



CITY OF DUNWOODY
October 26, 2009
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a Regularly Scheduled Meeting on Monday, October 26, 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.

CALL TO ORDER:

Mayor Wright called the Meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS:

Present for this meeting were the following:

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| Mayor | Ken Wright |
| 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 |
| Staff Present: | Warren Hutmacher, City Manager |
| | Sharon Lowery, City Clerk |
| | Brian Anderson, City Attorney |
| | Lenny Felgin, Assistant City Attorney |
| | Billy Grogan, Chief of Police |
| | Howard Koontz, City Planner |
| | Michael Tuller, Community Development Director |

Mayor Wright thanked Bill Grant and the Dunwoody Chamber of Commerce for their work on the first annual Dunwoody Fall Festival.

Council Member Bonser spoke regarding Village Creek Drive speed tables, and stated that she spoke with Richard Meehan, and the work on this will commence this week or next week. Ms. Bonser also mentioned the flooding in the Village Mill area and South of the Village Mill area, and stated that the City is addressing this matter. She also congratulated the Dunwoody Chamber of Commerce for its work on the Dunwoody Fall Festival.

Council Member Shortal congratulated the City for its work on the Comprehensive Land Use Meetings. He also thanked the Dunwoody Chamber of Commerce for publicizing these meetings. He stated that the first PCID meeting will be held this Thursday, and that the dates and times for all five meetings are published on the City's website and are as follows: October 29, 2009 – PCID; November 3, 2009 – Dunwoody Village; January 5, 2010 – Georgetown/Shallowford; January 12, 2010 – Jett Ferry/Tilly Mill; and, January 21, 2010 – Winters Chapel. He requested that everyone encourage their neighbors and friends to attend the meetings.

Council Member Ross stated that the preservation trust farmhouse will be undergoing renovation of the interior of the building over the next couple of months. December 3, 4, and 5, 2009, the Dunwoody Preservation Trust will have a Christmas Festival with an open house fundraiser for the Dunwoody Preservation Trust at a house on Nesbitt Ferry.

Council Member Heneghan stated that there will be an ADA Accessibility Training Code 101 seminar held at Dunwoody City Hall tomorrow, and that on or about November 4, 2009 there will be a revive285 meeting coming up with three days of meetings (which he believes are the same presentation repeated three times in order to increase attendance). He stated that he plans to attend the meeting.

INVOCATION: led by Council Member Ross.

PLEDGE OF ALLEGIANCE: led by Council Member Bonser.

MINUTES:

Council Member Shortal motioned to approve the Meeting Minutes from the October 12, 2009 City Council Meeting. Council Member Wittenstein seconded the motion. The motion was voted on and carried unanimously (7-0).

APPROVAL OF MEETING AGENDA:

Mayor Wright motioned to approve the agenda for this meeting. Council Member Ross seconded the motion. The motion was voted on and carried unanimously (7-0).

PUBLIC COMMENT:

Mayor Wright requested public comment.

Max Lehmann spoke in favor of the changes to the public notice process that the City is contemplating regarding the ZBA. He stated that he is the chairman for the multiple sclerosis advocacy group government relations committee, and that he is in favor of the ADA meeting being held at City Hall tomorrow.

Bill Grant spoke on behalf of the Dunwoody Chamber of Commerce, and requested that the City Council not raise the tax rates for business licenses.

Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT:

Council Member Taylor stated that the City did a good job with code enforcement with Northchase Apartments. He stated that the City engaged in educating the management team of Northchase Apartments, and then cited the individuals who continued to be in violation of the code, which resulted in the firing of the management team at that apartment complex, and consequent improvement of the management of those apartments. He stated that he, along with Lt. Fladrich, and Kimberly Greer went to a grants workshop in Savannah recently, which was conducted by Senators Chambliss and Isakson. He stated that it is good for the City to utilize our assets regarding grants. He also stated that Chief Grogan did a good job with the recent traffic check point, putting 47 Dunwoody offenders in jail due to that effort.

Council Member Ross stated that he attended the DeKalb Convention and Visitors Bureau board meeting, that they have twelve staff members, and that we at the Convention and Visitors Bureau of Dunwoody have a great team in place.

Chief Grogan stated that Officer Fidel Espinoza of the Dunwoody Police Department works with children in the Peachtree Industrial area, many of whom are underprivileged, and Officer Espinoza has started a “Christmas for Kids” program to solicit help from the community and North Peachtree Baptist Church to collect toys for these children. This event is posted on the City’s website.

CONSENT AGENDA:

Council Member Ross motioned to approve the Consent Agenda. Council Member Wittenstein seconded. The motion was voted on and carried unanimously (7-0).

UNFINISHED BUSINESS:

Second Read: Text Amendment to Chapter 27: Zoning §5A and §5D: Public Notice requirements for zoning actions in the City of Dunwoody (ORDINANCE 2009-09-44).

City Clerk, Sharon Lowery conducted a Second Read of the Text Amendment to Chapter 27: Zoning §5A and §5D: Public Notice requirements for zoning actions in the City of Dunwoody. (ORDINANCE 2009-09-44). City Planner, Howard Koontz, spoke regarding the text amendment to Chapter 27, and stated that the changes are reflective of the discussion in last week’s City Council Work Session. Council Member Wittenstein motioned to approve the text amendment to Chapter 27. Mayor Wright seconded the motion. The motion was voted on and carried unanimously (7-0).

Second Read: Ordinance to adopt Fiscal year 2010 Budget. (ORDINANCE 2009-10-47).

City Clerk, Sharon Lowery conducted a Second Read of the Ordinance to adopt Fiscal year 2010 Budget. (ORDINANCE 2009-10-47). Warren Hutmacher spoke regarding the 2010 Budget Ordinance. Council Member Shortal motioned to approve the 2010 Budget. Council Member Wittenstein seconded the motion. Mayor Wright motioned to amend the budget as follows: a) add two police officer positions with a hire date of 10/1/2010 at a cost of \$135,400.00; b) add an impact fee study at a cost of \$30,000.00; c) delay hiring a narcotics officer until July 1, 2010, which would decrease the budget by \$31,000.00; d) reduce funding for intersection improvement designs, decreasing the budget by \$50,000.00; e) eliminate funding for a spare police car, decreasing the budget by \$49,500.00; f) eliminate funding for false alarm software, decreasing the budget by \$34,900.00; and g) increase the total number of full time positions for the City of Dunwoody to 56 FTEs. Council Member Taylor seconded the motion. The motion was voted on and carried unanimously (7-0).

Council Member Shortal motioned to amend the 2010 budget as amended, by deleting group health insurance and group dental insurance options for the Mayor and City Council Members. There was discussion among the City Council Members regarding this motion. Council Member Ross seconded the motion. The motion was voted on and failed (2-5) with Council Member Bonser, Council Member Heneghan, Council Member Taylor, Council Member Wittenstein, and Mayor Wright voting against the motion.

There was a vote on passing the ordinance as amended, and the vote carried unanimously (7-0).

REPORTS AND PRESENTATIONS: None

NEW BUSINESS:

PUBLIC HEARING – Chapter 21: Signs §12: Non-Residential Zoning District Sign Regulations.

City Planner, Howard Koontz spoke regarding two text amendments to Chapter 21. There was discussion among the council members regarding the amendments.

Mayor Wright opened for public comment, There was no public comment. Mayor Wright closed public comment and closed the public hearing.

First Read: Ordinance to amend Chapter 21: Signs §12: Non-Residential Zoning District Sign Regulations. (ORDINANCE 2009-XX-XX).

City Clerk, Sharon Lowery conducted a first read of the ordinance to amend Chapter 21.

PUBLIC HEARING – Chapter 27: Zoning; Pre-submittal meetings.

City Planner, Howard Koontz spoke regarding the amendment to Chapter 21. There was discussion among the Council Members regarding the amendment. Council Member Shortal requested that if the meeting could not be held within a two mile radius, that the City Manager should approve a suitable location outside of the two mile radius.

Mayor Wright opened for public comment. Bill Grant spoke in favor of the amendment. Mayor Wright closed public comment and the public hearing.

First Read: Ordinance to amend Chapter 27: Zoning; Pre-submittal meetings. (ORDINANCE 2009-XX-XX).

City Clerk, Sharon Lowery conducted a first read of the ordinance to amend Chapter 27.

OTHER BUSINESS: None.

PUBLIC COMMENT:

MJ Thomas thanked Mayor Wright, City Manager, Warren Hutmacher, and the City of Dunwoody for making the permitting process for the Dunwoody Arts Festival run so well. She stated that over five thousand people attended the event, and everyone enjoyed the event. She thanked the Dunwoody Chamber of Commerce for their work on this event. Ms. Thomas said that the Ravinia Club won first place in the chili cook off. She also thanked *The Crier* for its promotion of the event.

EXECUTIVE SESSION:

Mayor Wright motioned to break for executive session regarding legal and personnel discussions, Council Member Wittenstein seconded the motion, the motion was voted on and carried unanimously (7-0).

ADJOURN:

There being no further business the Meeting was adjourned. (Mayor Wright motioned to adjourn the meeting, the motion was seconded, and the motion carried unanimously (7-0)).

[Signatures appear on next page]

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk