

CITY OF DUNWOODY
July 26, 2010
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting Monday, July 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 2, Post 2	Adrian Bonser, Council Member
District 3, Post 3	Doug Thompson, 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
Also present:	City Manager Warren Hutmacher City Clerk Sharon Lowery City Attorney Brian Anderson Assistant City Attorney Lenny Felgin Finance Director Chris Pike Deputy Chief David Sides City Engineer Rich Edinger Director of Public Works Michael Smith City Planner Howard Koontz Parks and Recreation Manager Brent Walker Kimberly Greer

CALL TO ORDER:

Mayor Wright called the meeting to order. Honorable Judge Rick Powell administered the Oath of Office to Douglas R. Thompson, Council Member, District 3 Post 3.

ROLL CALL AND GENERAL ANNOUNCEMENTS:

Proclamation Commending Tom Taylor.

Mayor Wright presented a Proclamation commending former Council Member Tom Taylor.

Recognition of Officer Joseph Tomalka for Educational Accomplishments.

Officer Joseph Tomalka was recognized for educational accomplishments by Deputy Chief David Sides.

Introduction of Trina Gallien, Dunwoody Municipal Court Clerk.

City Manager Warren Hutmacher introduced the new Municipal Court Clerk, Trina Gallien.

Proclamation Commemorating One-Year Anniversary of Dunwoody Community Garden. (Adrian Bonser)

This Proclamation was moved to the August 23, 2010 City Council Meeting agenda.

Certified City of Ethics Presentation.

Council Member Ross displayed the Certified City of Ethics award that was presented to the Mayor and City Council on June 28, 2010, by the Georgia Municipal Association. Council Member Ross said that the first ordinance that the City passed was the Ethics Ordinance.

Presentation of Award for the 2010 Fiscal Budget.

City Manager Warren Hutmacher presented the Distinguished Budget Presentation Award for the City's Fiscal Year 2009 Budget, which was awarded to the City by the Government Finance Officers Association. Finance Director Chris Pike said that across the nation, less than 1000 cities receive this award, and he thanked Lisa Ferguson, Denise Walker and Edie Damann for their hard work on this budget.

INVOCATION: led by Council Member Ross.

PLEDGE OF ALLEGIANCE: led by Council Member Doug Thompson.

MINUTES:

Approval of Meeting Minutes from the June 21, 2010 City Council Special Called Meeting.

Approval of Meeting Minutes from the July 12, 2010 City Council Work Session.

Council Member Wittenstein motioned to approve the June 21, 2010 City Council Special Called Meeting minutes and the July 12, 2010 City Council Work Session minutes. Council Member Bonser seconded. The motion was voted and carried unanimously (6-0).

APPROVAL OF MEETING AGENDA:

No action taken.

PUBLIC COMMENT:

Cheryl Summers – voiced concerns regarding eliminating the center turn lane on Tilly Mill Road.

Joe Hirsch – voiced concerns regarding noise during construction at Dunwoody High School.

Philip Green – spoke in favor of independent fire services and an independent E-911 center in the City.

Cindy Silver – requested that the unit pricing for gas stations be exempt from the changeable copy sign ban in the proposed sign ordinance.

Thom Runyon – expressed concern about speeding on Dunwoody Club Drive.

Gerri Penn – voiced concerns regarding the banner allowance in the proposed sign ordinance, and recommended that sign maintenance be addressed in the ordinance.

Kristin Weber – voiced concern regarding speeding on Dunwoody Club Drive, particularly at the Woodsong Trail intersection.

MAYOR AND COUNCIL COMMENT:

Council Member Ross said that the Spruill Center for the Arts holds a program for Alzheimer's patients at 10:30 a.m. each Friday, and said that the program is designed by the Metropolitan Museum of Art in New York City. He also said the Director is creating a program to train people to build their own center for arts in their communities.

Council Member Bonser said she met with some residents on Peeler Road affected by the skate park noise and lights. She thanked Parks and Recreation Manager Brent Walker for resolving the concerns about the noise, and said that the City is working on resolving the concerns with the lights. She said that Dunwoody's first annual Special Olympics Car Show will be held on Saturday, August 14, 2010 from 9:00 a.m. to 3:00 p.m., with \$2.00 raffle tickets being sold by Officer Rusty Furman, or Executive Assistant to the Chief of Police Liz Stell. She reminded that the Dunwoody Community Garden will be on the American Community Garden Association National Tour on Saturday, August 7, 2010.

Council Member Doug Thompson said that he is excited to be a member of the Dunwoody City Council.

Mayor Wright welcomed Council Member Thompson to the Dunwoody City Council.

CONSENT AGENDA:

Resolution Establishing Park Facility Rental Fees (RESOLUTION 2010-07-28). (Brent Walker)

Council Member Ross motioned to approve the Consent Agenda. Council Member Wittenstein seconded. The motion was voted and carried unanimously (6-0).

UNFINISHED BUSINESS:

PUBLIC HEARING: Proposed Text Amendments to Chapter 20, Signs, and Chapter 27, Zoning, Article III, Overlay District Regulations, §20-1276, Sign Regulations. (Community Development)

Mayor Wright opened the public hearing without objection. City Planner Howard Koontz presented the proposed text amendments. Mayor Wright opened public comment in favor of the proposed text amendments without objection.

Bill Robinson - spoke in favor of the text amendments.

Yvonne Williams - requested that the overlay district language be complementary with the proposed text amendments.

Mayor Wright opened public comment against the proposed text amendments without objection.

Gerri Penn – voiced concern about the text amendments regarding the number of banners and the size of banners allowed; about the definition of handmade signs animated as a result of human activity/hand held signs.

Bob Lundsten – said that he thinks the sign ordinance should go back to the Community Council and Planning Commission.

Joe Hirsch – voiced concern about the sign ordinance.

Mayor Wright closed public comment and the public hearing without objection.

SECOND READ – Ordinance to Amend Chapter 20, Signs, and Chapter 27, Zoning, Article III, Overlay District Regulations, §20-1276, Regulations. **(ORDINANCE 2010-07-23)** (Community Development)

City Clerk Sharon Lowery read the ordinance. Council Member Wittenstein motioned to approve the ordinance. Council Member Ross seconded. Council discussed the ordinance and recommended some revisions to the ordinance.

Mayor Wright opened public comment.

Council Member Wittenstein presented a number of proposed changes he recommended be made to the sign ordinance.

Bob Lundsten – said that the sign ordinance needs to go back to the public for review.

Gerri Penn – requested that the citizens be given the opportunity to review this ordinance in its current version.

Bob Lundsten – requested that the public have the opportunity to review this ordinance in its current version.

Mayor Wright closed public comment.

Council Member Bonser motioned to defer the sign ordinance, and remand it back to the Community Council and the Planning Commission. Council Member Heneghan seconded. The motion was voted and carried unanimously (6-0).

SECOND READ – Ordinance to Amend Chapter 16, Land Development, Article 2, §16-254(4) Regarding Permissible Uses Within the City 75-Foot Stream Buffer. **(ORDINANCE 2010-07-24)** (Robert Wittenstein)

The ordinance was read by City Clerk Sharon Lowery. City Engineer Rich Edinger presented the ordinance. Council members discussed the ordinance. Council Member Ross motioned to approve the ordinance. Council Member Wittenstein seconded. The motion was voted and carried unanimously (6-0).

REPORTS AND PRESENTATIONS:

Update on speeding on Dunwoody Club Drive. (Adrian Bonser)

The update was presented by Deputy Chief David Sides and Public Works Director Michael Smith. Deputy Chief Sides said that officers are writing citations for speeding on this street. Public Works Director Michael Smith said that radars will have to be funded by action of Council, but the radars can be moved around to different locations. Council Member Heneghan requested that a traffic study be done in the area of Dunwoody Club Drive at the intersection of Woodsong Trail. City

Manager Warren Hutmacher said that the City will do a traffic study at Woodsong Trail and Dunwoody Club Drive, and will bring the matter before Council in the September or October work session.

NEW BUSINESS:

Resolution Authorizing the Acquisition of North DeKalb Cultural Arts Center and Library.
(RESOLUTION 2010-07-30) (Warren Hutmacher)

The resolution was presented by City Manager Warren Hutmacher. Council Members discussed the resolution. Mayor Wright requested that the staff determine the actual cost of upkeep to maintain the Spruill Center. Council Member Wittenstein motioned to approve the resolution. Mayor Wright seconded. The motion was voted and carried unanimously (6-0).

FIRST READ – Ordinance Amendment to Chapter 4, Alcohol, for modifying the requirements relating to package sale distances from private dwellings. **(ORDINANCE 2010-07-25)** (Adrian Bonser)

City Clerk Sharon Lowery read the ordinance. Council Member Bonser requested that the reference to 50% from sales of food be amended to add “or from sundries and from pharmaceuticals.” Council Members discussed the ordinance. Council Member Heneghan asked if the City has done a study on how far reaching this is, and asked if the residents have been notified. Mayor Wright directed staff to place this matter on the August Work Session agenda.

Initiation of Text Amendments. None.

OTHER BUSINESS: None.

PUBLIC COMMENT:

Gerri Penn – thanked Mayor and Council for deferring the sign ordinance. She voiced concern about the proposed alcohol ordinance.

Rob Dillon – spoke in favor of the proposed alcohol ordinance.

EXECUTIVE SESSION: None.

ADJOURN:

There was a motion to adjourn. Council Member Wittenstein seconded. The motion was voted and carried unanimously (6-0).

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk