

CITY OF DUNWOODY
December 14, 2009
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, December 14, 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 the meeting were the following:

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 Howard Koontz, City Planner Michael Smith, Public Works Director Tiffany Pete, Municipal Court Clerk Michael Lockett, Information Technology Manager Billy Grogan, Chief of Police

CALL TO ORDER:

Mayor Wright called the meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS:

Mayor Wright announced that all members were present.

Chief Grogan announced that the “Christmas for Kids” event will be held on Thursday, December 17, 2009 at 6:00 P.M. at North Peachtree Baptist Church. He thanked the men and women of the Police Department, particularly Officer Espinoza, for their efforts on this fundraiser, and thanked the community for their generosity. Chief Grogan said this fundraiser will help sixty children in the community, as well as some others, and said that everyone is invited to attend.

INVOCATION: led by Council Member Ross.

PLEDGE OF ALLEGIANCE: led by Council Member Shortal.

MINUTES:

Approval of Meeting Minutes from the November 16, 2009 City Council Special Called Meeting.

Approval of Meeting Minutes from the November 16, 2009 City Council Work Session Meeting.

Approval of Meeting Minutes from the November 23, 2009 City Council Meeting.

Approval of Meeting Minutes from the December 3, 2009 City Council Special Called Meeting.

Council Member Ross motioned to approve all meeting minutes as presented. Mayor Wright seconded. The motion was voted and passed unanimously (7-0).

APPROVAL OF MEETING AGENDA:

Council Member Wittenstein motioned to move all items on the Consent Agenda to “New Business” as items L7, L8 and L9. Mayor Wright seconded. The motion passed unanimously (7-0).

PUBLIC COMMENT:

Mayor Wright opened public comment.

Joe Hirsch - expressed concern about changes to ordinances and resolutions in general and said the process is hidden from the public.

Sheryl Arno, Executive Director of the DeKalb Developmental Disabilities Council - expressed concern over the proposed amendment to Chapter 27 regarding personal care homes.

Raymond Wilson - expressed concern over the proposed amendment to Chapter 27 regarding personal care homes.

Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT:

Mayor Wright welcomed Troop 266 from Dunwoody United Methodist Church, who were in attendance and are working toward earning their citizenship badges.

Council Member Taylor said the election for the Speaker of the House will be held on the House Floor of the Capitol at 11:00 a.m. on Thursday, December 17, 2009.

Council Member Bonser said that Tuesday, January 5, 2010 will be the Comprehensive Land Use Plan meeting for the Georgetown/Shallowford area, and Tuesday, January 12, 2010 will be the Comprehensive Land Use Plan meeting for the Jett Ferry/Tilly Mill area.

Council Member Shortal reminded that anyone wanting to be on his e-mail list should let him know.

Council Member Ross said the first meeting of the Audit Committee was held last week and they developed the scope of the audit. He said the committee will probably have four meetings in 2010. Council Member Ross said he visited the Kia plant in West Point, Georgia and that 90% of the manufacturing of the vehicles is done by robots.

Council Member Heneghan introduced his parents, who were attending the Council meeting.

UNFINISHED BUSINESS:

SECOND READ: Ordinance to amend Chapter 27: Zoning: Personal Care Homes. (ORDINANCE 2009-12-XX)

City Clerk Sharon Lowery conducted a Second Read of the ordinance. City Planner Howard Koontz said there have been no changes since the first read of the ordinance. He stated that the Community Development staff recommends no changes be made. Following discussion, no action was taken by City Council.

REPORTS AND PRESENTATIONS: None.

NEW BUSINESS:

Award of contract for Dunwoody Village TE design.

Public Works Director Michael Smith made the presentation for award of the contract for the Dunwoody Village Transportation Enhancement design to the firm of Kimley-Horn, based on the evaluation of the proposal selection committee and the negotiated fee of \$148,000. Following discussion, Council Member Taylor motioned to award the contract to Kimley-Horn, as presented. Council Member Wittenstein seconded. The motion was voted and carried unanimously (7-0).

Resolution to approve and authorize an Intergovernmental Agreement between the City of Dunwoody and North Fulton municipalities for Aerial Imagery. (RESOLUTION 2009-12-XX).

City Clerk Sharon Lowery read the resolution. Assistant City Attorney Lenny Felgin explained that the Intergovernmental Agreement is to obtain aerial imagery data to be used for a Geographic Information System. Mr. Felgin said it has been determined that it would cost less if the cities entered into an Intergovernmental Agreement to obtain the data. He said if the cost comes in higher than any city's budget, that city can opt out. Council Member Shortal motioned to approve

the resolution as presented. Council Member Heneghan seconded. The motion was voted and carried unanimously (7-0).

Approval of Mutual Aid Agreement between Dunwoody Police Department and Georgia Perimeter College.

Police Chief Grogan explained that a Mutual Aid Agreement would provide a mechanism for the City of Dunwoody to be able to request police assistance from Georgia Perimeter College or for Georgia Perimeter College to be able to request assistance from the Dunwoody Police Department. Following discussion, Council Member Shortal motioned to approve the agreement. Council Member Bonser seconded. The motion was voted and carried unanimously (7-0).

A Child is Missing Call Alert Program.

Police Chief Grogan explained that the A Child is Missing Alert program assists local agencies in locating missing children by means similar to Reverse 911. He said that citizens can let the Police Department know if they want their telephone number removed and they would not be called if an alert went out.

Award of Municipal Court Management Software Contract.

Municipal Court Clerk Tiffany Pete gave the presentation and said Staff is requesting approval to award the contract for Municipal Court Case Management Software to Tyler INCODE, LLP, to authorize Staff to provide funding for the purchase from the General Fund, and to authorize the City Manager to execute the necessary documents. Ms. Pete said the best and final offer from Tyler INCODE is \$66,275. Following discussion, Council Member Taylor motioned to award the contract as presented. Mayor Wright seconded. The motion was voted and carried unanimously (7-0).

Resolution to reappoint City Attorney (**RESOLUTION 2009-12-XX**).

City Clerk Sharon Lowery read the resolution. City Attorney Brian Anderson said he is requesting reappointment of himself and the Assistant City Attorney for the upcoming year at a slightly higher rate, with them guaranteeing five additional man hours of work. Council Member Taylor motioned to approve the resolution as presented. Council Member Bonser seconded. The motion was voted and carried unanimously (7-0).

Resolution authorizing payment of bonus to City Manager (**RESOLUTION 2009-XX-XX**).

City Clerk Sharon Lowery read the resolution. Council Member Bonser motioned to approve the resolution. Council Member Wittenstein seconded. The motion was voted and carried unanimously (7-0).

Resolution authorizing payment of bonus to City Clerk (**RESOLUTION 2009-XX-XX**).

City Clerk Sharon Lowery read the resolution. Council Member Bonser motioned to approve the resolution as presented. Council Member Ross seconded. The motion was voted and carried unanimously (7-0).

Approval of Systemic Alien Verification Entitlements (SAVE) Program Intergovernmental Agreement.

Assistant City Attorney Lenny Felgin stated that the Georgia State Legislature requires that the City enter into an agreement with the Department of Homeland Security in order to participate in the Systemic Alien Verification Entitlements (SAVE) program. Council Member Taylor motioned to approve the agreement as presented. Council Member Shortal seconded. The motion was voted and carried unanimously (7-0).

OTHER BUSINESS:

Council Member Taylor announced that the North Metro SWAT Team arrested a serial bank robber last week.

PUBLIC COMMENT:

Mayor Wright opened public comment.

Bob Lundsten – expressed concern that an amendment for personal care homes did not come before the Community Council and that first reads of ordinances are made at Work Sessions.

Mayor Wright closed public comment.

EXECUTIVE SESSION:

Mayor Wright motioned to break for Executive Session for purposes of discussion of personnel, legal and real estate matters. Council Member Wittenstein seconded. The motion was voted and carried unanimously (7-0).

The meeting was reconvened.

ADJOURN:

Council Member Shortal motioned to adjourn. Council Member Taylor seconded. The motion was voted and carried unanimously.

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk