draft that I did which simply amended certain sections of the ordinance, I've done a complete rewrite of the ordinance from beginning to end.

The ordinance in its current form is 78 pages. I think that you will find it's laid out very simply, very logically. The first part of it deals clearly with ordinances being required, what the different categories you can get a -- pardon me -- licenses being required -- what the different categories you can get a license in are, how much the licenses cost, how to apply for a license. And then also we get into the permitting for employees who work at licensed establishments. Then the ordinance moves on into what occurs if there is a disciplinary action. It gets into renewal and then moves into taxation issues.

I really wanted to present it to you in a format where I wanted to give you an opportunity to answer questions.

I have modified the fees from what are currently in the original ordinance. I sent you a separate memo under a separate cover on that issue

Page 5

alone on October the 16th just for your general review and did a compare-and-contrast comparing the previous fees to what I have proposed. I am by no means married to any of the fees. The maximum fee you can charge with the alcohol beverage realm is $5,000, so that is the maximum you could go.

I'd like to particularly point out page 61 and page 62 of the draft. These are the sections that Councilman Bates and Councilman Fleming spent a good bit of time on. I elected to put in both options for your consideration. You are certainly not -- you're not obligated to choose either one; we could come up with a different penalty structure.

Right now in the existing ordinance if a licenseholder essentially has two infractions, then their license is automatically revoked. Some of you felt that was too harsh of a penalty; others of you I think are fine with that penalty and that's perfectly fine. That's part of the legislative process.

In response to that consideration, Councilmembers Bates and Fleming put forward two charts to try to come up with a more arguably fair way, more logical way of dealing with penalties.

With that, I really want to turn it over to you to answer questions, and I will answer them as

Page 6

they come up. And if you want to make choices with regard to which of the penalty charts you prefer or if you've got a different idea, you can certainly talk amongst that -- about that amongst yourselves and come up with a plan.

COUNCILMEMBER FLEMING: I'll start out. I wanted to ask a question on page 8. Item number 9, if I'm reading this correctly, you're requesting an up -- not you, sir; I'm sorry -- the ordinance is requesting an up-to-date membership list of all private clubs that are serving spirits of any kind?

ATTORNEY WEED: That is correct. That is --

COUNCILMEMBER FLEMING: Could you give me the reasoning for that?

ATTORNEY WEED: Absolutely. What the City would want to do is to make sure that private clubs aren't trying to use a license as a sham and that they aren't actually a night club, for example, trying to operate under the auspices of a fraternal organization. And if they are truly a fraternal organization underneath the state law and the code, they should be able to and they should certainly care enough to have an accurate list of the membership.

COUNCILMEMBER FLEMING: So would this membership list need to be updated yearly and given to

Page 7

the City Clerk for --

ATTORNEY WEED: Yes.

COUNCILMEMBER FLEMING: -- her review or --

ATTORNEY WEED: Just to have in case the police or whatever enforcement unit ever needed to, they could take the list and just go check it and see if that's accurate with the current membership.

What you're trying to do with regard to alcohol beverage ordinances generally is -- historically, you've got more authority in the alcohol beverage realm than you do most other regulations, and the reason of course is organized crime and the infiltration or the prevention of the infiltration of organized crime into the alcoholic industry. So that's the reason behind it.

And that's relatively common language. When you have provisions that allow private clubs to sell alcoholic beverages, it's pretty common to want to know or have on record who the membership is.

COUNCILMEMBER FLEMING: This type of verbiage or language was not in our previous ordinance, however; correct?

ATTORNEY WEED: No, ma'am, it is not. It's language that I've used in other cities' alcohol beverage ordinances, though, pretty regularly.

Page 8

COUNCILMEMBER FLEMING: Okay. And then on page 19, item number 2, this is another question I have. "Licensees shall post a performance bond . . . one-and-a-half times the estimated highest monthly payment." Is that verbiage in our current ordinance?

ATTORNEY WEED: No, ma'am, it is not. And once again, that's another -- that comes from my hard-fought experience litigating a number of alcohol beverage cases in both state and federal courts.

And I will -- Let me add this: This ordinance is what I would call a more firm or hard ordinance as opposed to a more soft and liberal ordinance, and that's certainly a -- that's obviously the Council's ultimate decision about which direction you want to go.

But this came out of a number of cases that I dealt with in the city of Hapeville, for example, where there they had an alcohol review board that made initial recommendations to the mayor and council. And one of the members was in the used-car industry and felt very adamantly that it would save time, expense, and there would be a source of funds to go against if an alcohol beverage unit was causing infractions of the law, because at the end of the day, that's a cost that the people of the city ultimately bear.

Page 9

So that's -- that came out of my experience litigating those matters in other cities. It's not in the current ordinance; it's certainly not required.

COUNCILMEMBER FLEMING: So with this item in there, for the undeveloped properties that we have and also the businesses that are vacant, if an alcoholic -- if a restaurant selling malt beverage, wine and distilled spirits wanted to open up, the very thing they'd have to do, the permit, based upon what you're proposing, is $5,000, and then plus one-and-a-half times a surety bond on what their anticipated sales would be?

ATTORNEY WEED: That is correct.

COUNCILMEMBER FLEMING: Are we not -- do you not feel that we are not even suggesting for nice restaurants to come in?

ATTORNEY WEED: Well, bear in mind, Councilman, I don't have any feelings about it. I simply -- I always try to write the most conservative ordinance I can write because the Council can always make it more liberal if they choose to. If it's too harsh, I count on the Council saying that and pulling it back from -- from where it is.

In my opinion, however, alcohol beverage establishments are oftentimes -- they create a very

Page 10

large burden on the police department and a very large burden of regulation and they also make a great deal of money, which is why they're so prevalent. And therefore, it's one of those, you know, pay-to-play type of legislative directions.

However, that's always up to the Council about whether -- if it's too harsh, I'm sure that you as a group will decide that and tone it down.

COUNCILMEMBER FLEMING: Okay. I have one other question and then I'll open it up to the rest of the Council.

On page 20, for the renewal of the employee permit, I don't believe that you had mentioned the renewal fee. Is that an annual renewal fee that would be needed for each employee that's -- You've got administrative fee for application for employee permit but then you've not mentioned a renewal fee for the employee permit, so I wasn't sure whether we were going to require them to have an annual renewal or not.

ATTORNEY WEED: I think it would be -- I had contemplated doing an annual renewal on the employee permits as well because a lot can happen in a year that might not otherwise get picked up. However, with that said, it's one of those things that's entirely up

Page 11

to the Council.

COUNCILMEMBER FLEMING: But as it's written right now, it's not in there.

ATTORNEY WEED: What is not in there?

COUNCILMEMBER FLEMING: A renewal for the employee permit. There is a renewal in here for the administrative -- for the license or a renewal, it sounds like, of the applicant of the business but not of the server themselves.

ATTORNEY WEED: I need to flip over to the server section. That was what I contemplated. I may not have included that language in that section. But if we'll go on, I'll look at it while we're --

COUNCILMEMBER FLEMING: Those were my questions.

ATTORNEY WEED: -- going forward.

COUNCILMEMBER BATES: Mr. Weed, I have a number of them, and if any other Councilmember has a comment, please feel free to interrupt and jump in as I go through these. I'll start with the definitions on page 4 or page 3/page 4.

You define alcoholic beverage and then you define malt beverage and then you define wine but you don't define distilled spirits. Should distilled spirits be defined?

Page 12

ATTORNEY WEED: I think -- and I'm certainly not in opposition to it being defined in any legal context. That's fine.

And regarding on page 3, brown baggage, is that also similar to corkage? I know there are restaurants that allow you to bring in your own bottle of wine and they charge you a corkage fee.

ATTORNEY WEED: That would be prevented by this ordinance.

COUNCILMEMBER BATES: Okay. That's what I needed to know. Okay.

Moving on to page 9 -- and this is also further back and I'll need to find the reference, under "restaurant" definition, it defines that a restaurant cannot be closed exceeding 14 days for a period of remodeling in a single calendar year. Can you explain why that 14 days is there and not a longer period of time?

ATTORNEY WEED: A court case that I was involved in. I was involved in an ordinance in another jurisdiction where the owner of the on-premises alcohol beverage facility was inactive for a great deal of time; however, the ordinance in that case didn't specify the time frame that they could be inactive for or what they could be inactive for.

Page 13

So the 14 days is, back to my football analogy, somebody decided it was a hundred yards; it could be more or less.

But I do recommend that you make it clear that if you have an on-premises license, you should be a real restaurant. I've encountered a number of places that would claim, you know, on-beverage [sic] rights to sell alcohol beverage -- beverages, but at the same time not truly be a restaurant and not providing food sales.

COUNCILMEMBER BATES: But this is saying that you can't shut down to remodel for excess of 14 days.

ATTORNEY WEED: Correct.

COUNCILMEMBER BATES: So if there was a major renovation that was wanted or needed because of fire, because of water damage, because it was, you know, 30 years past due and it just needed to be, it would need to be done within a 14-day period.

ATTORNEY WEED: That is correct.

COUNCILMEMBER BATES: Is that 14 calendar days or 14 business days?

ATTORNEY WEED: It's 14 -- it's a calendar year and it's 14 days by calendar, not business days.

COUNCILMEMBER BATES: Okay. We'll need to

Page 14

address that.

ATTORNEY WEED: And once again, I really don't --

COUNCILMEMBER BATES: Sure.

ATTORNEY WEED: -- I have no legal advice with regard to the amount of time but I definitely think you should have a time frame in there to specify why they're closed and what they're doing while they're closed.

COUNCILMEMBER BATES: Sure.

On page 12, under number 4 you've got combination malt beverage and wine but you don't include wine and distilled spirits as an option.

ATTORNEY WEED: I thought that I had covered every different grouping. I will go back and look on that. My intention was to include beer, wine, distilled spirits, beer and wine, et cetera, et cetera. So I mean I'll go back and check the list, and if I've missed one, that's just I missed one.

COUNCILMEMBER BATES: If you could; thank you.

ATTORNEY WEED: Okay.

COUNCILMEMBER FLEMING: Mr. Bates, isn't that number 5 --

ATTORNEY WEED: I thought it was in there,

Page 15

though.

COUNCILMEMBER FLEMING: -- that you're referring to?

COUNCILMEMBER BATES: Yes, it would be -- I'm sorry it would be -- yes, number 5, yes.

I think there should be another option for wine and distilled spirits as two independent -- or that combination.

COUNCILMEMBER ROCHE: So they can sell wine and whisky but not beer.

COUNCILMEMBER BATES: If they chose.

ATTORNEY WEED: If they elected to.

COUNCILMEMBER BATES: Right.

Going to page 29, Section 3-7 (a), "Fees are paid on a calendar year, January 1 to December 31... No fee shall be prorated."

So if we get a restaurant that wants to open up on October 1st and sell all three, they would be responsible for the $5,000 permit on October 1st and then they would be responsible for another five thousand on November 15th for the subsequent calendar year; is that --

ATTORNEY WEED: According to this draft, that is correct. You can always do something different.

Page 16

COUNCILMEMBER BATES: Just want to make sure I was correct.

And if any other Councilmembers want to jump in, like I said, I have a number.

COUNCILMEMBER ALEXANDER: Was there a particular reason that you did not have a difference between Monday through Saturday and an additional charge to serve on Sunday? because, to me, serving on Sunday, that's -- that's an additional premium.

ATTORNEY WEED: In my mind, I was trying to simplify rather than complicate, and after you paid the rate, my attitude was the business ought to be allowed to do what they need to do to make money.

I don't know. If you're asking me, do I think legally could you differentiate between Sunday sales and other sales during the week and charge more for Sunday sales, probably yes. However, if the community has already elected to allow Sunday sales, which we have, that's a little harder to defend.

So can we do it? Probably yes. Should we do it? I don't know that that's worth differentiating between the two, because bear in mind, you know, you have an on-premises license, you have an on-premises license for all purposes, and that's the most expensive license you can get.

Page 17

1 COUNCILMEMBER PITTMAN: On the 14 days, is
2 there anything we might could incorporate into that in
3 the event that they are doing remodeling? 14 days is
4 not very long.
5 ATTORNEY WEED: Yes. The 14 days does --
6 The concept is of course that you have to send written
7 notice to the City Clerk.
8 COUNCILMEMBER PITTMAN: Right.
9 ATTORNEY WEED: And of course the idea
10 behind that is that would trigger some sort of
11 response to make sure that, you know, you were doing
12 what you say you were doing.
13 It would be very easy to add a provision
14 that, you know, with approval of the -- you know,
15 based upon some application to the City Clerk, if it
16 is deemed that you need more time, then you come to --
17 you'd seek that from the Mayor and Council. That's a
18 quick thing to do.
19 COUNCILMEMBER PITTMAN: Okay.
20 ATTORNEY WEED: And legal. Perfectly legal.
21 COUNCILMEMBER PITTMAN: I mean I personally
22 would feel more comfortable with that because 14 days
23 is not a long time if you're doing a complete renova-
24 tion on something. I mean that's just --
25 COUNCILMEMBER ROCHE: It might be well as we

Page 18

1 go through this if we hit issues like this, to just go
2 ahead and make motions and vote them up or down,
3 because otherwise we'll discuss them now, and then
4 maybe we'll come back later, and we'll come back
5 later, and we may not ever actually decide what to do,
6 you know.
7 So sometimes -- I know that we've done this
8 before. We'll take things item by item and actually
9 vote on it, and that way, we get something settled and
10 can move on, because I have questions, frankly, and
11 concerns about some of the items that have already
12 been brought up as well as some other items.
13 COUNCILMEMBER BATES: I don't have a
14 preference either way.
15 COUNCILMEMBER ROCHE: Because we're bringing
16 up questions but we're not -- we're not arriving at
17 answers I guess is my point.
18 COUNCILMEMBER PITTMAN: Well, I don't have a
19 problem making a motion to --
20 MAYOR JENKINS: Well, how -- excuse me. How
21 will you deal with the people that need to speak?
22 COUNCILMEMBER ROCHE: Well, that's a good
23 point. I mean I did -- I don't have wireless. Was
24 this on the web so citizens could look at this
25 beforehand?

Page 19

1 MR. HAEBERLIN: I don't know.
2 COUNCILMEMBER BATES: I would actually like
3 to go through the whole thing, because this is going
4 to be -- I think we're going to make some substantial
5 changes to this. So I'd like to get through the whole
6 thing and provide Mr. Weed with an opportunity to make
7 some adjustments based upon comments and conversations
8 up here before we start making motions. I think
9 that's probably the best thing since this is the first
10 time that we've had a chance to discuss it publicly,
11 because there may be things down further in that will
12 be conflicted if we vote to change something up front.
13 So that would be my preference.
14 COUNCILMEMBER ROCHE: Well, if we're going
15 to ask Mr. Weed to change things, then we probably
16 should decide what it is we want him to change and
17 what we're going to change it to.
18 COUNCILMEMBER BATES: Agreed, but I want
19 to --
20 COUNCILMEMBER ROCHE: Okay.
21 COUNCILMEMBER BATES: I think there's some
22 potential conflicts later on that I want to try to
23 avoid.
24 I want to hop to page 26. And I apologize
25 if this is not the first instance, Mr. Weed, but it

Page 20

1 looks like, if I'm ready this correctly, that City
2 Council will start making decisions on who gets
3 alcohol occupation tax licenses. Is that correct?
4 ATTORNEY WEED: Well, let's differentiate.
5 Everyone's got to pay occupation tax, period.
6 COUNCILMEMBER BATES: Right. So --
7 ATTORNEY WEED: And then some --
8 COUNCILMEMBER BATES: -- it should be an
9 alcohol license.
10 ATTORNEY WEED: Only some people have to get
11 a license in addition to paying occupation tax.
12 COUNCILMEMBER BATES: Right.
13 ATTORNEY WEED: The whole concept of a
14 business license, burn it from your memory. It
15 doesn't exist.
16 COUNCILMEMBER BATES: I apologize for the
17 erroneous language.
18 So it appears to me that City Council will
19 start approving who receives an alcohol beverage
20 license; is that correct?
21 ATTORNEY WEED: That is correct.
22 COUNCILMEMBER BATES: And the reasoning for
23 that versus having it approved by staff based upon the
24 permit and application process is?
25 ATTORNEY WEED: I just assumed that the

Page 21

1 Council would want to have authority to do that.
2 COUNCILMEMBER BATES: How would --
3 ATTORNEY WEED: In my mind -- and alcoholic
4 beverages are essentially a mind-altering drug, and
5 what you are doing is -- and because they're a mind-
6 altering drug and because of the history of organized
7 crime being involved with the alcohol beverage
8 industry, I had assumed that the Council just wanted
9 to have that authority.
10 Would it be legal for you to delegate that
11 authority to some other entity or person? Absolutely.
12 In my experience with this Council, I
13 haven't known you to want to do that, so I assumed
14 that you'd want to have the authority up there at the
15 table rather than at staff level.
16 COUNCILMEMBER BATES: How would -- Thank
17 you.
18 ATTORNEY WEED: But you can.
19 COUNCILMEMBER BATES: How would that impact,
20 then, an appeal process? because if there's a staff
21 appeal or if there's a staff decision that denies them
22 some stage, the Council is the appealing authority.
23 If we deny based upon whatever reason, does then that
24 automatically jump it up to a litigation standpoint?
25 ATTORNEY WEED: Frankly, it's the same kind

Page 22

1 of situation you have in most everything else you do
2 with regard to a zoning decision.
3 The answer to your question is -- it's
4 basically yes, but it's no different than how you
5 would handle a zoning case, because bear in mind, you
6 know, the Planning Commission only gives a nonbinding
7 recommendation anyway. So if Mr. Haeberlin makes --
8 and I'm about to single out Mr. Haeberlin, but if he
9 makes a zoning decision that an applicant is aggrieved
10 of, that is appealed to -- we don't have a zoning
11 board of appeals. There's no intermediary step. That
12 goes straight to the Mayor and Council. So I just did
13 the same thing with regard to this.
14 Some communities have an alcohol review
15 board as an intermediary step. Some communities have
16 a zoning board of appeals as an intermediary step.
17 They're not required, but you can do that.
18 COUNCILMEMBER FLEMING: But if they -- the
19 applicant has purchased a business that's clearly
20 zoned, which can accommodate a restaurant for -- a
21 restaurant, and they so choose to sell by the glass on
22 the premises, all three of them, whatever, then their
23 next step is to go through the application for the
24 background check. Why would it come to us to
25 determine whether we want them to sell alcohol or not?

Page 23

1 ATTORNEY WEED: Well, ultimately the license
2 -- you could create a license structure where if a
3 person passed their background check, they auto-
4 matically get a license. I would never recommend any
5 of my clients to ever do that because there's a lot
6 more -- Any more than I'd recommend to you that if a
7 person meets the zoning, that you automatically grant
8 a massage parlor license.
9 Alcohol, massage, escort services, fortune
10 tellers, the state law is very clear that, you know,
11 certain businesses are allowed -- that the govern-
12 ment's allowed to have extra scrutiny on them; and the
13 reason, frankly, is because in certain businesses
14 historically there have been more abuses than in other
15 businesses.
16 That doesn't make it -- that's not right,
17 it's not wrong; it's just a statement of fact. There
18 are lots of alcohol businesses that are wonderful and
19 never have a problem, but historically there have been
20 more that have had problems. So you're allowed to do
21 it.
22 Now, once again, can you create a legally-
23 binding system where you don't -- it never comes to
24 Council? Sure you can. I can draft an ordinance; it
25 would be legal. I don't recommend you do that, but I

Page 24

1 can write it.
2 COUNCILMEMBER BATES: But that's what's
3 happening now.
4 ATTORNEY WEED: Well, it's -- it's a bit of
5 a hybrid, but I think the answer to your question
6 generally is yes.
7 And I think there's been less scrutiny --
8 The scrutiny that we have now is on the front end with
9 regard to the background check and then essentially if
10 something bad happens later on. So there is more
11 regulation up front here in an effort to prevent
12 things from happening at the back end, the idea being
13 if you have very high standards at the beginning, that
14 people who might be a problem will be filtered out at
15 the beginning and it'll save you enforcement effort
16 later.
17 COUNCILMEMBER FLEMING: Well, the process of
18 that would be a prospective business coming into
19 Doraville sees a property they would like to purchase
20 to open a restaurant. They would have to jump through
21 so many hoops before they could even determine whether
22 they really wanted to buy the property or not, because
23 if we didn't -- Council did not make a decision that
24 we were going to give them an alcohol permit, their
25 choice would be not to purchase the property.

Page 25

ATTORNEY WEED: Yes, ma'am. And that's the American way.
COUNCILMEMBER FLEMING: They would have to do all the --
ATTORNEY WEED: That's due diligence.
COUNCILMEMBER FLEMING: They would have to do all the permitting fees, is that correct? the application fees and so forth?
ATTORNEY WEED: Well, what they would do --
Let's change the scenario just a little bit. Most likely what would happen would be an entrepreneur would take a look at doing their -- doing their due diligence, would get a copy of the ordinance, they'd get a copy of the zoning ordinance and they'd go take a gander at the land. After they got to the land, they would look at the building. Would the building meet their needs as is or would they have to do some changes to the building?, does it have a kitchen that could be approved by the health department or not?, those basic things. And then they would check the zoning and find out if they could meet the zoning for the business or if they wanted to, you know, change the zoning.
Now, bear in mind, even if they don't meet the zoning, they could always apply to get the zoning

Page 26

changed. So that's a risk that's out there. Whether or not they have to change the kitchen is a risk that's out there. So there's always opportunity cost involved whenever you start something new. And some businesses succeed and some fail, and the ones that fail, then you're out the money.
So I would say to you, you know, is it legal? Absolutely. Is it fair? That's a determination for the Council. But at the same time, most sophisticated business people will try to examine all the opportunity costs up front and know that they have to do their due diligence. They might find a perfect location but it doesn't meet the distance standards that are provided by state law, and after they -- they might not know that until after they do a survey but they've already got, hopefully, just a contingency contract on the property.
But one of the contingencies in the contract, if I'm the lawyer, will always be if the survey distances don't make it, if the zoning isn't right, if I can't get a license from the Council, our contract's done. And if people aren't smart enough to do that, if they don't protect themselves enough to do that, I don't think the government should lend them the extra hand to do that. Sooner or later, they got

Page 27

to be responsible for themselves.
COUNCILMEMBER ROCHE: I'm with Councilwoman Fleming on that in that I feel like if we have 78 pages of requirements and I want to open an Outback over at the GM property, I ought to be able to say, "Well, as long as I meet these requirements, you know, as long as none of my people have been arrested, as long as I meet these very high standard of background checks and everything, then unless there's something really, really strange, I should be able to get my --" Just like a zoning law, you know; if that's what the zoning says -- you've been talking about zoning -- "Here's this plot, these are the things I can do. As long as I meet the zoning law, I get my permit."
ATTORNEY WEED: I don't have -- That's a philosophical decision on the Council. But since we're comparing it with zoning, we do have conditional uses for some businesses and not for others because we want to have -- "we" as in you -- want to have more scrutiny over them than others. So it isn't -- it isn't always necessarily, you meet the zoning, you get it. Sometimes you meet the zoning and you have to get a conditional use.
So can you do it and just say up front, if you meet the basic standards and you pass the

Page 28

investigation, that it doesn't come back before you unless there's a problem? Sure you can.
COUNCILMEMBER BATES: Well, I guess I'm trying to get a sense of if they pass the background check and if the zoning is allowed and if the distance requirement is there and everything is okay, what grounds would we have? Is there a set of criteria that the Council would use to deny or could we just say no without reason?
ATTORNEY WEED: No. Those are the criteria.
COUNCILMEMBER BATES: But -- but if --
ATTORNEY WEED: The criteria would be, though, the criteria set out in the ordinance.
COUNCILMEMBER BATES: But if it's already been processed through by staff, are we not just then rubber-stamping what's already been approved?
ATTORNEY WEED: Well, I've gotten the impression from the Council, based upon my dealings, that you are very interested in public input and public hearings and that type of thing. So you could -- you'd still -- it's been my experience you'd still want to have the public-input process to have a hearing, have a meeting where you make a decision so that maybe someone in the audience comes up and says, "Oh, I know that guy and he's a complete ratfink

Page 29

because he had a business over in, you know, Decatur that, you know, was nothing but a, you know, sex shop." And you know -- but if you don't have that, then you're never going to have that type of information, so --

And that's okay, because maybe that person, it's just their opinion and their thoughts, and they're not worthy to be heard -- I don't know; that's your decision -- because if it didn't equate to an offense, maybe you don't want to know that information.

But there is that element of it, too, that when you are approving the sale of a mind-altering substance, most communities I'm involved with want to be more strict than less strict.

But that's always a choice. It's always up to the Council. I can write it either way and I can make it legal either way.

COUNCILMEMBER SPANGLER: Seems to me like if the background check is done properly, then you don't have those kind of things to worry about.

ATTORNEY WEED: In my experience having done this, my professional opinion on this would be I think it's better to make it more difficult up front than easier up front and it will save you time, energy and

Page 30

money and police man-hours later on. That's my opinion based upon my experience.

That isn't my decision to make, though. I'm just giving you the best advice I can give.

COUNCILMEMBER ROCHE: And I know at the beginning we started talking about penalties. I could have sworn -- and again, I don't have wireless so I can't look it up. But I could have sworn we had a Council meeting where we went through and made motions and voted on a new set of penalties where we said first 15-day -- first one was a 15-day suspension but they could appeal, and you know, I thought we laid all this out.

ATTORNEY WEED: I don't recall it happening exactly like that. I mean I -- what I recall occurring was you asked me...

I came to you with some advice with regard to parts of the existing ordinance that I thought are problematic. You assigned me the tax of fixing those parts. I came back with a complete ordinance that did that, and it was essentially suggested to me that I write another ordinance making -- trying to make the entire thing simpler and easier to understand.

COUNCILMEMBER ROCHE: Well, this is in response to we had a police undercover operation

Page 31

where, you know, some people were not carded, and served and all that, and then we had a whole list of people that were -- businesses that were facing going out of business because it was like 30 days' suspension mandatory and all that.

And it was at that meeting, I believe, I could have sworn we made motions, we --

COUNCILMEMBER BATES: Mr. Roche, I'm absolutely in agreement with you. I have in my head that we did resolve the --

COUNCILMEMBER ROCHE: Exactly.

COUNCILMEMBER BATES: -- the penalty.

COUNCILMEMBER FLEMING: The penalty ordinance that I'm aware of that we actually voted on was correcting the $1,000, and at that same time -- And that was on 8/17. It was item number 7. But at that same time, we were discussing, Mr. Bates, yours and my illustration of the chart, and I believe that we did make a decision on the chart, but I think both choices are now listed on pages 61 and 62, that we now again need to make a decision on in this particular ordinance.

COUNCILMEMBER ROCHE: Well, again, I feel like --

ATTORNEY WEED: My recollection based upon

Page 32

what I have here in my file is that I presented to the Council on August the 17th of 2009 a draft ordinance that was limited to the provisions that I felt were legally problematic. The Council did not pass that ordinance, based upon my memory. If they did, we'll be glad to go back and check the minutes, I mean. I just don't recall that.

COUNCILMEMBER FLEMING: I think this was just -- just one where we were correcting it from fifteen hundred to one thousand, back to the one thousand because we were not allowed to do -- I stand to be corrected, but we had earlier this year --

ATTORNEY WEED: The misdemeanor, that would be --

COUNCILMEMBER FLEMING: -- or something. Yes, exactly. The fine, and we could not be greater than a thousand dollars, you said.

ATTORNEY WEED: And of course that was -- and that was quite some time ago, and we certainly did that.

COUNCILMEMBER FLEMING: Correct.

ATTORNEY WEED: That's Section 1-12 of the ordinance and that's been corrected for some time.

COUNCILMEMBER BATES: Yeah. I distinctly recall us addressing and resolving the penalty clause

Page 33

that night because we did have the two strikes and you're out --

COUNCILMEMBER ROCHE: Right.

COUNCILMEMBER BATES: -- and we resolved -- I'm very clear in my head that we resolved it that night, but if the Clerk can check the minutes and get that to you.

I'm going to move on to on page 26, Subsection (c), the list of the ten-year items that will disqualify you and compare that to the next page, (d), the two year. I'm looking specifically at (d)(13), illegal drug offenses or improper use of prescription drugs; compare that to (c)(5), possession, distribution or sale of illegal narcotics or alcoholic beverages.

Walk me through where those two differ.

ATTORNEY WEED: Misdemeanor, marijuana less than an once. Do you want to punish a potential server to the same category or degree that you want to punish someone who's a meth distributor?

COUNCILMEMBER BATES: So the key word is "narcotics" versus "drug."

ATTORNEY WEED: Well, the key word is misdemeanor. If you'll -- if you'll --

The two sections deal with two different

Page 34

things entirely. Subsection (c) --

COUNCILMEMBER BATES: Got you. Okay. I'm with you. I missed that part.

So I'll skip down to number 18 which is identity theft. To me, if you've got a server that's taking credit cards and they have a conviction of identity theft, that is problematic. Is there a way we could move that one over to the ten-year list?

ATTORNEY WEED: Yes.

COUNCILMEMBER FLEMING: What about forgery, too?

COUNCILMEMBER ROCHE: Forgery? Good point.

COUNCILMEMBER FLEMING: Yes. Forgery?

COUNCILMEMBER BATES: Yeah. I had that marked, and because there aren't that many people that use checks but I guess you could still forge a signature. I'm open to moving that one.

COUNCILMEMBER ROCHE: Well, any kind of credit card offense.

COUNCILMEMBER ALEXANDER: I started to say -- maybe Captain Atkinson or Captain Brown can address this question -- if someone clones your credit card or your bank card, is that considered forgery?

CAPTAIN ATKINSON: Absolutely.

COUNCILMEMBER ALEXANDER: It is?

Page 35

CAPTAIN ATKINSON: It's financial transaction card fraud. If it's using a credit card, you don't even have to have the actual card. You can just use the number.

COUNCILMEMBER ROCHE: Right.

CAPTAIN ATKINSON: It would be financial transaction card fraud.

COUNCILMEMBER BATES: And that's different than identity theft.

CAPTAIN ATKINSON: Yes. It's a different charge.

COUNCILMEMBER BATES: I would like to move that over to the 10-year if we can as well.

ATTORNEY WEED: While there's a break in the questioning, in answer to Councilman Fleming's question, Councilman, if you'll take a look at page 24, Subsection (h), an employee permit may be valid for one year, the employee permit may be renewed, blah-blah-blah, so there is a -- there's a renewal of one year in there on that.

COUNCILMEMBER FLEMING: All right. But we weren't listing the fee for the renewal for them is what I was getting at.

ATTORNEY WEED: Oh, okay. Well, I had naturally assumed it would be the -- the fee listed,

Page 36

but --

COUNCILMEMBER FLEMING: Another hundred dollars?

ATTORNEY WEED: Right. But I can -- I can verify that.

COUNCILMEMBER FLEMING: We'll go back to what we were just discussing about moving the offenses over to the 10-year, and then we'll go back to that one if you don't mind.

COUNCILMEMBER BATES: And I'm done with that section.

COUNCILMEMBER ALEXANDER: So should we include financial card transactions, Mr. Weed, or rephrase that some other way?

ATTORNEY WEED: I would turn to the Police Department and say --

You know, the words I have here are words that are -- some of them are actually crimes under Title 16 of the state law but some of them are just common parlance for, you know, things in a broad range.

If you care to be more specific, I can just work with the Police Department and list the particular offenses by code number. I wanted to capture as much -- as many possible offenses that are out there,

Page 37

so I used the term "gambling" instead of, you know, 16 whatever it is and narrowing it down. But the answer to your question is I can do it either way.

COUNCILMEMBER BATES: If that would fall under forgery, I'm comfortable with leaving it as a kind of a global term versus more specific. I think that captures more possible offenses.

Would cloning a bank card fall under the lump terminology of forgery?

CAPTAIN ATKINSON: No. That would be a fraud. That would be financial transaction card fraud.

A forgery would be presenting a writing; i.e., a check. I don't know if any of these --

It's uttered and delivered --

COUNCILMEMBER ROCHE: Right.

CAPTAIN ATKINSON: -- with someone else's name.

COUNCILMEMBER BATES: Okay. So if you falsely sign a credit card slip, that's forgery, but if you clone a bank card and use it online, that's the transaction fraud.

CAPTAIN ATKINSON: No. If they have a -- if they have a credit card that belongs to somebody else and they sign it, they're purporting themself as that

Page 38

other person. That's financial transaction card fraud.

COUNCILMEMBER BATES: And that's different than forgery.

CAPTAIN ATKINSON: Yes.

COUNCILMEMBER BATES: Okay. If we could add financial transaction card fraud and forgery to the 10-year.

COUNCILMEMBER ROCHE: I have a couple quick ones.

On page 16, number 14, they have to produce the or provide the amount of rent paid for the building and the manner in which it's paid, to whom it's paid and intervals and all that.

I guess my first question would be what if that changes somewhere during the middle of the year. I'm just not sure I understand why this would be here. What's our value in knowing what they paid for rent?

ATTORNEY WEED: The prevention of the infiltration of organized crime into these businesses. You want to know as much as you can up front about where the money came from to get the money to pay the rent, who they're renting from, where the facility is located with regard to the distances.

By making someone actually have to answer

Page 39

and put on a piece of paper subject to 16-10-20 which makes it a felony to lie to the government, you're trying to ferret out sham operators and prevent organized crime from infiltrating into the business.

COUNCILMEMBER ROCHE: And we won't find those people by doing background checks.

ATTORNEY WEED: No, sir. In my opinion, you won't.

COUNCILMEMBER ROCHE: Okay.

ATTORNEY WEED: That won't be enough.

COUNCILMEMBER ROCHE: Because the next --

ATTORNEY WEED: You're going --

COUNCILMEMBER ROCHE: -- one says --

ATTORNEY WEED: -- to want to know --

COUNCILMEMBER ROCHE: -- fingerprints must be processed through and found negative.

ATTORNEY WEED: Well, bear in mind the oldest -- one of the oldest rules of law enforcement is follow the money. You can always get someone to clean a record and pay them under the table or threaten their mother, et cetera, to get them to do something. There's always ways to get good people to do bad things via coercion. But if you follow the money, that's a little harder to clean up and to hide in my opinion.

Page 40

COUNCILMEMBER ROCHE: Well, number 16, fingerprints must be processed and found negative. I assume "found negative" means --

ATTORNEY WEED: Negative of any offense.

COUNCILMEMBER ROCHE: Okay. And over on page, I think it was 23, letter (d), While on duty, person will have an employee permit on their person, versus like up on the wall?

ATTORNEY WEED: Right. That's --

COUNCILMEMBER ROCHE: I just don't see, you know, walking around with a big old --

ATTORNEY WEED: And that's another one of those things that many councils seem to focus on and have different opinions about. I've had some clients who definitely insisted and wanted that the identification be on the individual server's person.

And one example where this works practically. Let's say that the police do a raid at a night club. They're going to want to be able to differentiate very quickly who's staff and who are customers, and they're also -- and so they can divide those people up and try to figure out who is who and what's what. And I've lived through that experience a couple times in raids. So that's one of the reasons for doing it but it's not required.

Page 41

COUNCILMEMBER ROCHE: You shouldn't hang out at those kind of --

ATTORNEY WEED: Well, you know. Fortunately, I was able to escape every time, but --

COUNCILMEMBER ROCHE: I just don't know if I'm comfortable with the idea of making them display it on their person. I mean if there was a problem, I could see it, but --

ATTORNEY WEED: You'll notice that what I did was I took a compromise position because this issue's come up in other places, which was -- that's why you're allowed to get two permits; you know, one badge --

COUNCILMEMBER ROCHE: I understand.

ATTORNEY WEED: -- that would be there that if you forgot your badge, then the manager could give you the badge for the night and turn it back in, and the police could find it and look at the badges. But the other thing would be that you'd still be required to wear it.

But that's purely a whatever is -- some communities want to take a harder line about these things and some don't.

COUNCILMEMBER FLEMING: So will the application fee for that server cover the cost of the

Page 42

fingerprinting as well as the background check and the laminated card that we're asking them to wear? Would that have their photo on there as an identifier as well?

ATTORNEY WEED: Correct. It would be very similar to -- The Police Department as I understand it has already got the equipment to do this. It would be similar to the truck identification. So it wouldn't be an outlay of additional equipment, that I know of. But even if it were, whether it covers the true cost of it or not, I do not know. Do I think you can recover that true cost? You can. That's something that we need to talk about tonight and get back with the police and they'll tell us what the true cost is. If the fee that I presented doesn't cover it, then we ought to up it, or if it's too much, we could lower it. I doubt it'll be too much, though.

COUNCILMEMBER BATES: On page 33, Subsection (f), "No license shall issue for less than a calendar year, or remainder thereof, except as otherwise provided in this chapter," but I didn't see in Section 3-18 where you could grant a license for less than a calendar year. So if someone were to come in and apply for an alcohol license in August, if I'm reading this correctly -- and it's entirely possible that I'm

Page 43

not -- Subsection (f) would deny them a partial.

ATTORNEY WEED: No. No, sir. That's --

COUNCILMEMBER BATES: And I --

ATTORNEY WEED: -- not what it says.

COUNCILMEMBER BATES: Okay. Correct me.

ATTORNEY WEED: Okay. It's kind of -- it's fancy lawyer-speak, but you'll notice that "except as otherwise provided in this chapter."

The idea is that you're -- you're competing with two different ideas. One, every license is a privilege and not a right with regard to the alcohol beverage industry, so that's tabula rasa. That's the very point of beginning. And since it's a privilege and not a right, you have to have language in there that indicates what period of time is the license good for, but at the same time, it's not really good for that period of time.

In other words, there's been a whole line of cases where the alcohol beverage industry has argued that I only have to come in once a year and get a calendar-year license or a 12-month year license or however you do the time frame, and after I come in and you grant me that license and you've looked at my background and I've had a hearing, then I have a property interest in the license, which is not the

Page 44

case.

So in order to avoid this kind of constitutional argument, that language is in there to essentially hedge. What it means is that, you know, if you have -- the license is intended to be for a calendar year or whatever subpart thereof if you come in during the middle or some other part of the year, one day before, and then it also includes -- the language indicates that even with all of that, you don't have a property interest in the license. That's the intention of the language.

COUNCILMEMBER BATES: So when it's referring to the chapter, is it all of Chapter 3 or Section 3 or --

ATTORNEY WEED: That is correct.

COUNCILMEMBER BATES: Okay. Got it.

ATTORNEY WEED: The chapter is the entire chapter. The way our ordinance book is done, it's done in chapters and then it's done in articles.

COUNCILMEMBER BATES: I'm good. Thank you. Moving to page 36, Subsection (b) --

COUNCILMEMBER FLEMING: I'm sorry, Mr. Bates. I didn't hear you.

COUNCILMEMBER BATES: Subsection (b), B as in boy.

Page 45

1 Blank line obviously to list the number. If
2 we go with the hundred city residents and the 2000
3 census -- which is what, 9800? -- that would mean 98
4 alcohol licenses?
5 ATTORNEY WEED: Once again -- and literally
6 it's blank because it's a placeholder -- you'll
7 decide. Some communities want to have some kind of
8 population base. Some don't want to have any kind of
9 limitation at all.
10 COUNCILMEMBER BATES: Do we have any idea
11 how many current alcohol licenses we've got?
12 CLERK BLACKMON: I'll have to check with
13 Sandra.
14 COUNCILMEMBER BATES: Okay.
15 ATTORNEY WEED: If memory serves, I believe
16 the police when they did their operation looked at 42
17 businesses, of which there are problems with 16. I
18 think those are loose but fair numbers.
19 COUNCILMEMBER BATES: If we can get a firm
20 number from the Clerk, that would be great.
21 Moving over to page 38, and this is
22 semantics, I guess. Nowhere in Section 3-25 or 3-26
23 does it list distilled spirits. It lists malt
24 beverages and wine but it doesn't list distilled
25 spirits. Would it be simpler to change the language

Page 46

1 to include alcoholic beverages since those are
2 included in that definition?
3 ATTORNEY WEED: Probably yes, but I want to
4 do -- I want to go back to the definitions section and
5 then kind of look at the different sections and
6 language. But either way, we can -- that's easy to
7 resolve.
8 COUNCILMEMBER BATES: Okay. I'm moving to
9 page 40 -- and again this may be my reading -- Section
10 (f)(1)(b) says, "The sale --."
11 Let's see. (f) reads, "The prohibition
12 contained in subsections (a) through (e)," which
13 applies to minors, the selling or possession of
14 minors, "shall not apply with respect to: The sale,
15 purchase or possession of alcoholic beverages for
16 consumption," and it says, "shall not apply with
17 respect to the sale, purchase or possession of alcohol
18 beverages for consumption: (b), at religious
19 ceremonies."
20 So is that indicating that a church could
21 have a religious ceremony and sell alcohol to someone
22 under 21?
23 ATTORNEY WEED: That's lifted directly from
24 state law, and I suppose if you tithed or you give of
25 your faith to a particular religion, you know, in some

Page 47

1 ways that might be considered to be a sale. It
2 certainly is an exchange of something valuable to
3 receive something valuable --
4 COUNCILMEMBER BATES: Okay.
5 ATTORNEY WEED: -- if you believe that.
6 COUNCILMEMBER BATES: If it's state law,
7 then I'll leave that up to our state legislators to
8 address.
9 COUNCILMEMBER ALEXANDER: So in their mind,
10 if you take a communion but you've made a donation to
11 the church, that you have purchased the wine that you
12 have just consumed at communion.
13 ATTORNEY WEED: And the blessings and inter-
14 cessions of the Lord our God.
15 COUNCILMEMBER ALEXANDER: And my Catholic
16 name.
17 COUNCILMEMBER BATES: Moving down to (g),
18 this is where I got really confused, and I apologize.
19 (g) reads, "If such conduct is not otherwise
20 prohibited under this chapter, nothing contained in
21 this chapter shall be construed to prohibit any person
22 under 21 years of age from," Section 1, "Allowing or
23 requiring a person in his employment under 18 years of
24 age to dispense, serve, sell, or take orders."
25 Am I reading that that this is -- shouldn't

Page 48

1 that be over 18?
2 COUNCILMEMBER ROCHE: Yeah.
3 ATTORNEY WEED: I will check. I gleaned
4 that directly from the state law. Let's see if I can
5 find the exact code section real quick.
6 Unfortunately, I don't have Title 3 here.
7 COUNCILMEMBER BATES: Because the --
8 ATTORNEY WEED: The section should be
9 3-3-24.2 or in that area, and I'll tell you first
10 thing tomorrow.
11 COUNCILMEMBER BATES: Because it just reads
12 to me that you're prohibiting people from under 21
13 unless they're under 18, from doing something, and it
14 just read backwards to me.
15 And I believe that it conflicts with Section
16 3-25 (d), which is the previous --
17 ATTORNEY WEED: Well, actually -- I'm sorry
18 -- if you'll continue reading on in the section, it is
19 limited to a certain category of employees: those
20 "who are employed in supermarkets, convenience stores,
21 breweries or drugstores." So I mean I'll certainly
22 look into that, but I am -- my memory of that is this
23 entire Section (f) and (g) come straight out of the
24 state law, but I'll certainly check into that.
25 COUNCILMEMBER BATES: Okay. 3-28, page 4,

Page 49

1 Subsection (b) as in boy, item 3, "wholesaler shall
2 not engage in the sale of distilled spirits except
3 between sunup and sundown..."
4 ATTORNEY WEED: Yes, sir.
5 COUNCILMEMBER ROCHE: That's wholesalers,
6 though.
7 COUNCILMEMBER BATES: Define -- is it the
8 legal or the sun rises at 7:46 today and sets at 4:49
9 today and tomorrow it sets at 4:48? What defines
10 "sunup" and "sundown?"
11 ATTORNEY WEED: Common sense. I mean I
12 could specify time frames there if you prefer.
13 COUNCILMEMBER BATES: I just think that
14 that's a nebulous --
15 ATTORNEY WEED: No problem. I can set it at
16 6:00 a.m. to 6:00 p.m., 6:00 a.m. to 7:00 p.m.?
17 COUNCILMEMBER FLEMING: Well, this says a
18 wholesaler shall not engage in the sale of distilled
19 spirits, okay? Why couldn't wholesalers sell from
20 9:00 a.m. to 12:00 midnight?
21 ATTORNEY WEED: I think the -- well, I think
22 the basis of that language, I think I gleaned that
23 from your existing ordinance, but I think the idea was
24 that you wanted to regulate when large trucks filled
25 with alcoholic beverages would be on the roads. I

Page 50

1 think that's the basis of that.
2 COUNCILMEMBER FLEMING: Okay.
3 COUNCILMEMBER SPANGLER: Some of those
4 companies start at 3 or 4 o'clock in the morning. So
5 you're going to limit -- in our city, you're going to
6 limit the deliveries that could take place.
7 ATTORNEY WEED: I'm -- you know, once again,
8 I'm good with whatever a fair time would be. I don't
9 have a preference.
10 COUNCILMEMBER FLEMING: And it should say
11 delivery of distilled spirits, then.
12 COUNCILMEMBER SPANGLER: Well, delivery and
13 selling would be the same thing, wouldn't it?
14 COUNCILMEMBER FLEMING: No. If we're
15 talking about trucks and we're concerned about the
16 trucks going through Doraville, wholesaler shall not
17 engage in the delivery of distilled spirits except
18 between sunup and sundown excluding Sunday, if that's
19 what we're concerned about.
20 COUNCILMEMBER BATES: Moving to page 50,
21 Section 3-38 --
22 ATTORNEY WEED: Well, before you go on, is
23 there a kind of a feeling? I've been taking this as
24 we go, of course. Do you want to differentiate
25 between sales and delivery?

Page 51

1 COUNCILMEMBER SPANGLER: You tell me.
2 What's the difference between?
3 Once you -- when you're delivering it,
4 you're also -- at the end of the delivery, you've
5 actually sold. Okay. You haven't sold it before
6 then. That's when you get your money.
7 ATTORNEY WEED: Right. The product is
8 delivered.
9 COUNCILMEMBER SPANGLER: Right.
10 ATTORNEY WEED: It's sale upon completion of
11 delivery. Right.
12 COUNCILMEMBER SPANGLER: Right. So like I
13 said, a lot of these wine delivery trucks are on the
14 road at 3:00 and 4:00 a.m. --
15 ATTORNEY WEED: Uh-huh.
16 COUNCILMEMBER SPANGLER: -- so if we're
17 going to -- we can't penalize them for -- the city of
18 Doraville, when they're able to go to Sandy Springs at
19 4:00 a.m. and 5:00 a.m., or Norcross or any of the
20 other cities around us. Why do we want to penalize
21 them and say they can't come in until 9:00 a.m.?
22 ATTORNEY WEED: I think that's a reasonable
23 position to take, Councilman, and we can make adjust-
24 ments accordingly.
25 I think we have to -- obviously I think we

Page 52

1 have to -- obviously, I think we need to continue the
2 "excluding Sunday" provision but --
3 COUNCILMEMBER FLEMING: And just leave the
4 "except between" out?
5 ATTORNEY WEED: Yes, we could do that. All
6 right. We'll try a version of that and we'll run it
7 up the flag pole.
8 COUNCILMEMBER BATES: I'm almost done with
9 my list. I'm moving to page 51.
10 MAYOR JENKINS: We're at the end of our
11 first special meeting. How do you want to do this?
12 COUNCILMEMBER SPANGLER: I would really
13 prefer to carry on with the -- to finish up this
14 meeting and then we can postpone that portion of the
15 next meeting that we don't get finished tonight.
16 MAYOR JENKINS: Okay. That'll be fine.
17 Brian, how much more do you have?
18 COUNCILMEMBER BATES: I'm sorry, sir. I've
19 only got one more question.
20 COUNCILMEMBER ROCHE: Are you saying should
21 we adjourn this meeting and then just start the new
22 meeting at 7:00?
23 MAYOR JENKINS: That was the --
24 CLERK BLACKMON: Or vote to continue --
25 MAYOR JENKINS: -- question I had.

Page 53

CLERK BLACKMON: -- the meeting because it is 7 o'clock.
COUNCILMEMBER ROCHE: I make a motion that we adjourn the special-called meeting and then immediately go into the regular Council and pick up the --
COUNCILMEMBER FLEMING: And the new agenda?
COUNCILMEMBER ROCHE: -- agenda where we are.
COUNCILMEMBER FLEMING: Oh.
COUNCILMEMBER ROCHE: I'm sorry.
MAYOR JENKINS: Okay.
COUNCILMEMBER PITTMAN: So you're saying continue this agenda.
COUNCILMEMBER ROCHE: Yeah.
COUNCILMEMBER FLEMING: Continue this agenda.
COUNCILMEMBER ROCHE: Essentially do what we're doing now.
MAYOR JENKINS: Do I get a second?
COUNCILMEMBER ALEXANDER: So I want to be clear on what the motion is. We're going to continue our discussion.
COUNCILMEMBER ROCHE: No. We're going to say we're going to adjourn the special-called meeting

Page 54

that goes from 6 o'clock to 7 o'clock and then we'll convene our regular Council meeting at 7 o'clock, immediately afterwards, whatever, and we will just pick up where we are right this minute in the current agenda that we're working because it would roll over to the next Council meeting anyway, so --
MAYOR JENKINS: You want to continue with the special-called meeting in our regular meeting; is that correct?
COUNCILMEMBER ROCHE: No. I'm saying we will --
MAYOR JENKINS: Okay.
COUNCILMEMBER ROCHE: -- adjourn the special-called meeting that was called at 6 o'clock till 7 o'clock.
MAYOR JENKINS: All right.
COUNCILMEMBER ROCHE: Okay. Now it's 7 o'clock, so we have to get out of the special-called meeting and then we can convene our regularly-scheduled Council meeting and then pick up the agenda where we are at the moment, which is what we always do anyway. We just pick up where we left off at the previous meeting.
MAYOR JENKINS: All right. Do I get a second? Do I get a second?

Page 55

COUNCILMEMBER FLEMING: Second.
MAYOR JENKINS: Call the roll, please.
CLERK BLACKMON: Councilmember Alexander?
COUNCILMEMBER ALEXANDER: I abstain. I'm not clear on the motion.
COUNCILMEMBER PITTMAN: Can we --
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: No.

_ _ _

(Meeting adjourned at approximately 7:05 p.m.)

-o0o-

Page 56

C E R T I F I C A T E

STATE OF GEORGIA]
COUNTY OF DEKALB]

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

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

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

This the 4th day of November, 2009.

_____

Theresa Bretch, CCR
Permit No. B-755

[SEAL]

$

$1,000 (1)
31:15
$5,000 (3)
5:5;9:10;15:19

[

[sic] (1)
13:7

1

1 (2)
15:15;47:22
10-year (3)
35:13;36:8;38:8
1-12 (1)
32:22
12 (1)
14:11
12:00 (1)
49:20
12-month (1)
43:21
14 (13)
12:15,17;13:1,12,21,22,23,24;17:1,3,5,22;38:11
14-day (1)
13:19
15-day (2)
30:11,11
15th (1)
15:21
16 (5)
36:19;37:1;38:11;40:1;45:17
16-10-20 (1)
39:1
16th (1)
5:1
17th (1)
32:2
18 (4)
34:4;47:23;48:1,13
19 (1)
8:2
19th (1)
3:4
1st (2)
15:18,19

2

2 (1)
8:2
20 (1)
10:12
2000 (1)
45:2
2009 (2)
3:4;32:2
21 (3)
46:22;47:22;48:12
23 (1)
40:6
24 (1)
35:17
26 (2)
19:24;33:8
29 (1)
15:14

3

3 (6)
12:4;44:13,13;48:6;49:1;50:4
3/page (1)
11:21
3:00 (1)
51:14
30 (2)
13:18;31:4
31 (1)
15:15
3-18 (1)
42:22
3-25 (2)
45:22;48:16
3-26 (1)
45:22
3-28 (1)
48:25
33 (1)
42:18
3-3-24.2 (1)
48:9
3-38 (1)
50:21
36 (1)
44:21
3-7 (1)
15:14
38 (1)
45:21

4

4 (5)
11:21,21;14:11;48:25;50:4
4:00 (2)
51:14,19
4:48 (1)
49:9
4:49 (1)
49:8
40 (1)
46:9
42 (1)
45:16

5

5 (2)
14:24;15:5
5:00 (1)
51:19
50 (1)
50:20
51 (1)
52:9

6

6 (2)
54:1,14
6:00 (3)
49:16,16,16
61 (2)
5:7;31:20
62 (2)
5:8;31:20

7

7 (6)
31:16;53:2;54:1,2,15,17
7:00 (2)
49:16;52:22
7:05 (1)
55:18
7:46 (1)
49:8
78 (2)
4:7;27:3

8

8 (1)
6:7
8/17 (1)
31:16

9

9 (2)
6:7;12:12
9:00 (2)
49:20;51:21
98 (1)
45:3
9800 (1)
45:3

A

able (6)
6:22;27:5,10;40:19;41:4;51:18
Absolutely (5)
6:15;21:11;26:8;31:9;34:24
abstain (1)
55:4
abuses (1)
23:14
accommodate (1)
22:20
According (1)
15:23
accordingly (1)
51:24
accurate (2)
6:23;7:7
action (1)
4:17
actual (1)
35:3
actually (9)
6:18;18:5,8;19:2;31:14;36:18;38:25;48:17;51:5
adamantly (1)
8:21
add (3)
8:10;17:13;38:6
addition (1)
20:11
additional (3)
16:7,9;42:9
address (3)
14:1;34:21;47:8
addressing (1)
32:25
adjourn (4)
52:21;53:4,25;54:13
adjourned (1)
55:18
adjust- (1)
51:23
adjustments (1)
19:7
administrative (2)
10:16;11:7
advice (3)
14:5;30:4,17
afterwards (1)
54:3
again (9)
8:7;14:2;23:22;30:7;31:21,23;45:5;46:9;50:7
against (1)
8:22
age (2)
47:22,24
agenda (7)
3:22;53:7,8,14,17;54:5,20
aggrieved (1)
22:9
ago (1)
32:19
Agreed (1)
19:18
agreement (1)
31:9
ahead (1)
18:2
Alcohol (28)
3:18,24;5:5;7:9,10,24;8:8,18,23;9:24;12:22;13:8;20:3,9,19;21:7;22:14,25;23:9,18;24:24;42:24;43:11,19;45:4,11;46:17,21
alcoholic (9)
7:14,18;9:6;11:22;21:3;33:15;46:1,15;49:25
Alexander (11)
3:6,7;16:5;34:20,25;36:12;47:9,15;53:21;55:3,4
allow (3)
7:17;12:6;16:18
allowed (7)
16:13;23:11,12,20;28:5;32:11;41:12
Allowing (1)
47:22
almost (1)
52:8
alone (1)
5:1
altering (1)
21:6
always (13)
9:19,20;10:6;15:24;25:25;26:3,19;27:21;29:16,16;39:19,22;54:21
amended (1)
4:3
American (1)
25:2
amongst (2)
6:4,4
amount (2)
14:6;38:12
analogy (1)
13:2
annual (3)
10:14,19,22
anticipated (1)
9:11
apologize (3)
19:24;20:16;47:18
appeal (3)
21:20,21;30:12
appealed (1)
22:10
appealing (1)
21:22
appeals (2)
22:11,16

appearance (1)
3:21
appears (1)
20:18
appli- (1)
41:24
applicant (3)
11:8;22:9,19
application (5)
10:16;17:15;
20:24;22:23;25:8
applies (1)
46:13
apply (5)
4:14;25:25;42:24;
46:14,16
approval (1)
17:14
approved (3)
20:23;25:19;28:16
approving (2)
20:19;29:13
approximately (1)
55:18
area (1)
48:9
arguably (1)
5:22
argued (1)
43:19
argument (1)
44:3
around (2)
40:11;51:20
arrested (1)
27:7
arriving (1)
18:16
articles (1)
44:19
assigned (1)
30:19
assume (1)
40:3
assumed (4)
20:25;21:8,13;
35:25
Atkinson (9)
34:21,24;35:1,6,
10;37:10,17,23;38:5
attitude (1)
16:12
ATTORNEY (99)
3:20;6:12,15;7:2,4,
23;8:6;9:13,17;
10:21;11:4,10,16;
12:1,8,19;13:14,20,
23;14:2,5,14,22,25;
15:12,23;16:10;17:5,
9,20;20:4,7,10,13,21,
25;21:3,18,25;23:1;
24:4;25:1,5,9;27:15;
28:10,12,17;29:22;
30:14;31:25;32:13,
18,22;33:17,23;34:9;
35:14,24;36:4,15;
38:19;39:7,10,12,14,
17;40:4,9,12;41:3,9,
15;42:5;43:2,4,6;
44:15,17;45:5,15;
46:3,23;47:5,13;
48:3,8,17;49:4,11,15,
21;50:7,22;51:7,10,
15,22;52:5
audience (1)
28:24
August (2)
32:2;42:24
auspices (1)
6:19
authority (6)
7:10;21:1,9,11,14,
22
auto- (1)
23:3
automatically (3)
5:16;21:24;23:7
avoid (2)
19:23;44:2
aware (1)
31:14

B

back (17)
9:23;12:13;13:1;
14:15,18;18:4,4;
24:12;28:1;30:20;
32:6,10;36:6,8;
41:17;42:13;46:4
background (9)
22:24;23:3;24:9;
27:8;28:4;29:20;
39:6;42:1;43:24
backwards (1)
48:14
bad (2)
24:10;39:23
badge (3)
41:13,16,17
badges (1)
41:18
baggage (1)
12:4
bank (3)
34:23;37:8,21
base (1)
45:8
based (9)
9:9;17:15;19:7;
20:23;21:23;28:18;
30:2;31:25;32:5
basic (2)
25:20;27:25
basically (1)
22:4
basis (2)
49:22;50:1
Bates (74)
3:8,9;5:9,21;
11:17;12:10;13:11,
15,21,25;14:4,10,20,
23;15:4,11,13;16:1;
18:13;19:2,18,21;
20:6,8,12,16,22;21:2,
16,19;24:2;28:3,11,
14;31:8,12,17;32:24;
33:4,21;34:2,14;
35:8,12;36:10;37:4,
19;38:3,6;42:18;
43:3,5;44:12,16,20,
23,24;45:10,14,19;
46:8;47:4,6,17;48:7,
11,25;49:7,13;50:20;
52:8,18;55:7,8
Bates' (1)
4:2
bear (6)
8:25;9:17;16:22;
22:5;25:24;39:17
beer (3)
14:16,17;15:10
beforehand (1)
18:25
beginning (5)
4:5;24:13,15;30:6;
43:13
behind (2)
7:15;17:10
belongs (1)
37:24
best (2)
19:9;30:4
better (1)
29:24
Beverage (19)
3:19,24;5:5;7:9,11,
25;8:9,23;9:7,24;
11:22,23;12:22;13:8;
14:12;20:19;21:7;
43:12,19
beverages (9)
7:18;13:8;21:4;
33:15;45:24;46:1,15,
18;49:25
big (1)
40:11
binding (1)
23:23
bit (3)
5:10;24:4;25:10
BLACKMON (15)
3:6,8,10,12,14,16;
45:12;52:24;53:1;
55:3,7,9,11,13,15
blah-blah-blah (1)
35:19
Blank (2)
45:1,6
blessings (1)
47:13
board (4)
8:18;22:11,15,16
bond (2)
8:3;9:11
book (1)
44:18
both (3)
5:10;8:9;31:19
bottle (1)
12:6
boy (2)
44:25;49:1
break (1)
35:14
breweries (1)
48:21
Brian (1)
52:17
bring (1)
12:6
bringing (1)
18:15
broad (1)
36:20
brought (1)
18:12
brown (2)
12:4;34:21
building (4)
25:16,16,18;38:13
burden (2)
10:1,2
burn (1)
20:14
business (12)
11:8;13:22,24;
16:12;20:14;22:19;
24:18;25:22;26:10;
29:1;31:4;39:4
businesses (10)
9:6;23:11,13,15,
18;26:5;27:18;31:3;
38:20;45:17
buy (1)
24:22

C

c5 (1)
33:13
calendar (9)
12:16;13:21,23,24;
15:15,21;42:19,23;
44:6
calendar-year (1)
43:21
call (3)
3:5;8:11;55:2
called (1)
54:14
came (5)
8:16;9:1;30:17,20;
38:22
can (47)
4:11,13;5:4;6:3;
9:20,20;10:23;12:16;
15:9,24;16:20,25;
18:10;21:18;22:17,
20;23:22,24,24;24:1;
27:13,24;28:2;29:17,
17;30:4;33:6;34:21;
35:3,13;36:4,4,22;
37:3;38:21;39:19;
40:21;42:11,12;
45:19;46:6;48:4;
49:15;51:23;52:14;
54:19;55:6
Captain (10)
34:21,21,24;35:1,
6,10;37:10,17,23;
38:5
capture (1)
36:24
captures (1)
37:7
card (16)
34:19,22,23;35:2,
2,3,7;36:13;37:8,11,
20,21,24;38:1,7;42:2
carded (1)
31:1
cards (1)
34:6
care (2)
6:22;36:22
carry (1)
52:13
case (5)
7:4;12:19,24;22:5;
44:1
cases (3)
8:9,16;43:19
categories (2)
4:11,13
category (2)
33:19;48:19
Catholic (1)
47:15
cation (2)
40:16;41:25
causing (1)
8:23
census (1)
45:3
ceremonies (1)
46:19
ceremony (1)
46:21
certain (4)
4:4;23:11,13;
48:19
certainly (10)
5:11;6:3,22;8:13;
9:3;12:1;32:19;47:2;

48:21,24
cessions (1)
47:14
cetera (3)
14:17,18;39:21
chance (1)
19:10
change (8)
19:12,15,16,17;
25:10,22;26:2;45:25
changed (1)
26:1
changes (3)
19:5;25:18;38:16
chapter (8)
42:21;43:8;44:13,
13,17,18;47:20,21
chapters (1)
44:19
charge (5)
5:5;12:7;16:8,16;
35:11
chart (2)
31:18,19
charts (2)
5:22;6:2
check (15)
7:6;14:18;22:24;
23:3;24:9;25:20;
28:5;29:20;32:6;
33:6;37:14;42:1;
45:12;48:3,24
checks (3)
27:9;34:16;39:6
choice (2)
24:25;29:16
choices (2)
6:1;31:20
choose (3)
5:12;9:21;22:21
chose (1)
15:11
church (2)
46:20;47:11
cities (2)
9:2;51:20
cities' (1)
7:24
citizens (1)
18:24
City (11)
6:15;7:1;8:17,25;
17:7,15;20:1,18;
45:2;50:5;51:17
claim (1)
13:7
clause (1)
32:25
clean (2)
39:20,24
clear (5)
13:4;23:10;33:5;
53:22;55:5
clearly (2)
4:10;22:19
CLERK (20)
3:6,8,10,12,14,16;
7:1;17:7,15;33:6;
45:12,20;52:24;53:1;
55:3,7,9,11,13,15
clients (2)
23:5;40:14
clone (1)
37:21
clones (1)
34:22
cloning (1)
37:8
closed (3)
12:15;14:8,9
club (2)
6:18;40:19
clubs (3)
6:10,16;7:17
code (3)
6:21;36:24;48:5
coercion (1)
39:23
combination (2)
14:12;15:8
comfortable (3)
17:22;37:5;41:6
coming (1)
24:18
comment (1)
11:19
comments (1)
19:7
Commission (1)
22:6
common (4)
7:16,18;36:20;
49:11
communion (2)
47:10,12
communities (5)
22:14,15;29:14;
41:22;45:7
community (1)
16:18
companies (1)
50:4
compare (2)
33:10,13
compare-and-contrast (1)
5:2
comparing (2)
5:2;27:17
competing (1)
43:9
complete (4)
4:5;17:23;28:25;
30:20
completion (1)
51:10
complicate (1)
16:11
compromise (1)
41:10
concept (2)
17:6;20:13
concerned (2)
50:15,19
concerns (1)
18:11
conditional (2)
27:17,23
conduct (1)
47:19
conflicted (1)
19:12
conflicts (2)
19:22;48:15
confused (1)
47:18
conservative (1)
9:19
consideration (2)
5:11,20
considered (2)
34:23;47:1
consti- (1)
44:2
construed (1)
47:21
consumed (1)
47:12
consumption (2)
46:16,18
contained (2)
46:12;47:20
contemplated (2)
10:22;11:11
context (1)
12:3
contingencies (1)
26:18
contingency (1)
26:16
continue (7)
48:18;52:1,24;
53:14,16,22;54:7
contract (2)
26:17,19
contract's (1)
26:22
convene (2)
54:2,19
convenience (1)
48:20
conversations (1)
19:7
conviction (1)
34:6
copy (2)
25:13,14
corkage (2)
12:5,7
corrected (2)
32:12,23
correcting (2)
31:15;32:9
correctly (3)
6:8;20:1;42:25
cost (7)
4:14;8:24;26:3;
41:25;42:10,12,14
costs (1)
26:11
Council (31)
3:5,21;8:19;9:20,
22;10:6,11;11:1;
17:17;20:2,18;21:1,
8,12,22;22:12;23:24;
24:23;26:9,21;27:16;
28:8,18;29:17;30:9;
32:2,4;53:5;54:2,6,
20
Councilman (7)
4:2;5:9,9;9:18;
35:15,16;51:23
Councilmember (190)
3:6,7,8,9,10,11,12,
13,14,15,16,17;6:6,
13,24;7:3,20;8:1;9:4,
14;10:9;11:2,5,14,
17,18;12:10;13:11,
15,21,25;14:4,10,20,
23;15:2,4,9,11,13;
16:1,5;17:1,8,19,21,
25;18:13,15,18,22;
19:2,14,18,20,21;
20:6,8,12,16,22;21:2,
16,19;22:18;24:2,17;
25:3,6;27:2;28:3,11,
14;29:19;30:5,24;
31:8,11,12,13,23;
32:8,15,21,24;33:3,4,
21;34:2,10,12,13,14,
18,20,25;35:5,8,12,
21;36:2,6,10,12;
37:4,16,19;38:3,6,9;
39:5,9,11,13,15;40:1,
5,10;41:1,5,14,24;
42:18;43:3,5;44:12,
16,20,22,24;45:10,
14,19;46:8;47:4,6,9,
15,17;48:2,7,11,25;
49:5,7,13,17;50:2,3,
10,12,14,20;51:1,9,
12,16;52:3,8,12,18,
20;53:3,7,8,10,11,13,
15,16,18,21,24;
54:10,13,17;55:1,3,4,
6,7,8,9,10,11,12,13,
14,15,16
Councilmembers (2)
5:21;16:3
councils (1)
40:13
Council's (1)
8:14
Councilwoman (1)
27:2
count (1)
9:22
couple (2)
38:9;40:24
course (5)
7:12;17:6,9;32:18;
50:24
court (1)
12:19
courts (1)
8:9
cover (3)
4:25;41:25;42:15
covered (1)
14:14
covers (1)
42:10
create (3)
9:25;23:2,22
credit (6)
34:6,19,22;35:2;
37:20,24
crime (5)
7:12,14;21:7;
38:20;39:4
crimes (1)
36:18
criteria (4)
28:7,10,12,13
current (6)
4:7;7:7;8:5;9:3;
45:11;54:4
currently (1)
4:24
customers (1)
40:21

D

d13 (1)
33:12
damage (1)
13:17
day (2)
8:24;44:8
days (12)
12:15,17;13:1,13,
22,22,24,24;17:1,3,5,
22
days' (1)
31:4
deal (4)
10:2;12:23;18:21;
33:25
dealing (1)
5:23
dealings (1)
28:18
deals (1)
4:9
dealt (1)

8:17
Decatur (1)
29:1
December (1)
15:15
decide (4)
10:8;18:5;19:16;
45:7
decided (1)
13:2
decision (11)
8:14;21:21;22:2,9;
24:23;27:16;28:23;
29:9;30:3;31:19,21
decisions (1)
20:2
deemed (1)
17:16
defend (1)
16:19
define (5)
11:22,23,23,24;
49:7
defined (2)
11:25;12:2
defines (2)
12:14;49:9
definitely (2)
14:6;40:15
definition (2)
12:14;46:2
definitions (2)
11:20;46:4
degree (1)
33:19
delegate (1)
21:10
delivered (2)
37:15;51:8
deliveries (1)
50:6
delivering (1)
51:3
delivery (7)
50:11,12,17,25;
51:4,11,13
denies (1)
21:21
deny (3)
21:23;28:8;43:1
department (5)
10:1;25:19;36:16,
23;42:6
deter- (1)
26:8
determine (2)
22:25;24:21
differ (1)
33:16
difference (2)
16:6;51:2
different (14)
4:11,12;5:13;6:3;
14:15;15:25;22:4;
33:25;35:8,10;38:3;
40:14;43:10;46:5
differentiate (4)
16:15;20:4;40:20;
50:24
differentiating (1)
16:21
difficult (1)
29:24
diligence (3)
25:5,13;26:12
direction (1)
8:14
directions (1)
10:5
directly (2)
46:23;48:4
disciplinary (1)
4:17
discuss (2)
18:3;19:10
discussing (2)
31:17;36:7
discussion (1)
53:23
dispense (1)
47:24
display (1)
41:6
disqualify (1)
33:10
distance (2)
26:13;28:5
distances (2)
26:20;38:24
distilled (12)
9:8;11:24,24;
14:13,17;15:7;45:23,
24;49:2,18;50:11,17
distinctly (1)
32:24
distribution (1)
33:14
distributor (1)
33:20
divide (1)
40:21
document (1)
4:1
dollars (2)
32:17;36:3
donation (1)
47:10
done (12)
3:23;4:4;13:19;
18:7;26:22;29:20,22;
36:10;44:18,19,19;
52:8
Doraville (3)
24:19;50:16;51:18
doubt (1)
42:17
down (7)
10:8;13:12;18:2;
19:11;34:4;37:2;
47:17
draft (5)
4:3;5:8;15:23;
23:24;32:2
drug (4)
21:4,6;33:12,22
drugs (1)
33:13
drugstores (1)
48:21
due (4)
13:18;25:5,12;
26:12
during (3)
16:16;38:16;44:7
duty (1)
40:6

E

earlier (1)
32:12
easier (2)
29:25;30:23
easy (2)
17:13;46:6
effort (2)
24:11,15
either (6)
5:12;18:14;29:17,
18;37:3;46:6
elected (3)
5:10;15:12;16:18
element (1)
29:12
else (2)
22:1;37:24
else's (1)
37:17
employed (1)
48:20
employee (9)
10:12,15,16,18,22;
11:6;35:17,18;40:7
employees (2)
4:15;48:19
employment (1)
47:23
encountered (1)
13:6
end (6)
4:6;8:24;24:8,12;
51:4;52:10
energy (1)
29:25
enforcement (3)
7:5;24:15;39:18
engage (3)
49:2,18;50:17
enough (4)
6:22;26:22,23;
39:10
entire (3)
30:23;44:17;48:23
entirely (3)
10:25;34:1;42:25
entity (1)
21:11
entrepreneur (1)
25:11
equate (1)
29:9
equipment (2)
42:7,9
erroneous (1)
20:17
escape (1)
41:4
escort (1)
23:9
essentially (6)
5:15;21:4;24:9;
30:21;44:4;53:18
establishments (2)
4:16;9:25
estimated (1)
8:4
et (3)
14:17,18;39:21
even (6)
9:15;24:21;25:24;
35:3;42:10;44:9
event (1)
17:3
Everyone's (1)
20:5
exact (1)
48:5
exactly (3)
30:15;31:11;32:16
examine (1)
26:10
example (3)
6:18;8:17;40:17
exceeding (1)
12:15
except (5)
42:20;43:7;49:2;
50:17;52:4
excess (1)
13:12
exchange (1)
47:2
excluding (2)
50:18;52:2
excuse (1)
18:20
exist (1)
20:15
existing (3)
5:14;30:18;49:23
expense (1)
8:21
expensive (1)
16:25
experience (7)
8:8;9:1;21:12;
28:21;29:22;30:2;
40:23
explain (1)
12:17
extra (2)
23:12;26:25

F

f1b (1)
46:10
facility (2)
12:22;38:23
facing (1)
31:3
fact (1)
23:17
fail (2)
26:5,6
fair (4)
5:22;26:8;45:18;
50:8
faith (1)
46:25
fall (2)
37:4,8
falsely (1)
37:20
fancy (1)
43:7
federal (1)
8:9
fee (11)
5:4;10:14,14,16,
17;12:7;15:16;35:22,
25;41:25;42:15
feel (5)
9:15;11:19;17:22;
27:3;31:23
feeling (1)
50:23
feelings (1)
9:18
fees (6)
4:23;5:3,4;15:14;
25:7,8
felony (1)
39:2
felt (3)
5:17;8:21;32:3
ferret (1)
39:3
fifteen (1)
32:10
figure (1)
40:22
file (1)
32:1
filled (1)

49:24
filtered (1)
24:14
financial (6)
35:1,6;36:13;
37:11;38:1,7
find (7)
4:8;12:13;25:21;
26:12;39:5;41:18;
48:5
fine (5)
5:18,19;12:3;
32:16;52:16
fingerprinting (1)
42:1
fingerprints (2)
39:15;40:2
finish (1)
52:13
finished (1)
52:15
fire (1)
13:17
firm (2)
8:11;45:19
First (10)
3:18;4:3,9;19:9,
25;30:11,11;38:15;
48:9;52:11
five (1)
15:20
fixing (1)
30:19
flag (1)
52:7
Fleming (45)
3:10,11;5:9,21;6:6,
13,24;7:3,20;8:1;9:4,
14;10:9;11:2,5,14;
14:23;15:2;22:18;
24:17;25:3,6;27:3;
31:13;32:8,15,21;
34:10,13;35:21;36:2,
6;41:24;44:22;
49:17;50:2,10,14;
52:3;53:7,10,16;
55:1,9,10
Fleming's (1)
35:15
flip (1)
11:10
focus (1)
40:13
follow (2)
39:19,23
food (1)
13:10
football (1)
13:1
forge (1)
34:16
forgery (10)
34:10,12,13,23;
37:5,9,13,20;38:4,7
forgot (1)
41:16
form (1)
4:7
format (1)
4:21
forth (1)
25:8
Fortunately (1)
41:4
fortune (1)
23:9
forward (2)
5:21;11:16
fought (1)
8:8
found (3)
39:16;40:2,3
frame (3)
12:24;14:7;43:22
frames (1)
49:12
frankly (3)
18:10;21:25;23:13
fraternal (2)
6:19,20
fraud (7)
35:2,7;37:11,12,
22;38:2,7
free (1)
11:19
front (8)
19:12;24:8,11;
26:11;27:24;29:24,
25;38:21
funds (1)
8:22
further (2)
12:13;19:11

G

gambling (1)
37:1
gander (1)
25:15
general (1)
5:1
generally (2)
7:9;24:6
gets (2)
4:18;20:2
given (1)
6:25
gives (1)
22:6
giving (1)
30:4
glad (1)
32:6
glass (1)
22:21
gleaned (2)
48:3;49:22
global (1)
37:6
GM (1)
27:5
God (1)
47:14
goes (2)
22:12;54:1
good (8)
5:9;18:22;34:12;
39:22;43:15,16;
44:20;50:8
govern- (1)
23:11
government (2)
26:24;39:2
grant (3)
23:7;42:22;43:23
great (3)
10:2;12:23;45:20
greater (1)
32:16
grounds (1)
28:7
group (1)
10:8
grouping (1)
14:15
guess (5)
18:17;28:3;34:16;
38:15;45:22
guy (1)
28:25

H

HAEBERLIN (3)
19:1;22:7,8
hand (1)
26:25
handle (1)
22:5
hang (1)
41:1
Hapeville (1)
8:17
happen (2)
10:23;25:11
happening (3)
24:3,12;30:14
happens (1)
24:10
hard (1)
8:11
hard- (1)
8:7
harder (3)
16:19;39:24;41:22
harsh (3)
5:17;9:22;10:7
head (2)
31:9;33:5
health (1)
25:19
hear (1)
44:23
heard (1)
29:8
hearing (2)
28:23;43:24
hearings (1)
28:20
hedge (1)
44:4
Here's (1)
27:13
hide (1)
39:24
high (2)
24:13;27:8
highest (1)
8:4
historically (3)
7:10;23:14,19
history (1)
21:6
hit (1)
18:1
hoops (1)
24:21
hop (1)
19:24
hopefully (1)
26:16
hundred (4)
13:2;32:10;36:2;
45:2
hybrid (1)
24:5

I

idea (7)
6:3;17:9;24:12;
41:6;43:9;45:10;
49:23
ideas (1)
43:10
identifi- (1)
40:15
identification (1)
42:8
identifier (1)
42:3
identity (3)
34:5,7;35:9
ie (1)
37:14
illegal (2)
33:12,14
illustration (1)
31:18
immediately (2)
53:5;54:3
impact (1)
21:19
impression (1)
28:18
improper (1)
33:12
inactive (3)
12:22,25,25
include (4)
14:13,16;36:13;
46:1
included (2)
11:12;46:2
includes (1)
44:8
incorporate (1)
17:2
independent (1)
15:7
indicates (2)
43:15;44:9
indicating (1)
46:20
individual (1)
40:16
industry (5)
7:14;8:20;21:8;
43:12,19
infiltrating (1)
39:4
infiltration (3)
7:13,13;38:20
infor- (1)
29:10
information (1)
29:5
infractions (2)
5:15;8:23
initial (1)
8:19
input (1)
28:19
insisted (1)
40:15
instance (1)
19:25
instead (1)
37:1
intended (1)
44:5
intention (2)
14:16;44:11
inter- (1)
47:13
interest (2)
43:25;44:10
interested (1)
28:19
intermediary (3)
22:11,15,16
interrupt (1)
11:19
intervals (1)

38:14
into (12)
4:15,17,18,18;
7:14;17:2;24:18;
38:20;39:4;48:22,24;
53:5
investigation (1)
28:1
involved (5)
12:20,20;21:7;
26:4;29:14
issue (2)
4:25;42:19
issues (2)
4:19;18:1
issue's (1)
41:11
item (9)
3:18,21;6:7;8:2;
9:4;18:8,8;31:16;
49:1
items (4)
3:4;18:11,12;33:9

J

January (1)
15:15
JENKINS (14)
3:2,18;18:20;
52:10,16,23,25;
53:12,20;54:7,12,16,
24;55:2
jump (4)
11:19;16:3;21:24;
24:20
jurisdiction (1)
12:21

K

key (2)
33:21,23
kind (12)
6:11;21:25;29:21;
34:18;37:6;41:2;
43:6;44:2;45:7,8;
46:5;50:23
kitchen (2)
25:18;26:2
knowing (1)
38:18
known (1)
21:13

L

laid (2)
4:8;30:12
laminated (1)
42:2
land (2)
25:15,15
language (12)
7:16,21,24;11:12;
20:17;43:14;44:3,9,
11;45:25;46:6;49:22
lar (1)
36:24
large (3)
10:1,1;49:24
later (7)
18:4,5;19:22;
24:10,16;26:25;30:1
law (12)
6:21;8:24;23:10;
26:14;27:11,14;
36:19;39:18;46:24;
47:6;48:4,24
lawyer (1)
26:19
lawyer-speak (1)
43:7
leave (2)
47:7;52:3
leaving (1)
37:5
left (2)
3:4;54:22
legal (9)
12:2;14:5;17:20,
20;21:10;23:25;
26:8;29:18;49:8
legally (2)
16:15;32:4
legally- (1)
23:22
legislative (2)
5:19;10:5
legislators (1)
47:7
lend (1)
26:24
less (6)
13:3;24:7;29:15;
33:17;42:19,22
letter (1)
40:6
level (1)
21:15
liberal (2)
8:12;9:21
license (29)
4:13,14;5:16;6:17;
11:7;13:5;16:23,24,
25;20:9,11,14,20;
23:1,2,4,8;26:21;
42:19,22,24;43:10,
15,21,21,23,25;44:5,
10
licensed (1)
4:16
Licensees (1)
8:3
licenseholder (1)
5:15
licenses (5)
4:12,14;20:3;45:4,
11
lie (1)
39:2
lifted (1)
46:23
light (1)
3:24
likely (1)
25:11
limit (2)
50:5,6
limitation (1)
45:9
limited (2)
32:3;48:19
line (3)
41:22;43:18;45:1
list (13)
6:10,23,25;7:6;
14:18;31:2;33:9;
34:8;36:23;45:1,23,
24;52:9
listed (2)
31:20;35:25
listing (1)
35:22
lists (1)
45:23
literally (1)
45:5
litigating (2)
8:8;9:2
litigation (1)
21:24
little (3)
16:19;25:10;39:24
lived (1)
40:23
located (1)
38:24
location (1)
26:13
logical (1)
5:23
logically (1)
4:9
long (6)
17:4,23;27:6,7,8,
14
longer (1)
12:17
look (10)
11:13;14:15;
18:24;25:12,16;30:8;
35:16;41:18;46:5;
48:22
looked (2)
43:23;45:16
looking (2)
4:2;33:11
looks (1)
20:1
loose (1)
45:18
Lord (1)
47:14
lot (3)
10:23;23:5;51:13
lots (1)
23:18
lower (1)
42:16
lump (1)
37:9

M

ma'am (3)
7:23;8:6;25:1
major (1)
13:16
makes (3)
22:7,9;39:2
making (6)
18:19;19:8;20:2;
30:22;38:25;41:6
malt (4)
9:7;11:23;14:12;
45:23
manager (1)
41:16
mandatory (1)
31:5
man-hours (1)
30:1
manner (1)
38:13
many (5)
24:21;34:15;
36:25;40:13;45:11
marijuana (1)
33:17
marked (1)
34:15
married (1)
5:4
massage (2)
23:8,9
matically (1)
23:4
mation (1)
29:11
matters (1)
9:2
maximum (2)
5:4,6
may (6)
11:11;18:5;19:11;
35:17,18;46:9
maybe (5)
18:4;28:24;29:6,
10;34:21
MAYOR (18)
3:2,18,20;8:19;
17:17;18:20;22:12;
52:10,16,23,25;
53:12,20;54:7,12,16,
24;55:2
mean (10)
14:18;17:21,24;
18:23;30:15;32:6;
41:7;45:3;48:21;
49:11
means (3)
5:3;40:3;44:4
meet (10)
25:17,21,24;26:13;
27:6,8,14,21,22,25
Meeting (23)
3:2,3,5;28:23;
30:9;31:6;52:11,14,
15,21,22;53:1,4,25;
54:2,6,8,8,14,19,20,
23;55:18
meets (1)
23:7
Members (2)
3:20;8:20
membership (5)
6:10,23,25;7:7,19
memo (1)
4:25
memory (4)
20:14;32:5;45:15;
48:22
mentioned (2)
10:13,17
ments (1)
51:24
ment's (1)
23:12
meth (1)
33:20
middle (2)
38:16;44:7
midnight (1)
49:20
might (7)
10:24;17:2,25;
24:14;26:12,15;47:1
mination (1)
26:9
mind (9)
9:17;16:10,22;
21:3;22:5;25:24;
36:9;39:17;47:9
mind- (1)
21:5
mind-altering (2)
21:4;29:13
minors (2)
46:13,14
minute (1)
54:4
minutes (2)
32:6;33:6
misdemeanor (3)

32:13;33:17,24
missed (3)
14:19,19;34:3
modified (1)
4:23
moment (1)
54:21
Monday (1)
16:7
money (9)
10:3;16:13;26:6;30:1;38:22,22;39:19,24;51:6
monthly (1)
8:4
more (24)
4:2;5:22,23;7:10;8:11,12;9:21;13:3;16:16;17:16,22;23:6,6,14,20;24:10;27:19;29:15,24;36:22;37:6,7;52:17,19
morning (1)
50:4
most (7)
7:11;9:19;16:24;22:1;25:11;26:9;29:14
mother (1)
39:21
motion (4)
18:19;53:3,22;55:5
motions (4)
18:2;19:8;30:9;31:7
move (4)
18:10;33:8;34:8;35:12
moves (2)
4:16,18
Moving (9)
12:12;34:17;36:7;44:21;45:21;46:8;47:17;50:20;52:9
much (6)
4:13;36:25;38:21;42:16,17;52:17
Murray (1)
3:19
must (2)
39:15;40:2

N

name (2)
37:18;47:16
narcotics (2)
33:14,22
narrowing (1)
37:2
naturally (1)
35:25
nebulous (1)
49:14
necessarily (1)
27:21
need (11)
6:25;11:10;12:13;13:19,25;16:13;17:16;18:21;31:21;42:13;52:1
needed (5)
7:5;10:15;12:11;13:16,18
needs (1)
25:17
negative (4)
39:16;40:2,3,4
new (4)
26:4;30:10;52:21;53:7
next (5)
22:23;33:10;39:11;52:15;54:6
nice (1)
9:15
night (5)
6:18;33:1,6;40:19;41:17
nonbinding (1)
22:6
none (1)
27:7
Norcross (1)
51:19
notice (3)
17:7;41:9;43:7
November (1)
15:21
Nowhere (1)
45:22
number (18)
6:7;8:2,8,16;11:18;13:6;14:11,24;15:5;16:4;31:16;34:4;35:4;36:24;38:11;40:1;45:1,20
numbers (1)
45:18

O

o0o- (1)
55:19
obligated (1)
5:12
obviously (4)
8:13;45:1;51:25;52:1
occupation (3)
20:3,5,11
occurring (1)
30:16
occurs (1)
4:17
o'clock (8)
50:4;53:2;54:1,1,2,14,15,18
October (4)
3:4;5:1;15:18,19
off (1)
54:22
offense (3)
29:10;34:19;40:4
offenses (5)
33:12;36:7,24,25;37:7
oftentimes (1)
9:25
old (1)
40:11
oldest (2)
39:18,18
on- (1)
12:21
on-beverage (1)
13:7
once (8)
8:7;14:2;23:22;33:18;43:20;45:5;50:7;51:3
one (26)
5:12;8:20;10:4,9,25;14:19,19;26:18;30:11;32:9,10,10;34:8,17;35:18,20;36:9;39:13,18;40:12,17,24;41:12;43:10;44:8;52:19
one-and-a-half (2)
8:4;9:10
ones (2)
26:5;38:10
online (1)
37:21
Only (4)
20:10;22:6;43:20;52:19
on-premises (3)
13:5;16:23,23
open (6)
9:8;10:10;15:17;24:20;27:4;34:17
operate (1)
6:19
operation (3)
3:25;30:25;45:16
operators (1)
39:3
opinion (6)
9:24;29:7,23;30:2;39:7,25
opinions (1)
40:14
opportunity (4)
4:21;19:6;26:3,11
opposed (1)
8:12
opposition (1)
12:2
option (2)
14:13;15:6
options (1)
5:10
order (2)
3:2;44:2
orders (1)
47:24
Ordinance (33)
3:19,24;4:4,5,7,16,24;5:14;6:9;7:22;8:5,11,12,13;9:3,20;12:9,20,23;23:24;25:13,14;28:13;30:18,20,22;31:14,22;32:2,5,23;44:18;49:23
ordinances (3)
4:10;7:9,25
organiza- (1)
6:19
organization (1)
6:20
organized (5)
7:12,14;21:6;38:20;39:4
original (2)
3:24;4:24
others (3)
5:17;27:18,20
otherwise (5)
10:24;18:3;42:20;43:8;47:19
ought (3)
16:12;27:5;42:16
out (22)
4:8;5:7;6:6;8:16;9:1;22:8;24:14;25:21;26:1,3,6;28:13;30:13;31:4;33:2;36:25;39:3;40:22;41:1;48:23;52:4;54:18
Outback (1)
27:4
outlay (1)
42:9
over (13)
3:4;5:24;11:10;27:5,20;29:1;34:8;35:13;36:8;40:5;45:21;48:1;54:5
own (1)
12:6
owner (1)
12:21

P

page (24)
5:7,8;6:7;8:2;10:12;11:21,21;12:4,12;14:11;15:14;19:24;33:8,10;35:16;38:11;40:6;42:18;44:21;45:21;46:9;48:25;50:20;52:9
pages (3)
4:8;27:4;31:20
paid (6)
15:15;16:11;38:12,13,14,18
paper (1)
39:1
pardon (1)
4:11
parlance (1)
36:20
parlor (1)
23:8
part (4)
4:9;5:19;34:3;44:7
partial (1)
43:1
particu- (1)
36:23
particular (3)
16:6;31:21;46:25
particularly (1)
5:7
parts (2)
30:18,20
pass (3)
27:25;28:4;32:4
passed (1)
23:3
past (1)
13:18
pay (3)
20:5;38:22;39:20
paying (1)
20:11
payment (1)
8:5
pay-to-play (1)
10:4
penalize (2)
51:17,20
penalties (3)
5:23;30:6,10
penalty (7)
5:13,17,18;6:2;31:12,13;32:25
people (14)
8:25;18:21;20:10;24:14;26:10,22;27:7;31:1,3;34:15;39:6,22;40:22;48:12
Per (1)
3:23
perfect (1)
26:12
perfectly (2)
5:18;17:20

performance (1)
8:3
period (6)
12:16,18;13:19;
20:5;43:15,17
permit (12)
9:9;10:13,16,18;
11:6;15:19;20:24;
24:24;27:14;35:17,
18;40:7
permits (2)
10:23;41:12
permitting (2)
4:15;25:7
person (11)
21:11;23:3,7;29:6;
38:1;40:7,7,16;41:7;
47:21,23
personally (1)
17:21
philosophical (1)
27:16
photo (1)
42:3
pick (4)
53:5;54:4,20,22
picked (1)
10:24
piece (1)
39:1
Pittman (11)
3:12,13;17:1,8,19,
21;18:18;53:13;55:6,
11,12
place (1)
50:6
placeholder (1)
45:6
places (2)
13:7;41:11
plan (1)
6:5
Planning (1)
22:6
please (3)
3:5;11:19;55:2
plot (1)
27:13
plus (1)
9:10
pm (3)
49:16,16;55:18
point (5)
5:7;18:17,23;
34:12;43:13
pole (1)
52:7
police (12)
3:25;7:5;10:1;
30:1,25;36:15,23;
40:18;41:18;42:6,14;
45:16
population (1)
45:8
portion (1)
52:14
position (2)
41:10;51:23
possession (4)
33:14;46:13,15,17
possible (3)
36:25;37:7;42:25
post (1)
8:3
postpone (1)
52:14
potential (2)
19:22;33:18
practically (1)
40:18
prefer (3)
6:2;49:12;52:13
preference (3)
18:14;19:13;50:9
premises (2)
12:22;22:22
premium (1)
16:9
prescription (1)
33:13
present (1)
4:20
presented (2)
32:1;42:15
presenting (1)
37:13
pretty (2)
7:18,25
prevalent (1)
10:3
prevent (2)
24:11;39:3
prevented (1)
12:8
prevention (2)
7:13;38:19
previous (4)
5:2;7:21;48:16;
54:23
private (3)
6:10,16;7:17
privilege (2)
43:11,13
probably (5)
16:17,20;19:9,15;
46:3
problem (6)
18:19;23:19;
24:14;28:2;41:7;
49:15
problematic (3)
30:19;32:4;34:7
problems (2)
23:20;45:17
process (5)
5:19;20:24;21:20;
24:17;28:22
processed (3)
28:15;39:16;40:2
produce (1)
38:11
product (1)
51:7
professional (1)
29:23
prohibit (1)
47:21
prohibited (1)
47:20
prohibiting (1)
48:12
prohibition (1)
46:11
properly (1)
29:20
properties (1)
9:5
property (7)
24:19,22,25;26:17;
27:5;43:25;44:10
proposed (1)
5:3
proposing (1)
9:10
prorated (1)
15:16
prospective (1)
24:18
protect (1)
26:23
provide (2)
19:6;38:12
provided (3)
26:14;42:21;43:8
providing (1)
13:10
provision (2)
17:13;52:2
provisions (2)
7:17;32:3
public (2)
28:19,20
public-input (1)
28:22
publicly (1)
19:10
pulling (1)
9:22
punish (2)
33:18,20
purchase (4)
24:19,25;46:15,17
purchased (2)
22:19;47:11
purely (1)
41:21
purporting (1)
37:25
purposes (1)
16:24
put (3)
5:10,21;39:1

Q

quick (3)
17:18;38:9;48:5
quickly (1)
40:20
quite (1)
32:19

R

raid (1)
40:18
raids (1)
40:24
range (1)
36:21
rasa (1)
43:12
rate (1)
16:12
ratfink (1)
28:25
rather (2)
16:11;21:15
read (1)
48:14
reading (5)
6:8;42:24;46:9;
47:25;48:18
reads (3)
46:11;47:19;48:11
ready (1)
20:1
real (2)
13:6;48:5
really (9)
4:20;5:24;14:2;
24:22;27:10,10;
43:16;47:18;52:12
realm (2)
5:5;7:11
reason (6)
7:12,15;16:6;
21:23;23:13;28:9
reasonable (1)
51:22
reasoning (2)
6:14;20:22
reasons (1)
40:24
recall (4)
30:14,15;32:7,25
receive (1)
47:3
receives (1)
20:19
recollection (1)
31:25
recommend (4)
13:4;23:4,6,25
recommendation (1)
22:7
recommendations (1)
8:19
record (2)
7:19;39:20
recover (1)
42:12
reference (1)
12:13
referring (2)
15:3;44:12
regard (9)
6:2;7:8;14:6;22:2,
13;24:9;30:17;
38:24;43:11
regarding (1)
12:4
regular (3)
53:5;54:2,8
regularly (1)
7:25
regularly- (1)
54:19
regulate (1)
49:24
regulation (2)
10:2;24:11
regulations (1)
7:11
related (1)
3:25
relatively (1)
7:16
religion (1)
46:25
religious (2)
46:18,21
remainder (1)
42:20
remodel (1)
13:12
remodeling (2)
12:16;17:3
renewal (12)
4:18;10:12,14,14,
17,19,22;11:5,6,7;
35:19,22
renewed (1)
35:18
renova- (1)
17:23
renovation (1)
13:16
rent (3)
38:12,18,23
renting (1)
38:23
rephrase (1)
36:14
request (2)

3:23;4:2
requesting (2)
6:8,9
require (1)
10:19
required (6)
4:10,12;9:3;22:17;
40:25;41:19
requirement (1)
28:6
requirements (2)
27:4,6
requiring (1)
47:23
residents (1)
45:2
resolve (2)
31:10;46:7
resolved (2)
33:4,5
resolving (1)
32:25
respect (2)
46:14,17
response (3)
5:20;17:11;30:25
responsible (3)
15:19,20;27:1
rest (1)
10:10
restaurant (9)
9:7;12:14,15;13:6,
9;15:17;22:20,21;
24:20
restaurants (2)
9:16;12:6
review (5)
3:23;5:1;7:3;8:18;
22:14
revoked (1)
5:16
rewrite (1)
4:5
Right (24)
5:14;11:3;15:13;
17:8;20:6,12;23:16;
26:21;33:3;35:5,21;
36:4;37:16;40:9;
43:11,14;51:7,9,11,
12;52:6;54:4,16,24
rights (1)
13:8
rises (1)
49:8
risk (2)
26:1,2
road (1)
51:14
roads (1)
49:25
Roche (45)
3:14,15;15:9;
17:25;18:15,22;
19:14,20;27:2;30:5,
24;31:8,11,23;33:3;
34:12,18;35:5;37:16;
38:9;39:5,9,11,13,
15;40:1,5,10;41:1,5,
14;48:2;49:5;52:20;
53:3,8,11,15,18,24;
54:10,13,17;55:13,
14
roll (3)
3:5;54:5;55:2
rubber-stamping (1)
28:16
rules (1)
39:18
run (1)
52:6

S

sale (9)
29:13;33:14;
46:10,14,17;47:1;
49:2,18;51:10
sales (7)
9:11;13:10;16:16,
16,17,18;50:25
same (10)
3:25;13:9;21:25;
22:13;26:9;31:15,17;
33:19;43:16;50:13
Sandra (1)
45:13
Sandy (1)
51:18
Saturday (1)
16:7
save (3)
8:21;24:15;29:25
saying (5)
9:22;13:11;52:20;
53:13;54:10
scenario (1)
25:10
scheduled (1)
54:20
scrutiny (4)
23:12;24:7,8;
27:20
second (5)
3:21;53:20;54:25,
25;55:1
section (17)
11:11,12;15:14;
32:22;36:11;42:21;
44:13;45:22;46:4,9;
47:22;48:5,8,15,18,
23;50:21
sections (4)
4:4;5:8;33:25;46:5
seek (1)
17:17
seem (1)
40:13
Seems (1)
29:19
sees (1)
24:19
sell (9)
7:17;13:8;15:9,18;
22:21,25;46:21;
47:24;49:19
selling (3)
9:7;46:13;50:13
semantics (1)
45:22
send (1)
17:6
sense (2)
28:4;49:11
sent (1)
4:24
separate (2)
4:25,25
serve (2)
16:8;47:24
served (1)
31:2
server (5)
11:9,11;33:19;
34:5;41:25
server's (1)
40:16
serves (1)
45:15
services (1)
23:9
serving (2)
6:11;16:8
set (4)
28:7,13;30:10;
49:15
sets (2)
49:8,9
settled (1)
18:9
sex (1)
29:2
shall (9)
8:3;15:16;42:19;
46:14,16;47:21;49:1,
18;50:16
sham (2)
6:17;39:3
shop (1)
29:3
shut (1)
13:12
sign (2)
37:20,25
signature (1)
34:17
similar (3)
12:5;42:6,8
simpler (2)
30:23;45:25
simplify (1)
16:11
simply (3)
4:3,9;9:19
single (2)
12:16;22:8
situation (1)
22:1
skip (1)
34:4
slip (1)
37:20
smart (1)
26:22
soft (1)
8:12
sold (2)
51:5,5
somebody (2)
13:2;37:24
someone (8)
28:24;33:20;
34:22;37:17;38:25;
39:19;42:23;46:21
sometimes (2)
18:7;27:22
somewhere (1)
38:16
Sooner (1)
26:25
sophisticated (1)
26:10
sorry (6)
6:9;15:5;44:22;
48:17;52:18;53:11
sort (1)
17:10
sounds (1)
11:8
source (1)
8:22
Spangler (12)
3:16,17;29:19;
50:3,12;51:1,9,12,
16;52:12;55:15,16
speak (1)
18:21
special (1)
52:11
special-called (6)
3:3;53:4,25;54:8,
14,18
specific (3)
4:2;36:22;37:6
specifically (1)
33:11
specify (3)
12:24;14:7;49:12
spent (1)
5:9
spirits (13)
6:11;9:8;11:24,25;
14:13,17;15:7;45:23,
25;49:2,19;50:11,17
Springs (1)
51:18
staff (6)
20:23;21:15,20,21;
28:15;40:20
stage (1)
21:22
stand (1)
32:11
standard (1)
27:8
standards (3)
24:13;26:13;27:25
standpoint (1)
21:24
start (8)
6:6;11:20;19:8;
20:2,19;26:4;50:4;
52:21
started (2)
30:6;34:20
state (10)
6:21;8:9;23:10;
26:14;36:19;46:24;
47:6,7;48:4,24
statement (1)
23:17
step (4)
22:11,15,16,23
still (4)
28:21,21;34:16;
41:19
stores (1)
48:20
straight (2)
22:12;48:23
strange (1)
27:10
strict (2)
29:15,15
strikes (1)
33:1
structure (2)
5:13;23:2
subject (1)
39:1
subpart (1)
44:6
Subsection (8)
33:9;34:1;35:17;
42:18;43:1;44:21,24;
49:1
subsections (1)
46:12
subsequent (1)
15:21
substance (1)
29:14
substantial (1)
19:4
succeed (1)
26:5

suggested (1)
30:21
suggesting (1)
9:15
suggestions (1)
4:1
sun (1)
49:8
Sunday (7)
16:8,9,15,17,18;
50:18;52:2
sundown (3)
49:3,10;50:18
sunup (3)
49:3,10;50:18
supermarkets (1)
48:20
suppose (1)
46:24
sure (10)
6:16;10:7,18;14:4,
10;16:1;17:11;
23:24;28:2;38:17
surety (1)
9:11
survey (2)
26:15,20
suspension (2)
30:11;31:5
sworn (3)
30:7,8;31:7
system (1)
23:23

T

table (2)
21:15;39:20
tabula (1)
43:12
talk (2)
6:3;42:13
talking (3)
27:12;30:6;50:15
tax (4)
20:3,5,11;30:19
taxation (1)
4:18
tellers (1)
23:10
ten-year (2)
33:9;34:8
term (2)
37:1,6
terminology (1)
37:9
That'll (1)
52:16
theft (3)
34:5,7;35:9
therefore (1)
10:4
thereof (2)
42:20;44:6
though (6)
7:25;15:1;28:13;
30:3;42:17;49:6
thought (4)
14:14,25;30:12,18
thoughts (1)
29:7
thousand (4)
15:21;32:10,11,17
threaten (1)
39:21
three (2)
15:18;22:22
till (1)
54:15
times (3)
8:4;9:11;40:24
tion (2)
6:20;17:24
tithed (1)
46:24
Title (2)
36:19;48:6
today (2)
49:8,9
tomorrow (2)
48:10;49:9
tone (1)
10:8
tonight (2)
42:13;52:15
took (1)
41:10
transaction (6)
35:2,7;37:11,22;
38:1,7
transactions (1)
36:13
trigger (1)
17:10
truck (1)
42:8
trucks (4)
49:24;50:15,16;
51:13
true (3)
42:10,12,14
truly (2)
6:20;13:9
try (6)
5:22;9:19;19:22;
26:10;40:22;52:6
trying (7)
6:17,18;7:8;16:10;
28:4;30:22;39:3
turn (3)
5:24;36:15;41:17
tutional (1)
44:3
two (11)
5:15,21;15:7;
16:22;33:1,11,16,25,
25;41:12;43:10
type (4)
7:20;10:5;28:20;
29:4

U

ultimate (1)
8:14
ultimately (2)
8:25;23:1
under (14)
4:25;6:19;12:14;
14:11;36:18;37:5,8;
39:20;46:22;47:20,
22,23;48:12,13
undercover (1)
30:25
underneath (1)
6:21
undeveloped (1)
9:5
Unfortunately (1)
48:6
unit (2)
7:5;8:23
unless (3)
27:9;28:2;48:13
up (39)
5:12,22;6:1,5,8;
9:8;10:6,10,24,25;
15:18;18:2,12,16;
19:8,12;21:14,24;
24:11;26:11;27:24;
28:24;29:16,24,25;
30:8;38:21;39:24;
40:8,22;41:11;42:16;
47:7;52:7,13;53:5;
54:4,20,22
updated (1)
6:25
upon (10)
9:9;17:15;19:7;
20:23;21:23;28:18;
30:2;31:25;32:5;
51:10
up-to-date (1)
6:10
use (7)
6:17;27:23;28:8;
33:12;34:16;35:4;
37:21
used (2)
7:24;37:1
used-car (1)
8:20
uses (1)
27:18
using (1)
35:2
uttered (1)
37:15

V

vacant (1)
9:6
valid (1)
35:17
valuable (2)
47:2,3
value (1)
38:18
verbiage (2)
7:21;8:5
verify (1)
36:5
version (1)
52:6
versus (4)
20:23;33:22;37:6;
40:8
via (1)
39:23
vote (4)
18:2,9;19:12;
52:24
voted (2)
30:10;31:14

W

Walk (1)
33:16
walking (1)
40:11
wall (1)
40:8
wants (1)
15:17
water (1)
13:17
way (12)
5:23,23;18:9,14;
25:2;29:17,18;34:7;
36:14;37:3;44:18;
46:6
ways (2)
39:22;47:1
wear (2)
41:20;42:2
web (1)
18:24
Weed (105)
3:19,20;6:12,15;
7:2,4,23;8:6;9:13,17;
10:21;11:4,10,16,17;
12:1,8,19;13:14,20,
23;14:2,5,14,22,25;
15:12,23;16:10;17:5,
9,20;19:6,15,25;
20:4,7,10,13,21,25;
21:3,18,25;23:1;
24:4;25:1,5,9;27:15;
28:10,12,17;29:22;
30:14;31:25;32:13,
18,22;33:17,23;34:9;
35:14,24;36:4,13,15;
38:19;39:7,10,12,14,
17;40:4,9,12;41:3,9,
15;42:5;43:2,4,6;
44:15,17;45:5,15;
46:3,23;47:5,13;
48:3,8,17;49:4,11,15,
21;50:7,22;51:7,10,
15,22;52:5
week (1)
16:16
weren't (1)
35:22
what's (5)
24:2;28:16;38:18;
40:23;51:2
whenever (1)
26:4
whisky (1)
15:10
whole (5)
19:3,5;20:13;31:2;
43:18
wholesaler (3)
49:1,18;50:16
wholesalers (2)
49:5,19
who's (2)
33:20;40:20
wine (12)
9:7;11:23;12:7;
14:12,13,16,17;15:7,
9;45:24;47:11;51:13
wireless (2)
18:23;30:7
within (1)
13:19
without (1)
28:9
wonderful (1)
23:18
word (2)
33:21,23
words (3)
36:17,17;43:18
work (2)
4:15;36:23
working (1)
54:5
works (1)
40:17
worry (1)
29:21
worth (1)
16:21
worthy (1)
29:8
write (5)
9:19,20;24:1;
29:17;30:22
writing (1)

37:13
written (2)
11:2;17:6
wrong (1)
23:17

Y

yards (1)
13:2
year (16)
10:23;12:16;
13:24;15:15,22;
32:12;33:11;35:18,
20;38:16;42:20,23;
43:20,21;44:6,7
yearly (1)
6:25
years (3)
13:18;47:22,23

Z

zoned (1)
22:20
zoning (21)
22:2,5,9,10,16;
23:7;25:14,21,21,23,
25,25;26:20;27:11,
12,12,14,17,21,22;
28:5