

CITY OF DUNWOODY
June 8, 2009
CITY COUNCIL MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, June 8, 2009 at 7:00 p.m. The Council Meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for this meeting were the following:

Mayor	Ken Wright
District 1, Post 1	Denis Shortal, Council Member
District 3, Post 3	Tom Taylor, Council Member
At Large, Post 4	Robert Wittenstein, Council Member
At Large, Post 6	John Heneghan, Council Member
Staff Present:	Brian Anderson, City Attorney Warren Hutmacher, City Manager Sharon Lowery, City Clerk Karine Roy, Assistant to the City Clerk Jennifer Peterson, Director of Community Development Richard Meehan, Public Works Director Chris Pike, Finance Director Edie Damann, Marketing/Public Relations Assistant

Mayor Wright called the Meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Manager Warren Hutmacher welcomed Mayor and Council to the new facility and introduced Finance Director Chris Pike and Marketing/Public Relations Assistant Edie Damann.

INVOCATION led by Council Member Wittenstein.

PLEDGE OF ALLEGIANCE led by Council Member Shortal.

MINUTES:

Council Member Wittenstein motioned to approve the May 11, 2009 City Council Meeting Minutes and the May 18, 2009 City Council Work Session Minutes. Council Member Taylor seconded. Mayor Wright called for a vote and the motion carried unanimously (5-0).

APPROVAL OF THE MEETING AGENDA:

Mayor Wright motioned to amend the agenda to add item L4. "Resolution to oppose the closing and relocation of the Dunwoody Village Parkway Post Office." Council Member Taylor seconded. Mayor Wright called for a vote and the motion carried unanimously (5-0).

PUBLIC COMMENT: Mayor Wright requested public comment. There was none. Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT:

Council Member Heneghan announced that the Dunwoody Nature Center will be hosting the Paul Green School of Rock music show on Saturday and encouraged people to attend.

Council Member Wittenstein thanked staff for their work in getting the Council Chambers ready.

Mayor Wright announced that Council Member Shortal was awarded an Honorary Kindergarten degree at Primrose. He also announced that discussion of the Dunwoody Arts Festival will be placed on next week's work session meeting.

Council Member Shortal announced that Council Member Bonser was unable to attend the meeting and asked everyone to continue to keep her in their thoughts and prayers. He announced that he will run for re-election this fall.

Council Member Taylor announced that he and Council Member Shortal attended a recent court session. He reported that the radar device at Chamblee Dunwoody Road recorded a car traveling at a speed of 101mph.

UNFINISHED BUSINESS:

SECOND READ: Ordinance to amend Chapter 27: Zoning - An amendment to the text of the Zoning Ordinance to clean-up certain language, reinstate certain provisions, and amend certain requirements. (ORDINANCE 2009-06-32): City Clerk Sharon Lowery read ordinance 2009-06-32. Council Member Wittenstein moved to adopt the ordinance. Council Member Taylor seconded. Jennifer Peterson, Community Development Director, was present to answer questions of Council. Mayor Wright called for a vote and the motion carried unanimously (5-0).

SECOND READ: Ordinance to rezone the Dunwoody United Methodist Church property to remove it from the Dunwoody Village Overlay District Designation. (ORDINANCE 2009-06-33): City Clerk Sharon Lowery read ordinance 2009-06-33. Council Member Shortal moved to approve the ordinance. Council Member Heneghan seconded. Jennifer Peterson, Community Development Director, reported that the ordinance was the same as was presented at the first read. Mayor Wright called for a vote and the motion carried unanimously (5-0).

REPORTS AND PRESENTATIONS

Perimeter CID Update on Ashford Dunwoody Road/Mt. Vernon Road Intersection Construction: Tony Peters, Program Director, of the PCID presented a status update of the redesign of the right turn lane at Ashford Dunwoody Road and Mt. Vernon Hwy, which is expected to be completed October 2009. This is 1 of 4 projects currently being sponsored by the PCID and GRTA. The redesign project consists of black decorative lighting, video detection, a pocket park feature, pedestrian crossing, street signage and lighting, and the milling and repaving of Ashford Dunwoody Road from Meadow Lane to Mt. Vernon Hwy.

Council Member Shortal asked if the trees removed will be replaced. Tony Peters will report back on the types of trees that will be put in. Council Member Heneghan asked how the pedestrians will

cross the street and if it meets ADA requirements. Tony Peters replied that they must cross one lane on their own to get to the pedestrian island, and he will report back on the ADA requirements.

Council Member Heneghan asked for an update on the Perimeter Center West project. Mr. Peters explained that this is a \$7 million streetscape project with an expected completion date of November 2009. Mayor Wright asked Bill Grant to speak regarding the landscaping plan. Mr. Grant said a landscape plan had been presented some time ago and he was not sure this is the same plan.

NEW BUSINESS

PUBLIC HEARING – FIRST READ: Ordinance to adopt the proposed 2009 Millage Rate.

(ORDINANCE 2009-06-XX): City Clerk Sharon Lowery read the ordinance. Finance Director Chris Pike stated that this is the first of three public hearings. Staff has proposed a millage rate of 2.74, which is technically a tax increase pursuant to State law; however, there is no additional tax on our citizens. Mr. Pike reported that the funds collected will go into the general fund.

Mayor Wright opened the public hearing and requested public comment; he asked those who wish to speak in favor come to the podium. No one spoke in favor. Mayor Wright asked those who wish to speak in opposition come to the podium.

Brian Sims – said that he was hoping Council would do something to lower the taxes.

Betsy Choder – said if the millage rate is kept the same as DeKalb County's it looks like the City would have a windfall of approximately \$8 million. She urged Council to decrease the millage rate.

Mayor Wright closed public comment.

Mayor Wright closed the public hearing without objection.

Council Member Wittenstein said the concern in lowering the millage rate is that the City has no track record.

Council Member Shortal pointed out that the infrastructure of the City has declined over the years. He said the elected officials thought they could improve the services to the citizens at the same tax rate that DeKalb County, adding that DeKalb County has proposed a 4% millage rate for this year.

Council Member Taylor said the City is not raising the millage rate, but the millage rate for unincorporated DeKalb County is proposed to increase from 2.74 to 3.99 mills. He pointed out that property assessments are done by DeKalb County.

Resolution to establish the 2009 fee assessment for residential street light districts.

(RESOLUTION 2009-06-34): City Clerk Sharon Lowery read resolution 2009-06-34. Mayor Wright motioned to approve the resolution. Council Member Taylor seconded. Richard Meehan, Public Works Director, stated that the resolution is needed to officially pass a street light fee and the proposed fee is the same as 2008 DeKalb County rate. Mayor Wright called for a vote and the motion carried unanimously (5-0).

Resolution to amend the regular City Council meeting schedule and location for calendar year 2009. (RESOLUTION 2009-06-35): City Clerk Sharon Lowery read resolution 2009-06-35. Council Member Wittenstein move to adopt the resolution. Mayor Wright seconded. City Manager Warren Hutmacher announced that all Council Meetings will now be held in the Council Chambers rather than the church. Mayor Wright called for a vote and the motion carried unanimously (5-0).

Resolution to oppose the closing and relocation of the Dunwoody Village Parkway Post Office (RESOLUTION 2009-06-36): City Clerk Sharon Lowery read resolution 2009-06-36. Council Member Shortal moved to approve the resolution. Mayor Wright seconded. Mayor Wright opened the public hearing and requested public comment. Mayor Wright asked those who wish to speak in favor come to the podium.

Brian Sims - spoke in favor of the resolution.

Mayor Wright asked those wishing to speak in opposition come to the podium. No one spoke in opposition. Mayor Wright announced that the United States Postal Service would hold a public meeting on June 22, 2009 in Council Chambers to discuss the closing of the Dunwoody Village Parkway Post Office. Council Member Shortal announced that he had sent out an email asking people to come up with constructive comments for the meeting, be courteous and find common ground. Council Member Heneghan said the 30360 zip code is designated as Doraville and suggested the U.S.P.C. be encouraged to designate it as City of Dunwoody. Mayor Wright called for a vote and the motion carried unanimously (5-0).

OTHER BUSINESS

There was no other business.

PUBLIC COMMENT: Mayor Wright requested public comment.

Betsy Choder – expressed concern that the Dunwoody Coin Laundry does not post any contact information for patrons who have issues with lost funds, etc. and asked if there is an ordinance requiring all businesses to post their business license and additional contact information.

Lindsay Ballow – shared concern about the new intersection not being pedestrian and cyclist friendly. He suggested signs for cyclists be put in place to make driver's aware.

Marcia Davis – said the pole at the new intersection on Ashford Dunwoody and Mt. Vernon is an eye sore and asked if it could be painted black. She added that the new right turn is sharp and narrow.

Tom Dwyer – said he is a member of the Community Council and invited everyone to attend their meeting this Thursday; he encouraged Council to advertise the Community Council meetings.

Shawn Hairston – spoke in favor of the post office resolution.

Page Olsen – said that as an avid walker, she hopes Council will consider some type of cell phone restriction for drivers.

Matt Schaffer – said he is not in favor of the Camden Apartments moving towards transitional housing.

Mayor Wright closed public comment.

Council Member Heneghan reminded everyone that there will be a Planning Commission meeting on June 9, 2009, a Community Council meeting on June 11, 2009, and a Sustainability Commission meeting on June 11, 2009.

City Manager Warren Hutmacher announced that The Curry Center has withdrawn their application for transitional housing.

EXECUTIVE SESSION: There was no executive session.

ADJOURN

Mayor Wright motioned to adjourn. Council Member Shortal seconded. Mayor Wright called for the vote and the motion carried unanimously (5-0).

There being no further business the Meeting was adjourned.

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk