

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

FEBRUARY 13, 2007

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, February 13, 2007 at 3:31 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable C. T. Martin, Vice-Chair
The Honorable Carla Smith
The Honorable Anne Fauver
The Honorable H. Lamar Willis
The Honorable Joyce Sheperd**

Others present at the meeting were: Councilmembers Felicia A. Moore, Ivory L. Young, Jr. and Mary Norwood; Jerry DeLoach and Dianne Mitchell, Law Department; Deputy Chief Carlos Banda and Major Williams, Police Department; Chief Meadows, Department of Fire and Rescue; Raines Carter, City Solicitor; the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:31 p.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD ONE RESOLUTION

B. APPROVAL OF MINUTES - APPROVED

C. DISCUSSION ITEM

(1) THE CRIME STOPPER PROGRAM

CONSENT

D. RESOLUTIONS

Claims with favorable recommendations:

07-R-0218 (1) Claim of **Shawn Butcher and Thao Phan**, for damages alleged to have been sustained as a result of an automobile accident on October 21, 2006 at 1000 North Avenue, SE.
\$3,248.27

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 07-R-0219 (2) Claim of **Tracy L. Vaughn**, for damages alleged to have been sustained as a result of driving into a broken catch basin protruding into the roadway on September 21, 2006 at the intersection of Walthall Street and Kirkwood Avenue. **\$1,702.70**
- 07-R-0220 (3) Claim of **Randall Melton**, for damages alleged to have been sustained as a result of an automobile accident on November 29, 2006 at 585 Dutch Valley Road. **\$785.50**
- 07-R-0221 (4) Claim of **Christopher White**, for damages alleged to have been sustained as a result of driving into a pothole on November 29, 2006 at 3345 Lenox Road, NE. **\$564.11**
- 07-R-0222 (5) Claim of **Rickey Watts, through his attorney, Issac O. Babalola, Esq.**, for vehicular damages alleged to have been sustained from an automobile accident on November 1, 2006 at Forsyth Street and Garnett Street. **\$824.00**
- 07-R-0223 (6) Claim of **Robert Ivey**, for damages alleged to have been sustained as a result of driving over a construction plate on January 31, 2005 at 78 Moreland Avenue.
- 07-R-0224 (7) Claim of **Bryan Haynes**, for damages alleged to have been sustained as a result of hitting a wooden object being used for sidewalk construction on April 24, 2006 at the intersection of Peachtree Dunwoody and Brookhaven Springs.
- 07-R-0225 (8) Claim of **Brant Ferko**, for damages alleged to have been sustained as a result of driving over a curb on March 25, 2005 at the corner of Fairview Road and Moreland Avenue.
- 07-R-0226 (9) Claim of **Nicholas Bryant, through his attorney, William H. Dowdy**, for damages alleged to have been sustained as a result of an arrest on December 24, 2003 at 1229 Milton Terrace, NE.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

07-R-0227 (10) Claim of **Andrea Thrasher**, for damages alleged to have been sustained as a result of a motor vehicle accident at the intersection of Central Avenue, SW and Richardson Street, SW on June 17, 2005.
(Councilmember Winslow made a motion to file.)

FILE

07-R-0228 (11) Claim of **Nicole Thrasher**, for damages alleged to have been sustained as a result of a motor vehicle accident at the intersection of Central Avenue, SW and Richardson Street, SW on June 17, 2005.
(Councilmember Winslow made a motion to file.)

FILE

07-R-0229 (12) Claim of **Markeidra Thrasher**, for damages alleged to have been sustained as a result of a motor vehicle accident at the intersection of Central Avenue, SW and Richardson Street, SW on June 17, 2005.
(Councilmember Winslow made a motion to file.)

FILE

07-R-0230 (13) Claim of **Matthew L. Bannamon**, for property damages alleged to have been sustained from an automobile incident on November 16, 2004 at 10 Burbank Drive, SW.

07-R-0231 (14) Claim of **Dasmans Grubbs, through his attorney, Mawuli Mel Davis**, for damages alleged to have been sustained as a result of an arrest on Delowe Drive on April 14, 2005.

07-R-0232 (15) Claim of **Dr. George Teston**, for damages alleged to have been sustained as a result of improper sanitation service fees for the year 2002 at 300 Glenwood.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-0233 (16) Claim of **Cynthia Witherspoon**, for damages allegedly sustained as a result of driving over an unsecured metal plate on January 24, 2006 at 2394 Donald Lee Hollowell Parkway.
- 07-R-0234 (17) Claim of **Mattie Thomas-Phillips**, for damages alleged to have been sustained as a result of driving over a pothole on October 13, 2006 at Metropolitan Parkway near St. Johns Avenue.
- 07-R-0235 (18) Claim of **Jeffrey J. Derman**, for damages alleged to have been sustained as a result of a construction vehicle damaging his home on September 20, 2006 at 1361 Greenland Drive.
- 07-R-0236 (19) Claim of **James Malone**, for damages alleged to have been sustained as a result of striking an open construction cut on December 4, 2006 at Courtland Street and John Wesley Dobbs Avenue.
- 07-R-0237 (20) Claim of **Johanna Dinkelman, through her attorney, H. Daniel Hayes Jr., P.C.**, for damages alleged to have been sustained as a result of a slip and fall incident on September 18, 2006 at Hartsfield-Jackson Atlanta International Airport.
- 07-R-0238 (21) Claim of **State Farm Insurance Companies, as suborgee of Kelly Grant**, for damages alleged to have been sustained as a result of a fallen traffic light on July 11, 2006 at the intersection of Briarcliff Road and Clairmont Road.
- 07-R-0239 (22) Claim of **Johanna Creech, through her attorney, Harold K. Corbin.**, for damages alleged to have been sustained as a result of a slip and fall incident on July 15, 2006 at Hartsfield-Jackson Atlanta International Airport.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-0240 (23) Claim of **Donna Timmers**, for damages alleged to have been sustained as a result of driving over a metal plate on November 4, 2006 at the intersection on Old Ivy Road and Ivy Road.
(Councilmember Martin made a motion to approve items D1-D9 and D13-D23.)

FAVORABLE

REGULAR

E. ORDINANCES FOR SECOND READING

- 07-O-0249 (1) An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street.
(Councilmember Winslow made a motion to hold.)

HELD

- 07-O-0255 (2) An Ordinance by Cleta Winslow to extend the Moratorium on the Enforcement of Chapter 10, Article II, Division II, Section 10-57(3), of the Code of Ordinances of the City of Atlanta, Georgia, from December 31, 2006 until December 31, 2007; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

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F. RESOLUTIONS

07-R-0190 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims in the case of Eddie Williams v. City of Atlanta, Superior Court of Fulton County, Civil Action File No. 2006-CV-115595, in the amount of \$12,500.00; authorizing said payment to be charged to and paid from Fund 2J01 (Water and Sewer Fund), Account 529017 (Property Liquidation) and Center Number: Q30001 (Deputy Director Wastewater Treatment & Collections); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

07-R-0191 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims in the case of Willie Lester v. City of Atlanta, Superior Court of Fulton County, Civil Action File No. 2006-CV-115596, in the amount of \$12,500.00; authorizing said payment to be charged to and paid from Fund 2J01 (Water and Sewer Fund), Account 529017 (Property Liquidation) and Center Number: Q30001 (Deputy Director Wastewater Treatment & Collections); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

07-R-0192 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims in the case of Cynthia Barnes, Individually and, as Administrator of the Estate of Todd Jones v. City of Atlanta, Superior Court of Fulton County, Civil Action File No. 2005-CV-100632, in the amount of \$150,000.00; authorizing said payment to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 07-R-0242 (4) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta by Atlanta Taxicab Owners Association, Inc., in the case of Atlanta Taxicab Owners Association, Inc., v. City of Atlanta, Georgia, Superior Court of Fulton County, Civil Action File No. 2004-CV-88173, for the sum of \$12,750.00; authorizing said payment to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

G. PAPERS HELD IN COMMITTEE

- 06-R-0433 (1) Claim of Robert Colgin, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06) (Held 2/28/06 for further investigation at the request of Councilmember Muller)**
- 06-R-0633 (2) Claim of Gregory V. Burson, Jr., for damages alleged to have been sustained as a result of striking an open construction cut on January 18, 2006 at 832 Pryor Street, SW. **(Held 3/14/06 for further investigation at the request of Councilmember Smith)**
- 06-O-1044 (3) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1142 (4) An Ordinance by Public Safety and Legal Administration Committee to waive Section 2-1854 of the City of Atlanta Code of Ordinances to allow for the re-appointment of Barney Simms to the License Review Board; and for other purposes. **(Held 6/13/06 for further review)**
- 06-O-1601 (5) An Ordinance by Councilman C. T. Martin to amend Article XXIII (Entitled "Vending on Public Property"), Division 1, Section 30-1401, of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt Disabled Veterans from most of the provisions of the Public Property Vending Code; to waive conflicting ordinances; and for other purposes. **(Held 8/15/06 for further review.)**
- 06-R-1719 (6) Claim of **Kay E. Stephensen and Mark T. Gilliland**, for damages alleged to have been sustained as a result of storm water overflow on May 16, 2003 at 1125 Rosedale Drive, NE. **(Held 8/15/06 at request of Councilmember Fauver.)**
- 06-O-1908 (7) An Ordinance by Public Safety and Legal Administration Committee amending Chapter 162, Article II, Division 1, Section 162-33 of the Code of Ordinances of the City of Atlanta, Georgia ("City"), on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire ("Department"), for the purpose of increasing the fees the City assesses Taxicab Drivers and Taxicab Companies in order to offset the funding that's provided by the City to subsidize the Department's Operating Budget; to create a Taxicab Re-Inspection Fee; and for other purposes. **(Held 9/12/06 for a work session.)**
- 06-R-2678 (8) Claim of **Richard McDonald**, for damages alleged to have been sustained as a result of the claimant's vehicle having been towed on October 15, 2006 at Mitchell Street and Elliot Street. **(Referred back from Full Council on 01/02/07) (Held 1/9/07 for further review.)**

PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-0078 (9) An Ordinance by Councilmember Cleta Winslow **as amended by Full Council** to amend Chapter 30, Article II, Section 30-26 (b), of the City of Atlanta Code of Ordinances, so that meetings of the License Review Board are not held during the month of December; and for other purposes. **(Amended by Full Council and referred back by Council 1/16/07) (Held 1/30/07 so that a copy of the ordinance can be forwarded to the NPU's for review and comment.)**
- 07-O-0141 (10) An Ordinance by Councilmembers H. Lamar Willis, C. T. Martin and Ivory L. Young, Jr. amending Chapter 2, Article XVI of the Code of Ordinances of the City of Atlanta, Georgia, by adding a new Division 11, to provide for the establishment of a Citizen Review Board ("Board"); to consider grievances of citizens who have complaints against any member of the Department of Police; to provide for hearings before the Board for police officers; to provide for recommendations for dispositions of the Board; and for other purposes. **(Held 1/30/07 for a work session.)**

H. ITEMS NOT ON THE AGENDA

- 07-R-0271 (1) A Resolution by Public Safety and Legal Administration Committee accepting 150 sets of uniforms (valued at \$27,000.00), on behalf of the Department of Fire and Rescue, donated by the Workrite Uniform Company of Oxnard, California, to be used by participants in the Atlanta Fire Rescue Cadet Program which is a component of Mayor Shirley Franklin's Next Step Program; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

I. REQUESTED ITEMS

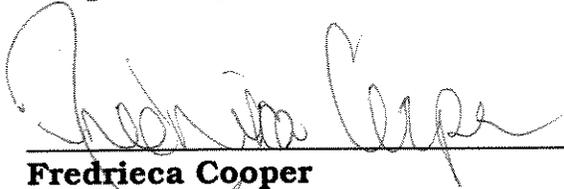
Councilmember Martin made the following requests to the Police Department:

1. A list of names and zone assignments of the last Graduation Class.
2. A list of Cold Case Files maintained by the Department.

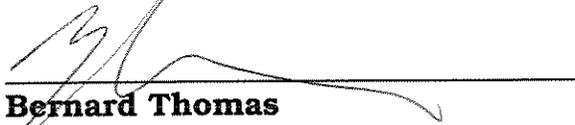
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There being no further business to come before the Committee, the meeting was adjourned at 5:21 p.m.

Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Bernard Thomas
Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair
Public Safety and Legal Administration Committee**