

**CITY OF DUNWOODY
JANUARY 24, 2011
CITY COUNCIL WORK SESSION MINUTES**

The Mayor and Council of the City of Dunwoody held a Work Session on Monday, January 24, 2011 at 6:00 p.m. 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 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
	Finance Director Chris Pike
	Chief of Police Billy Grogan
	Community Development Director Michael Tuller
	Parks and Recreation Director Brent Walker
	Kimberly Greer

CALL TO ORDER:

Mayor Wright called the meeting to order.

INVOCATION:

Led by Council Member Ross.

PLEDGE OF ALLEGIANCE:

Led by Council Member Shortal.

PUBLIC COMMENT:

Mayor Wright opened public comment without objection.

There was none.

Mayor Wright closed public comment without objection.

MAYOR AND COUNCIL COMMENT:

There was none.

CITY BUSINESS:

Review of January 24, 2011 City Council Meeting Agenda.

Council reviewed the January 24, 2011 City Council Meeting Agenda.

PUBLIC COMMENT:

Sarah Smith – voiced concern regarding DeKalb County Schools' redistricting and decentralized plan.

EXECUTIVE SESSION:

Mayor Wright motioned to break for Executive Session for purposes of personnel and real estate discussions. The motion was seconded. The motion was voted and carried unanimously (7-0).

ADJOURN:

Council Member Wittenstein motioned to adjourn the meeting. Mayor Wright seconded. The motion was voted and carried unanimously (7-0).

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk

**CITY OF DUNWOODY
JANUARY 24, 2011
CITY COUNCIL MEETING MINUTES**

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, January 24, 2011 at 7:00 p.m. 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 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 Chief of Police Billy Grogan Community Development Director Michael Tuller Parks and Recreation Director Brent Walker Kimberly Greer

CALL TO ORDER:

Mayor Wright called the meeting to order.

Update on School Redistricting. (Nancy Jester)

Mayor Wright introduced DeKalb County Board of Education District 1 Representative Nancy Jester. Ms. Jester gave an update on school redistricting.

Proclamation – “Clean, Fix and Shine-Up Dunwoody Day” Recognition.

Read by City Clerk Sharon Lowery. Presented by Council Member Denis Shortal.

Presentation to Dunwoody Police Department by Rotary Club of Dunwoody.

Kelly Hundley, Esq., Race Director for RunDunwoody, sponsored by the Rotary Club of Dunwoody, presented Chief of Police Billy Grogan with a check in the amount of \$7,500.00, which the Dunwoody Police Department has decided to utilize for community outreach programs. Mr. Hundley reported that RunDunwoody raised just over \$16,000.00 to benefit local first responders.

Recognition of Lieutenant David Barnes for his Graduation from the F.B.I. National Academy Program. (Chief Grogan)

Chief of Police Billy Grogan recognized Lieutenant David Barnes for his graduation from the F.B.I. National Academy Program. Chief Grogan congratulated Lieutenant Barnes for making straight A's in all of his classes in this program, and for attaining the yellow brick as well as the blue brick in the program.

ROLL CALL AND GENERAL ANNOUNCEMENTS:

Council Member Wittenstein requested that the portion of the resolution in item L4 regarding magnet schools be removed from the resolution.

Council Member Heneghan reminded that there is a Comprehensive Plan Meeting being held on Tuesday at 6:00 p.m. at Dunwoody United Methodist Church, and a Dunwoody Parks Master Planning Meeting Thursday at 6:00 p.m. at City Hall.

Council Member Shortal reported that the DeKalb County bond rating was lowered by Standard & Poor's last week.

Council Member Bonser reminded that Taste of Dunwoody will be held on February 4, 2011 at 7:00 p.m.

Council Member Thompson said that the City poured a sidewalk today on N. Peachtree Rd. running from Chesnut Charter Elementary School south towards 285.

INVOCATION:

Led by Council Member Ross.

PLEDGE OF ALLEGIANCE:

Led by Council Member Bonser.

MINUTES:

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

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

Approval of Meeting Minutes from the December 13, 2010 City Council Special Called Meeting.

Approval of Meeting Minutes from the January 18, 2011 City Council Work Session Meeting.

Council Member Wittenstein motioned to approve the November 22, 2010 City Council Work Session meeting minutes, the November 22, 2010 City Council Meeting minutes, the December 13, 2010 City Council Special Called Meeting minutes, and the January 18, 2011 City Council Work Session meeting minutes as presented. Council Member Heneghan seconded. The motion was voted and carried unanimously (7-0).

APPROVAL OF MEETING AGENDA (add or remove items from agenda):

Council Member Wittenstein requested that item L4 be moved to item L1, and that items L1, L2 and L3 become items L2, L3 and L4 respectively. Mayor Wright seconded. The motion was voted and carried unanimously (7-0).

PUBLIC COMMENT:

Kimberly Kirkland – voiced concern regarding the proposed resolution on DeKalb County school redistricting.

Sarah Smith – placed into the public record a petition opposing redistricting.

Allegra Johnson – said that she would like attention focused on middle schools and high schools in the City.

Renate Herod – spoke in favor of including multifamily in the proposed redistricting resolution.

MAYOR AND COUNCIL COMMENT:

There was none.

CONSENT AGENDA:

There were no items on the Consent Agenda.

UNFINISHED BUSINESS:

PUBLIC HEARING - Ordinance to Amend Chapter 27 Zoning, Article 1, §21-1 "Definitions" re: Definition of Paved. (Mike Tuller).

Mayor Wright opened the public hearing without objection.

Community Development Director Mike Tuller presented the ordinance.

Mayor Wright opened public comment without objection.

Mayor Wright asked those wishing to speak in favor of the ordinance to come to the podium.

There was none.

Mayor Wright asked those wishing to speak in opposition to the ordinance to come to the podium.

There was none.

Mayor Wright closed public comment without objection.

Mayor Wright closed the public hearing without objection.

SECOND READ: Ordinance to Amend Chapter 27 Zoning, Article 1, §27-1 "Definitions" re: Definition of Paved. (ORDINANCE 2011-01-01) (Mike Tuller)

Read by City Clerk Sharon Lowery. Council Member Wittenstein motioned to approve the ordinance. Council Member Ross seconded. Council Member Shortal motioned to amend the ordinance to delete the last sentence of the definition of pervious surface. Mayor Wright seconded. The amended motion was voted and failed (2-5), with Council Member Shortal and Mayor Wright voting in favor of the motion, and Council Members Bonser, Heneghan, Ross, Thompson and Wittenstein voting against the motion. The original motion was voted and carried (5-2) with Council Members Bonser, Heneghan, Ross, Thompson and Wittenstein voting in favor of the ordinance, and Mayor Wright and Council Member Shortal voting against the ordinance.

SECOND READ: Ordinance to Amend Chapter 26, Streets, Sidewalks and Other Public Places re: Pole Banner Provisions for Special Events. (ORDINANCE 2011-01-02) (Mike Tuller)

Read by City Clerk Sharon Lowery. Mayor Wright motioned to approve the ordinance. Council Member Bonser seconded. The motion was voted and carried unanimously (7-0).

SECOND READ: Ordinance to Amend Code of Ordinances to Add Chapter 25, Parks and Recreation. (ORDINANCE 2011-01-03) (Brent Walker)

Read by City Clerk Sharon Lowery. Mayor Wright motioned to approve the ordinance. Council Member Ross seconded. The motion was voted and carried unanimously (7-0).

PUBLIC HEARING - Ordinance to Amend Chapter 10 , Business License re: Regulation of Massage and Spa Establishments. (Lenny Felgin)

Mayor Wright opened the public hearing without objection.

Assistant City Attorney Lenny Felgin presented the ordinance.

Mayor Wright opened public comment without objection.

Mayor Wright asked those wishing to speak in favor of the ordinance to come to the podium.

There was none.

Mayor Wright asked those wishing to speak in opposition to the ordinance to come to the podium.

Joe Hirsch – voiced concern regarding the ordinance.

Mayor Wright closed public comment without objection.

Mayor Wright closed the public hearing without objection.

SECOND READ: Ordinance to Amend Chapter 10, Business License re: Regulation of Massage and Spa Establishments. (ORDINANCE 2011-01-04) (Lenny Felgin)

Read by City Clerk Sharon Lowery. Mayor Wright motioned to approve the ordinance. Council Member Ross seconded. The motion was voted and carried unanimously (7-0).

SECOND READ: Ordinance to Amend Chapter 6, Animals re: Animal Control. (ORDINANCE 2011-01-05) (Warren Hutmacher)

Read by City Clerk Sharon Lowery. Council Member Shortal motioned to approve the ordinance. Council Member Thompson seconded. Council Member Heneghan motioned to amend Section 6.9 regarding DeKalb County owner's permit, to remove from the first sentence the words "the DeKalb County owner's permit and," and to remove the following words from the next sentence after the word "collar:" "together with the permit and tag." Mayor Wright seconded for purposes of discussion. The amended motion was voted and failed (0-7). The original motion was voted and carried unanimously (7-0).

REPORTS AND PRESENTATIONS:

There were none.

NEW BUSINESS:

FIRST READ: Ordinance to Amend Chapter 26: Streets, Sidewalks and Other Public Places re: Recycling at Special Events. (ORDINANCE 2011-02-XX) (Mike Tuller)

This item was moved to item L2. Read by City Clerk Sharon Lowery. Presented by Community Development Director Mike Tuller. This item will be a Second Read at the first voting meeting in February, 2011.

Resolution Authorizing Zip Code Change Request of United States Postal Service. (RESOLUTION 2011-01-01) (Kimberly Greer)

This item was moved to item L3. Read by City Clerk Sharon Lowery. Council Member Wittenstein motioned to approve the resolution. Council Member Heneghan seconded. The motion was voted and carried unanimously (7-0).

Award of Contract for Consulting Services for Vendor Selection Process. (Warren Hutmacher)

This item was moved to item L4. Presented by City Manager Warren Hutmacher. City Manager Hutmacher said that the City received four bids in response to the request for proposal, which ranged from \$25,000.00 to \$64,800.00. Mr. Hutmacher recommended that Council approve the contract award for either Hill International, Inc. in the amount of \$22,500.00 or Rahim, Inc. d/b/a RNR Consulting "RNR" in the amount of \$45,360.00; he explained that RNR would be able to provide industry knowledge and experience that Hill International, Inc. would not be able to provide. Council Member Wittenstein motioned to authorize the City Manager to execute a contract with RNR in an amount up to \$45,360.00. Mayor Wright seconded. The motion was voted and carried (5-2), with Mayor Wright and Council Members Bonser, Heneghan, Thompson and Wittenstein voting in favor of the motion, and Council Members Ross and Shortal voting against the motion.

Resolution to the DeKalb County School System Supporting the General Concepts of Allowing Current Dunwoody Cluster Students to Remain in the Dunwoody Cluster and Supporting the Availability of Magnet Programs Throughout the County. RESOLUTION 2011-01-02) (Robert Wittenstein)

This item was moved to item L1. Read by City Clerk Sharon Lowery. Council Member Wittenstein motioned to approve the resolution. Council Member Thompson seconded. Council

Member Wittenstein motioned to amend the resolution as follows: to remove the following words in the title of the resolution: "AND SUPPORTING THE AVAILABILITY OF MAGNET PROGRAMS THROUGHOUT THE COUNTY;" to remove the fourth "Whereas" paragraph from the resolution which states as follows: "WHEREAS, Mayor and City Council of Dunwoody recognize the importance of maintaining the magnet program at the current school locations; and"; and to remove Section 2 from the resolution as follows: "Section 2: Establish a redistricting plan for the Dunwoody Cluster which keeps the Kittredge/Chamblee Middle School/Chamblee High School magnet program at current school locations; and." Council Member Thompson seconded.

Mayor Wright opened public comment without objection.

Mayor Wright asked those wishing to speak in favor of the resolution amendment to come to the podium.

Page Olson – voiced concern regarding Hightower Elementary School that feeds into the Dunwoody cluster.

Mayor Wright asked those wishing to speak in opposition to the resolution amendment to come to the podium.

Renate Herod – voiced concern regarding the resolution.

Mayor Wright closed public comment without objection.

Council voted to amend the resolution as stated, and the vote carried unanimously (7-0).

The amended resolution was voted on and carried unanimously (7-0).

Resolution Adopting and Approving Regulatory Fees for Massage Establishment Licenses and Permits. (RESOLUTION 2011-01-03) (Lenny Felgin)

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

OTHER BUSINESS:

There was none.

PUBLIC COMMENT:

Mayor Wright opened public comment without objection.

Joe Hirsch – voiced concern regarding the pole banner ordinance.

Mayor Wright closed public comment without objection.

INITIATION OF TEXT AMENDMENTS:

There was none.

EXECUTIVE SESSION:

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

ADJOURN:

There being no further business the meeting was adjourned.

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk