

CITY OF DUNWOODY
April 26, 2010
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, April 26, 2010. The 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 3, Post 3	Tom Taylor, Council Member
At Large, Post 4	Robert Wittenstein, Council Member
At Large, Post 5	Danny Ross, Council Member
Also present:	City Manager Warren Hutmacher City Clerk Sharon Lowery City Attorney Brian Anderson Public Works Director Michael Smith Finance Director Chris Pike Chief of Police Billy Grogan Sgt. Carlson Kimberly Greer

CALL TO ORDER:

Mayor Wright called the meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS:

All members were present except Council Member Bonser and Council Member Heneghan.

Cindy Sedran made a special presentation to Sgt. Carlson on behalf of the newly graduated class of the Citizen's Police Academy.

INVOCATION: led by Council Member Ross.

PLEDGE OF ALLEGIANCE: led by Council Member Taylor.

PUBLIC COMMENT:

Bill Grant – said that the recycling effort sponsored by the Dunwoody Chamber of Commerce on Earth Day was very successful, and that the event will be held again on May 22, 2010 from 12:00 p.m. to 4:00 p.m. He also voiced concern about the proposed noise ordinance amendment.

Sheryl Arno of the DeKalb Developmental Disabilities Council – spoke as a representative of AADD, an agency representing children and adults with developmental disabilities. She said that the AADD's annual Heart of Gold Awards Dinner was held on April 20th, and Representative Fran Millar and Council Member Robert Wittenstein received awards for their efforts in advocacy for those with developmental disabilities.

MAYOR AND COUNCIL COMMENT:

Mayor Wright announced that H.B. 203 passed, granting the parks and the bond funds for Brook Run Park to the City of Dunwoody. He acknowledged students from Georgia Perimeter College, as well as Boy Scouts present from Troop 477 who are working towards their Citizenship Badges. Mayor Wright reminded the citizens that May 3, 2010 is “National Physical Fitness Day”, and that Dunwoody Baptist Church is having an open house that day with many classes being held on physical fitness.

Council Member Ross announced that the annual “Lemonade Days” event had its largest attendance this year, and he thanked everyone who attended.

Council Member Wittenstein thanked the AADD for the work they do and for the honor of being recognized by them.

Council Member Denis Shortal thanked everyone who volunteered at the Dunwoody Nature Center. He encouraged those interested in volunteering to e-mail Bill Tobin at the following address: williamtobin@comcast.net. Council Member Shortal thanked Dave Daniels for placing a neighborhood watch sign in a neighborhood in Dunwoody.

Council Member Taylor said that H.B. 203 granting the parks to the City of Dunwoody passed. He said that tonight at 11:00 p.m. on WSB TV news, there will be coverage of today’s training of the North Metro SWAT Team. Council Member Taylor said he will recuse himself from further participating in this Council Meeting due to a potential legal issue.

MINUTES:

Approval of Meeting Minutes from the March 8, 2010 City Council Work Session Meeting.

Approval of Meeting Minutes from the March 22, 2010 City Council Work Session Meeting.

Approval of Meeting Minutes from the March 22, 2010 City Council Meeting.

Council Member Wittenstein motioned to approve all three sets of minutes as presented. Council Member Shortal seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

APPROVAL OF MEETING AGENDA:

Mayor Wright motioned to approve the meeting agenda as amended by moving Item I5 to J2, and by adding as Item L5 “Nomination of the Branding Sounding Board”. Council Member Shortal seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

CONSENT AGENDA:

Resolution to appoint members of Town and Gown Committee. (RESOLUTION 2010-04-13)
(Mayor Wright)

Second Read: Ordinance to amend Chapter 7, Building Code, to add inspections of multifamily rental housing. (ORDINANCE 2010-04-12) (Tom Taylor)

Second Read: Ordinance to amend Chapter 15, Business Occupation Tax, Licenses and Regulation, by adding a requirement for multifamily rental housing occupation tax certificate applicants. (ORDINANCE 2010-04-13) (Tom Taylor)

Multi-Family Code Compliance and Inspections Policy. (Tom Taylor)

Master Plan contract award - Dunwoody Village and Georgetown. (Warren Hutmacher)

Approval of Sidewalk Improvement Policy. (Michael Smith)

Resolution to adopt Green Buildings Policy. (RESOLUTION 2010-04-14) (Kimberly Greer)

Resolution to adopt No Net Loss of Trees Policy. (RESOLUTION 2010-04-16) (Kimberly Greer)

Resolution to adopt LED Traffic Signals Policy. (RESOLUTION 2010-04-17) (Kimberly Greer)

SECOND READ: Ordinance to amend Fiscal Year 2010 Budget to fund Economic Development study. (ORDINANCE 2010-04-14) (Warren Hutmacher)

Council Members voted to move Item I5 (Master Plan contract award – Dunwoody Village and Georgetown.) to Item J2 under Unfinished Business. Council Member Wittenstein motioned to approve the Consent Agenda as amended. Council Member Ross seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

UNFINISHED BUSINESS:

Resolution Naming the NW Access Road for Peachtree Industrial Boulevard. (RESOLUTION 2010-02-06) (Community Development)

The Resolution was read by City Clerk Sharon Lowery. The resolution was presented by City Planner Howard Koontz. Council Member Wittenstein motioned to approve the resolution. Mayor Wright seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

Master Plan contract award - Dunwoody Village and Georgetown. (Warren Hutmacher)

City Manager Warren Hutmacher gave the presentation. He said that the total contract award is \$330,000.00, with \$250,000.00 initially budgeted for 2010, and a subsequent LCI grant award of \$80,000.00 for the Dunwoody Village Master Plan. Mr. Hutmacher said the City can hold the \$80,000.00 in reserve and spend it as necessary to fully finish the study. Council Member Ross motioned that prior to spending any of the \$80,000 City staff come before Mayor and Council for approval. Council Member Shortal seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining. Council Member Ross motioned to award the contract to Urban Collage, and to authorize the City Manager to sign the contract. Council Member Wittenstein seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

REPORTS AND PRESENTATIONS:

Chief of Police Billy Grogan and Sgt. Carlson presented the first graduates of the Citizen's Police Academy. Larry Echikson, one of the graduates, spoke on behalf of the graduating class and thanked the Dunwoody Police Department and Sgt. Carlson for the opportunity. Chief Grogan and Sgt. Carlson presented a certificate of completion to each of the graduates.

NEW BUSINESS:

Resolution to adopt Community Incentives for Green Building Policy. (RESOLUTION 2010-04-15) (Kimberly Greer)

The resolution was read by City Clerk Sharon Lowery. Kimberly Greer presented the Resolution on behalf of the Sustainability Commission, and said that at the suggestion of Mayor and Council, the language regarding “pervious paving material” was added to the Resolution. Council Member Ross motioned to approve the Resolution. Council Member Wittenstein seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

FIRST READ: Ordinance to amend Chapter 16 Offenses and Violations re: Noise. (ORDINANCE 2010-02-08) (Denis Shortal)

The ordinance was read by City Clerk Sharon Lowery. Council Member Shortal said that because there was no action taken with regard to this ordinance for more than 60 days, it is now being brought before Mayor and Council again as a first read.

Contract amendment for Lowe Engineers – Parks. (Warren Hutmacher)

City Manager Warren Hutmacher presented this matter. He said that after Governor Perdue signs the bill that will give the City’s parks to the City of Dunwoody, this contract will provide for a full time Parks and Recreation Manager at a cost of \$12,000.00 per month. Mayor Wright motioned to approve the contract amendment. Council Member Shortal seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

Initiation of text amendments.

Council Member Wittenstein requested that a text amendment be made to Chapter 27, Article 1, Division 1, Sections 1-17 to change the definition of “paved” to include non-impervious surfaces.

Nominate Branding Sounding Board for Council approval.

Mayor Wright nominated Debbie Smith, Brian Sims and Nancy Musslewhite to serve on the Branding Sounding Board. Council Member Wittenstein motioned to appoint the nominees. Council Member Shortal seconded. The motion was voted and carried (4-0), with Council Member Taylor abstaining.

OTHER BUSINESS: None.

PUBLIC COMMENT:

Page Olson – voiced concerns regarding any changes in time schedules for allowing construction in the City of Dunwoody due to noise.

Stacey Harris – voiced concerns regarding any changes in time schedules for allowing construction in the City of Dunwoody due to noise, and gave the City Clerk a handout of the pertinent DeKalb County Code regarding this matter.

EXECUTIVE SESSION:

Mayor Wright motioned to break for Executive Session for purposes of discussion of litigation and real estate. Council Member Wittenstein seconded. The motion was voted and carried unanimously (4-0). Executive Session was held.

ADJOURN:

There being no further business, the meeting was adjourned.

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk