

**CITY OF DUNWOODY**  
**November 30, 2008**  
**11:15pm SPECIAL CALLED**  
**COUNCIL MEETING MINUTES**

The Mayor and Council of the City of Dunwoody held a Special Called Meeting on Sunday, November 30, 2008 at 11:15pm. The Council Meeting was held at Dunwoody United Methodist Church located at 1548 Mount Vernon Road, Dunwoody, Georgia 30338. Present for this meeting were the following:

District 1, Post 1	Denis Shortal, Council Member
District 2, Post 2	Adrian Bonser, Council Member
District 3, Post 3	Tom Taylor, Council Member
At Large, Post 4	Robert Wittenstein, Council Member
At Large, Post 5	Danny Ross, Council Member
At Large, Post 6	John Heneghan, Council Member
	Ken Wright, Mayor
City Attorney	Brian Anderson
City Manager	Warren Hutmacher

Mayor Ken Wright called the meeting to order. There being no announcements he asked everyone to stand for the Pledge of Allegiance.

**MINUTES:** No Minutes for consideration.

**AGENDA APPROVAL:** Mayor Wright announced as this was a Special Called Meeting, no agenda changes will be made. Council Member Wittenstein motioned, seconded by Council Member Shortal to approve the agenda as presented. The motion carried unanimously.

**PUBLIC COMMENT:** No Public Comment offered at this time.

**UNFINISHED BUSINESS:** No Unfinished Business on this agenda.

**REPORTS AND PRESENTATION:** No Reports and Presentation at this time.

**NEW BUSINESS**

**CONTINUATION OF LAW:** Acting City Clerk Jones read the Emergency Ordinance Providing for the Continuation of Ordinance and Law during the Transition Period Legislatively Established for the City of Dunwoody, Georgia, and the Adoption of the Ordinances by the City of Dunwoody, Georgia. Council Member Wittenstein made a motion to adopt this Emergency Ordinance for the Continuation of Ordinance and Law. Council Member Bonser seconded. The motion carried unanimously.

**MORATORIUM ON APPLICATIONS/ISSUANCES:** A Resolution imposing within the Territorial limits of the City of Dunwoody, Georgia, a Moratorium of sixty (60) days (unless sooner terminated) upon the Application For, or Issuance Of, Land Disturbance Permits, Building Permits, Use Permits, Land Use Permits, Land Development Permits, Clearing or Grading Permits, Sign Permits, Administrative Permits, Business Licenses, certain Alcohol Licenses, and Any and All other permits or licenses dependent upon or related to Zoning of Land in order to allow for the consideration and adoption of necessary Zoning Ordinances and preparation of necessary forms and adoption of necessary procedures for the Processing of such applications was read by Acting City Clerk Jones. Council Member Shortal motioned, seconded by Council Member Ross to adopt **Resolution 2008-11-20** imposing a sixty (60) day Moratorium. The motion carried unanimously.

**EMERGENCY ORDINANCE CHAPTER 1, GENERAL PROVISIONS:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 1: General Provisions, and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 1 (General Provisions) as Attached Hereto and Incorporated Herein. Council Member Ross motioned, seconded by Council Member Taylor to adopt this Emergency Ordinance for Chapter 1: General Provisions, as presented. The motion carried unanimously. **(Ordinance 2008-11-11)**

**EMERGENCY ORDINANCE CHAPTER 2, ADMINISTRATION:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 2: Administration, and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 2 (Administration) as Attached Hereto and Incorporated Herein. Council Member Shortal motioned, seconded by Council Member Wittenstein to adopt this Emergency Ordinance for Chapter 2: Administration, as presented. The motion carried unanimously. **(Ordinance 2008-11-12)**

**EMERGENCY ORDINANCE CHAPTER 4, ALCOHOL BEVERAGES:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 4: Alcohol Beverages and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 4 (Alcohol Beverages) as Attached Hereto and Incorporated Herein. Council Member Ross motioned, seconded by Council Member Taylor to adopt this Emergency Ordinance for Chapter 4: Alcohol Beverages, as read. The motion carried unanimously. **(Ordinance 2008-11-13)**

**EMERGENCY ORDINANCE CHAPTER 9, ETHICS:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 9: Ethics and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 9 (Ethics) as Attached Hereto and Incorporated Herein. Council Member Ross motioned, seconded by Council Member Wittenstein to adopt this Emergency Ordinance for Chapter 9: Ethics, as presented. The

motion carried with a vote of 4-3 as Council Members Taylor, Bonser, Shortal opposed this motion and Council Members Ross, Wittenstein, Heneghan and Mayor Wright voting in favor of the motion. (**Ordinance 2008-11-14**)

**EMERGENCY ORDINANCE CHAPTER 10, ELECTIONS:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 10: Elections and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 10 (Elections) as Attached Hereto and Incorporated Herein. Council Member Wittenstein motioned, seconded by Council Member Bonser to adopt this Emergency Ordinance for Chapter 10: Elections, as presented. The motion carried unanimously. (**Ordinance 2008-11-15**)

**EMERGENCY ORDINANCE CHAPTER 15, BUSINESS OCCUPATION TAXES, LICENSES AND REGULATIONS:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 15: Business Occupation Taxes, Licensing and Regulations and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 15 (Business Occupation Taxes, Licensing and Regulations) as Attached Hereto and Incorporated Herein. Council Member Shortal motioned, seconded by Council Member Taylor to adopt this Emergency Ordinance for Chapter 15: Business Occupation Taxes, Licensing and Regulations, as presented. The motion carried unanimously. (**Ordinance 2008-12-16**)

**EMERGENCY ORDINANCE CHAPTER 18, MUNICIPAL COURT:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 18: Municipal Court and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 18 (Municipal Court) as Attached Hereto and Incorporated Herein. Council Member Ross motioned, seconded by Council Member Bonser to adopt this Emergency Ordinance for Chapter 18: Municipal Court, as presented. The motion carried unanimously. (**Ordinance 2008-11-17**)

**EMERGENCY ORDINANCE CHAPTER 24, TAXATION:** Acting City Clerk Jones read the Emergency Ordinance to Adopt and Approve Chapter 24: Taxation and Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody, Georgia to be referenced in the future as Chapter 24 (Taxation) as Attached Hereto and Incorporated Herein. Council Member Shortal motioned, seconded by Council Member Heneghan to adopt this Emergency Ordinance for Chapter 24: Taxation, as read. The motion carried unanimously. (**Ordinance 2008-11-18**)

**OTHER BUSINESS:** City Attorney Brian Anderson explained to the council that Emergency Ordinances can be passed on their first reading and the reasons for passing these emergency ordinances and a First Read at the meeting following our midnight meeting. These ordinances will be considered again by council later this morning at their December 1, 2008 12:01 a.m. meeting in order to have ordinances in place when the City of Dunwoody officially opens.

Council Member Shortal invited everyone to the Farm House after the Council's December 1st Midnight Meeting for a small celebration.

**Public Comment:** Mr. Ludwig asked about the multiple ordinances passed and which ordinance does the public need to go by.

Mr. Dallas congratulated council; announced that Dekalb County is reviewing their Zoning and Land Use Ordinance; commented on the process and need to have the community involvement.

There being no further business, Council Member Heneghan motioned to adjourn, seconded by Council Member Ross. The motion carried unanimously. The meeting was adjourned.

Approved:

\_\_\_\_\_  
Ken Wright, Mayor

Attest:

\_\_\_\_\_  
Joan C. Jones, Acting City Clerk

(Seal)