

CITY OF DUNWOODY
May 10, 2010
CITY COUNCIL WORK SESSION MINUTES

The Mayor and Council of the City of Dunwoody held a Work Session on Monday, May 10, 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
At Large, Post 4	Robert Wittenstein, Council Member (arrived at 7:56 p.m.)
At Large, Post 5	Danny Ross, Council Member
At Large, Post 6	John Heneghan, Council Member
Also present:	City Manager Warren Hutmacher City Clerk Sharon Lowery City Attorney Brian Anderson Assistant City Attorney Lenny Felgin Community Development Director Michael Tuller City Planner Howard Koontz Kimberly Greer

CALL TO ORDER:

Mayor Wright called the meeting to order. All members were present except Council Member Bonser. Council Member Wittenstein arrived at 7:56 p.m.

INVOCATION: led by Council Member Ross.

PLEDGE OF ALLEGIANCE: led by Council Member Shortal.

PUBLIC COMMENT: None.

MAYOR AND COUNCIL COMMENT:

Mayor Wright said that the Governor signed HB 203 regarding Dunwoody City Parks last Friday. He said that the City is looking into the matter of the Dunwoody Post Office not flying the U.S. flag.

Council Member Ross said that last Wednesday the first City of Dunwoody Economic Development session was held, and they discussed how to make Dunwoody more of a destination city, including possibly creating a City of Dunwoody hall of fame museum.

Council Member Heneghan said that the City of Dunwoody has received a Safe Routes to School Grant in the amount of \$460,000.00 for Capital Improvements in or around Kingsley Elementary School.

Council Member Shortal said that the Dunwoody Art Festival was overall a positive event, but the City can work on ways to enhance the festival.

Mayor Wright said he wants to add a discussion of parks to the agenda. Mayor Wright said that Bill McCahan will come to the next Dunwoody City Council Meeting to discuss the Brook Run Conservancy.

City Attorney Brian Anderson said the City has to decide what parks it wants, then pay \$100.00 per acre; it will take 30 days to transfer title; then an additional 30 days for the bonds to be transferred to the City. He said that the procurement of the parks can be made by resolution.

CITY BUSINESS:

Economic development presentation by Don Beaver, President of Cobb Chamber of Commerce. (Denis Shortal)

Council Member Shortal introduced Don Beaver, President of the Cobb Chamber of Commerce. Mr. Beaver spoke about economic development. He said it is very important to set a priority and a vision and stick to that vision. He said communication with strategic partners is key to success in this area, as 60% of all leads come from power companies. He emphasized the importance of making permitting a one stop process, as it is in Cobb County. He stressed the critical subject of redevelopment (taking old infrastructure and turning it around). He said that transportation is a challenge for the City of Dunwoody, just as it is for any city, but that the City of Dunwoody is already doing the most important things to lead to healthy economic development of the City.

First quarter financial statements. (Warren Hutmacher)

City Manager Warren Hutmacher presented this matter. He said that 98% of all 2009 taxes have been collected, the City has received a \$190,000.00 check from Georgia Power that we had not budgeted for that is related to December collections of our franchise fee, and the City has collected over \$2,000,000.00 in occupational taxes to date (and the City expects this to go up to about \$2,200,000.00. He stated that the City is doing better on business tax collection than expected, because there were not as many refunds as the City anticipated issuing to taxpayers. Hotel/Motel tax is up. He said that electronic ticketing is helping with collection of fines and permits. The City is about \$600,000.00 ahead of schedule on revenue, although the property digest is in and is down approximately 2% from last year. The City is also ahead of schedule on expenses. Council Members discussed the financial statements.

FIRST READ – Ordinance to adopt City of Dunwoody Code of Ordinances. (ORDINANCE 2010-XX-XX). (Sharon Lowery)

City Clerk Sharon Lowery read the ordinance. Assistant City Attorney Lenny Felgin presented the ordinance. Council members discussed the ordinance.

FIRST READ – Ordinance to amend the Zoning Classification of 121 Perimeter Center Parkway (RZ 10-041) from OI to OCR. (ORDINANCE 2010-05-XX). (Community Development)

City Clerk Sharon Lowery read the ordinance. City Planner Howard Koontz presented the ordinance. He said that City staff supports the ordinance, except that City staff recommends that Mayor and Council restrict the residential component.

Council Member Wittenstein arrived and asked questions of City Manager Warren Hutmacher regarding the first quarter financial statements.

FIRST READ – Ordinance to authorize a Special Land Use Permit to 121 Perimeter Center Parkway (SLUP 10-041) from OI to OCR. (ORDINANCE 2010-05-XX) (Community Development)

City Planner Howard Koontz presented the ordinance. Council Member Wittenstein recused himself regarding the ordinance, and sat with the audience during the discussion of the ordinance. Mr. Koontz said that the Community Council and the Planning Commission approved the ordinance, and City staff supports the ordinance. Council Members discussed the ordinance.

Discussion of text amendment for OI zoning district. (Community Development)

City Planner Howard Koontz presented the ordinance. He said that restaurant use moved to use by SLUP rather than by right, and retail liquor stores are now considered retail use under this amendment. He said that the amendment also allows retail uses to be accessible from outside of the building. He explained that this amendment is designed so that an entire building does not need to stay open for retail establishments in the same building. Council members discussed the text amendment.

Enhanced 911 Emergency Communications Service Provision update. (Warren Hutmacher)

City Manager Warren Hutmacher presented this matter. He said he met with ChatComm on April 29, 2010. He said that the City of Chamblee declined the City of Dunwoody's offer to partner with them. They are estimating a flat fee cost of \$1,137,000.00 for a four year contract for 911 services. He said that ChatComm provides services to both Johns Creek and Sandy Springs. Council Member Ross said that he wants for the City of Dunwoody to handle its own 911 services. City Manager Hutmacher said it would cost more for the City of Dunwoody to handle its own 911 services than it would to enter into a contract with ChatComm. Council Member Wittenstein said that to change the City's 911 system would bring about a tax increase for citizens. City Manager Hutmacher said that the tax is currently \$1.50 for 911 services, but he said it probably needs to be \$2.00. City Manager Hutmacher said that the City's 911 revenue is estimated at \$900,000.00 to \$1,200,000.00. Council Member Shortal asked if HOST funds can be used in the amount of \$275,000.00 for 911 services. City Manager Hutmacher said that HOST funds could be used in that amount as long as it is for a capital expenditure. Council Member Shortal recommended going forward with looking at ChatComm, then looking at the City's option to have its own 911 services, then considering keeping our 911 services the way they are. City Manager Hutmacher's recommendation was to draft a contract with ChatComm and let them review it, and to continue to look at our options to have our own City's 911 center.

Discussion of Georgetown Master Plan. (Adrian Bonser)

Deferred to June Work Session.

Discussion of City of Dunwoody 2030 Comprehensive Plan for transmittal to the Atlanta Regional Commission and the Department of Community Affairs. (Community Development)

Community Development Director Michael Tuller presented Dan Cohen of Pond & Company to discuss the creation of the document. Council Member Heneghan said that the 2005 Perimeter LCI update was not provided to council, and it was not updated. He said that now this is zoned OI, and then it was zoned residential. He said we do not want to use the 2005 LCI update. Mr. Cohen said that this document is just a possibility. Council Member Ross said that density is an issue, and that the City needs to provide an opportunity for redevelopment, and consider greenspace by building higher to create more greenspace. Council Member Shortal said that "functional greenspace" needs

to be better defined, Chamblee Dunwoody Technical School needs to be mentioned in the character areas, “seniors” needs to be replaced with “multigenerational,” and “pocket parts” needs to be defined. Council Member Wittenstein said that with the Brook Run Master Plan and the Georgetown and Dunwoody Village Master Plan, by designating a certain number of units per acre, the City may be creating mixed use where it does not want mixed use. Council Member Shortal said that citizens are concerned about increased density and height. Council Member Wittenstein suggested accepting all changes currently shown in the document, then showing redlined changes from this meeting, and Mayor and Council can review the new changes at the Special Called Meeting on May 17, 2010. City Manager Hutmacher said that from a scheduling standpoint, there will be a public hearing on this matter on May 24, 2010, a Special Called Meeting at 7:00 p.m. on June 14, 2010 with one item on the schedule for voting on the Comprehensive Plan, followed by the regular Work Session on June 14, 2010.

Avoiding conflicts of interest on zoning matters discussion. (Robert Wittenstein)

Council Member Wittenstein said that he accepted many campaign contributions, and he wants to know if he would have a conflict of interest with regard to voting for or against a potential contractor that he has accepted campaign contribution money from. City Attorney Brian Anderson said that there is no legal issue with this, but that it can be handled by Mayor and Council in any way they desire from a policy standpoint. Mayor and Council agreed that there is no policy issue with this, and no conflict of interest, as long as Council Member Wittenstein discloses any relationship prior to voting on a related matter.

Discussion of signage for special events. (Danny Ross)

Council Member Ross said that the Dunwoody Art Festival was a great success, and he congratulated those who organized the festival. He said that Chapter 20, Section 10(a) of the City Code provides discretion for banner signs, and he said that there were banners all over the City that were permitted. He said he will be bringing forward an amendment at the next meeting that will prohibit this from now on.

Discussion of Parks. (Mayor Wright)

Mayor Wright said that he has invited Bill McCahan to come to the next Council Meeting to speak about the Brook Run Conservancy. Mayor Wright said that the City needs to have an organized plan with regard to the parks, and questioned whether the City needs to appoint a committee to do this. Council Member Ross said that he has a vision that there would be a public/private partnership. Council Member Wittenstein suggested putting together a citizen’s advisory group. City Manager Hutmacher said that he would like to conduct additional research on a parks and recreation advisory group and how other communities handle this, and he also said that he thinks the City would be well served if it develops a city-wide park master plan. City Manager Hutmacher said that the person that the City has hired to be Director of Parks and Recreation for the City currently has a job, but there is plenty for this person to do now, so depending on what Mayor and Council decides, he can give Director of Public Works Michael Smith notice to proceed. Council Member Heneghan expressed concern regarding safety of the buildings and facilities of the parks. City Manager Hutmacher said that the City toured the facilities last week and conducted a complete inventory. He said the City is going to every single facility and generating work orders for Director of Public Works Michael Smith.

Initiation of text amendments.

Council members directed staff to initiate a text amendment for OI regarding SLUPs for restaurants and retail stores in office buildings.

PUBLIC COMMENT: None.

EXECUTIVE SESSION:

Mayor Wright motioned, without objection, to recess for Executive Session for purposes of discussing real estate and litigation.

ADJOURN:

There being no further business, the meeting was adjourned. (Mayor Wright motioned to adjourn the meeting. The motion was seconded. The motion was voted and carried unanimously (5-0).

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk