

**CITY OF DUNWOODY**  
**April 20, 2009**  
**CITY COUNCIL MINUTES**

The Mayor and Council of the City of Dunwoody held a City Council Work Session on Monday, April 20, 2009 at 7:00 p.m. The Work Session was held in the Dunwoody United Methodist Church, 1548 Mount Vernon Road, Dunwoody, Georgia 30338. 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 5	Danny Ross, Council Member
At Large, Post 6	John Heneghan, Council Member
Staff Present:	Brian Anderson, City Attorney Warren Hutmacher, City Manager Sharon Lowery, City Clerk Bill Grogan, Chief of Police Jennifer Peterson, Director of Community Development Richard Meehan, Public Works Director

Mayor Wright called the Meeting to order.

**ROLL CALL AND GENERAL ANNOUNCEMENTS**

Council Member Bonser was absent; Council Member Wittenstein arrived at 9:00 pm.

Mayor Wright asked that everyone keep Council Member Bonser in their thoughts and prayers during her illness. Mayor Wright commended Richard Meehan, Director of Public Works, and his staff for the expeditiously cleaning up the storm damage last week. He also thanked staff for the way they handled a particular business license issue and their assistance to the customer.

Council Member Shortal announced that Mr. Wingate is in Northside Hospital recovering from surgery and wished him a speedy recovery.

Council Member Ross said Lemonade Days was very successful this year. A new event was introduced, Bicycle Ride Around Dunwoody, honoring Jim Benson, a former Dunwoody citizen who was in a fatal bicycle accident last year. He announced that Mr. Benson's family was there to make a donation for the purpose of bicycle trails.

Council Member Shortal announced that May 11 – 16 is "Ride Your Bike to Work Week".

**INVOCATION** led by Council Member Ross.

**PLEDGE OF ALLEGIANCE** led by Council Member Heneghan.

## **APPROVAL OF THE MEETING AGENDA**

Council Member Heneghan moved to add the Farmer's Market to the agenda after Sustainability Commission Appointments. Council Member Taylor seconded. Mayor Wright called for the vote on the motion and the motion carried unanimously. Mayor Wright made a motion to move agenda item H9 "Discussion of Impact Fees" up to follow "Comprehensive Plan Kick-Off Presentation". Council Member Taylor seconded. Mayor Wright called for the vote on the motion and the motion carried unanimously. Council Member Shortal motioned to approve the amended agenda. Council Member Heneghan seconded. Mayor Wright called for the vote on the motion and the motion carried unanimously.

**PUBLIC COMMENT:** Mayor Wright requested public comment.

Brent Morris – Stated that he supports the Chamber of Commerce and the City of Dunwoody. Mr. Morris said he supports the proposed amendment to Chapter 15 "Business Occupation Tax".

J. Michael Dendinger - Said that as a business attorney and Board Member for the Dunwoody Chamber of Commerce, He recommended striking subsection H.

Joe DeVita – Thanked City Manager Warren Hutmacher and the City Staff for attending the Chamber's Business License Forum. Mr. DeVita said that he supports the proposed amendment to Chapter 15.

Bob Fiscella – Said that he is a small business owner and supports the proposed amendment to Chapter 15.

Joe Stich – Spoke in favor of the proposed amendment to Chapter 15.

Dick Lyon – Director of the Ashford Alliance Community Association introduced their President, Ron Sprinkle.

Ron Sprinkle – Said he is the President of the Ashford Alliance Community Association, a group that represents the area south of I-285. Mr. Sprinkle explained that they share the PCID with the City of Dunwoody and said they are just asking the City to keep their organization involved and informed.

Gerri Penn – Said the amendment to the zoning ordinance should be reconsidered. She said meetings should be held with residents surrounding the proposed area, the days of operation and hours of operation should be addressed. Ms. Penn suggested narrowing down the amendment to stipulate places of worship not be allowed adjacent to residential communities. She urged Council to defer and place on the agendas of the Community Council and the Planning Commission. Ms. Penn extended her thanks to Tom LaPenna in Code Enforcement.

Bob Uszynski – Stated that he had a pleasant experience meeting two Dunwoody police officers. Mr. Uszynski said he is interested in the code amendment to address water leaks. He explained that he his neighbor has had a leak in her water service line for three years and he is concerned potential erosion damage to his property.

Grant Grimes – Said that he supports the proposed amendment to Chapter 15.

Joe Hirsch – Stated that he is a supporter of the Farmer’s Market and does agree that there should be restrictions. He said a one year permit makes sense.

Mayor Wright closed public comment.

### **MAYOR AND COUNCIL COMMENT**

There was none.

### **DISCUSSION:**

**Sustainability Commission Appointments:** Jennifer Peterson, Community Development Director, said the Sustainability Commission was created in December 2008 by Resolution; there were no official appointments and the Commission began having meetings. Ms. Peterson explained that when it came to Staff’s attention the members had not been officially appointed it was brought back before Council with one additional name from the PCID who would like to participate. Council Member Shortal asked how the names were selected. Mayor Wright said the names came from Council through to the Mayor and out to the Staff. Council Member Heneghan said that he submitted a number of names to the Mayor. He added that he had attended an Atlanta Regional Commission meeting with Ms. Pattie Baker, the Chair of the Sustainability Commission.

**Farmer’s Market:** Council Member Heneghan asked if there would be time to hold a Public Hearing next week on the proposed amendment to the zoning ordinance. Jennifer Peterson, Community Development Director, advised that there is a Public Hearing scheduled for April 27<sup>th</sup>.

**Presentation on Single Stream Recycling:** Karen Pope of Republic Services introduced Monica Mosley and Tim Bowers, of Recycle Bank. Mr. Bowers gave a presentation on “Recycle Bank”, a program that rewards customers for recycling. Points are deposited into the household accounts and can be redeemed at local business, donated to local schools, or to 501(c)(3) companies.

Mayor Wright asked City Manager Warren Hutmacher to look into releasing an RFP for sanitation services. Council Member Shortal suggested the RFP have options for companies to bid on. City Manager Hutmacher said the RFP would go out to private companies with a zero commitment, and then bring the information back to Council for them to decide how they wish to proceed.

**Comprehensive Plan Kick-Off Presentation:** Jennifer Peterson, Community Development Director, reminded that in February the City hired POND & Company as the comprehensive plan consultant. Since that time they have been gathering data for the Community Assessment and preparing the Community Participation Plan. Ms. Peterson advised that to complete these two documents the city staff and consultant team need to begin meeting with a Steering Committee. Michelle Alexander of POND & Company gave a brief synopsis of the comprehensive plan process. Ms. Alexander said Mayor and Council need to appoint 8-12 members to a Citizens Advisory Committee that is representative of the city. The Department of Community Affairs regulates this and requires diversity and broad representation. Mayor Wright recommended no more than 13 members or less.

**Discussion of Impact Fees:** Jennifer Peterson, Community Development Director, gave the presentation on Impact Fees. She advised that this is separate from the Comprehensive Plan and involves two steps: an assessment report and a methodology report. Ms. Peterson said the City can draft an amendment to the contract of the Comprehensive Plan should Council choose to proceed. Mayor Wright requested that Ms. Peterson draft a timeline and get it out to the Mayor and Council and defer this for a while.

**Boyken Status Report:** City Manager Warren Hutmacher reported that for March, 2009 \$53,135 in cost was incurred under the City's contract with Boyken International, with a cumulative cost as of March 31, 2009 of \$479,062. Mr. Hutmacher said Boyken personnel are currently working on the City Hall build out and City of Dunwoody staff will take over compilation of policies and procedures. Mr. Hutmacher reported that the estimated move in date at the new City Hall location is May 11, with a soft opening at 8:00 am on that date, followed by a public celebration in June. He said he anticipates the June Council meetings being in the new facility.

**Discussion of Code Amendment to address Water Leaks – Chapter 25: Water, Sewers and Sewage Disposal:** Jennifer Peterson, Community Development Director, presented the proposed amendment to Chapter 25. They include requiring property owners to fix water leaks on private property at the customer's expense, create the definition of a leak, and allow City staff to enforce the code in addition to DeKalb County.

**March Financial Report:** City Manager Warren Hutmacher presented the March Financial Report and stated that the City is doing fairly well at the end of the first quarter. He reported that business licenses will be worked as a number one priority over the next few weeks. Mr. Hutmacher said as of the current property tax digest, property tax revenue would be \$6.6 million versus the \$5.7 million budgeted.

**Resolution establishing Stormwater Utility Fees and Credits:** Public Works Director Richard Meehan presented the proposed fees as \$4/month for residential (\$48/year). Mr. Meehan explained that the proposed fees and credits are straight out of DeKalb County's ordinance.

**FIRST READ: Ordinance to establish a Stormwater Utility Fund Budget (ORDINANCE 2009-XX-XX):** City Clerk Sharon Lowery read the Ordinance to establish a Stormwater Fund Budget. Public Works Director Richard Meehan said the projected revenue for the Stormwater Utility Fund is \$1.8 million. He added that the City would receive 12 months of revenue but have only 8 months of expenditures the first year.

City Manager Warren Hutmacher introduced Ms. Tanya Jackson, Project Manager and Budget Manager for the City.

**FIRST READ: Ordinance to amend Chapter 15: Business Occupation Tax, Licenses, and Regulations (ORDINANCE 2009-XX-XX)** City Clerk Sharon Lowery read the Ordinance to amend Chapter 15: Business Occupation Tax, Licenses, and Regulations. City Manager Warren Hutmacher explained that the amendment removed the requirement for a state income tax return and the accounting firm affidavit.

**PUBLIC COMMENT:**

Mayor Wright requested Public Comment.

Linda Shulin – Asked for an explanation on the proposed stream buffer amendment.

Mayor Wright closed Public Comment.

**ADJOURN**

Mayor Wright motioned to adjourn. Council Member Ross seconded. Mayor Wright called for the vote and the motion carried unanimously.

There being no further business the Meeting was adjourned.

Approved by:

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Ken Wright, Mayor

Attest:

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Sharon Lowery, City Clerk