

**CITY OF DUNWOODY**  
**November 3, 2008**  
**SPECIAL CALLED**  
**COUNCIL MEETING MINUTES**

The Mayor and Council of the City of Dunwoody held their Special Called council meeting on Monday, November 3, 2008 at 7:00pm. The Council Meeting was held at Dunwoody United Methodist Church located at 1548 Mount Vernon Road, Dunwoody, Georgia 30338. Present for this meeting were the following:

District 1, Post 1	Denis Shortal, 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
	Ken Wright, Mayor
City Attorney	Brian Anderson

Mayor Ken Wright called the meeting to order. Absent were Council Members Adrian Bonser and Tom Taylor. There being no announcements he asked everyone to stand for the Pledge of Allegiance.

**MINUTES:** Council Member Shortal made a motion approve the October 13, 2008 Minutes as amended. Council Member Wittenstein seconded. The motion carried unanimously. Council Member Ross made a motion to approve the October 27, 2008 Minutes as presented. Council Member Wittenstein seconded. The motion carried unanimously.

**AGENDA APPROVAL:** Mayor Wright announced as this was a Special Called Meeting, no agenda changes will be made.

**PUBLIC COMMENT:** Mayor Wright reminded everyone of the time limit for public comment and called for any Public Comment.

Brad Sturgeon deferred comment time to Mr. Craig Hillyard, GM of the Crowne Plaza who spoke of the Alcohol Ordinance and taxation on liquor, specifically the occupancy tax. He voiced his appreciation of the council's consideration of how the licenses/taxes could affect tourism and the allocation of the taxes. Mr. Woolridge voiced his support for comments made by Mr. Hillyard.

Steve Ludwick asked about the absence of Council Members Bonser and Taylor, where the location of city hall will be - possibly Dunwoody Village that maybe something

closer to I-285 would be better. He asked council to consider Dekalb County's Recycle Program and if the city's trash collection program includes recycling.

Brian Sims addressed the council and asked them to consider economics and the quality of life and the long/short term effects for business success when they make their decisions. The Alcohol Beverage Ordinance shows fear not strength; he emphasized Local Taxes; Local Voices.

James Gilmore presented council with a letter signed by himself and Victor Blasetti requesting both "Gilly's" and "Firebird" be provided "Grandfather" status as they have been opened prior to cityhood and both establishments have a spotless record in meeting with the requirements of Dekalb County.

Page Olsen voiced concern that the citizens of Dunwoody be able help with the decisions on branding the city, asked if there is a time line for voting on issues, offered her assistance in helping to brand the city. County services will be ours December 1<sup>st</sup>.

Scott Posvar voiced that the City needs a telephone line.

There being no further comments, Mayor Wright closed the public comment portion of the meeting.

## **UNFINISHED BUSINESS**

**CHAPTER 24, TAXATION:** A Second Read of an Ordinance to Adopt and Approve Chapter 24, Taxation, Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody Georgia to be referenced in the future as Chapter 24 (Taxation) was read by Acting City Clerk Jones. Council Member Shortal made a motion to approve the ordinance approving Chapter 24 as presented. Council Member Ross seconded. There being no discussion, the motion carried unanimously. *(ORDINANCE 2008-10-07)*

**CHAPTER 4, ALCOHOL BEVERAGES:** A Second Read of an Ordinance to Adopt and Approve Chapter 4, Alcohol Beverages, Providing for Inclusion and Identification in the Code of Ordinances for the City of Dunwoody Georgia to be referenced in the future as Chapter 4, (Alcohol Beverages) was read by Acting City Clerk Jones. Council Member Ross made a motion to approve the Ordinance approving Chapter 4 as presented. Mayor Wright seconded. Under discussion, Council Member Ross thanked the team, Brian Olsen, Doug McKendrick, Brad Sturgeon, Bob Leavey, Bev Wingate, Bill Robinson, Bob Dallas, and Attorney Brian Anderson that helped work on this ordinance. He outlined and explained how the closing time for serving alcohol is addressed in this ordinance. Council Member Shortal was pleased with the compromise in this ordinance and reminded everyone 2:00 a.m. is 2:00 a.m. and he thanked everyone for the hard work.

Under further discussion, Council Member Wittenstein explained on behalf of Council Member Taylor that the pouring license requirements have been removed from this ordinance; that it is up to the restaurant managers/owners/establishment to bear this responsibility.

Council Member Heneghan explained there have been many versions of this bill, this is good legislation and is proud of the community for working together on this issue. Council Member Ross followed up that the police can now be utilized in other areas, the restaurants will police themselves, that if this process does not work, the council has the opportunity to make further changes. There being no further discussion, Mayor Wright called for a vote on the motion on the floor. The motion carried unanimously. (*ORDINANCE 2008-11-08*)

### **REPORTS AND PRESENTATION:**

Council Member Heneghan updated the council on the city's website, explaining Jay who has been working part time on this project now has a new baby daughter; however we now have a new website which is DunwoodyGA.gov. This is basic live, this is a work in progress and city information will be placed on the new site.

Council Member Shortal presented information regarding the general RFP's which are now posted on Boyken International website at [www.boyken.com](http://www.boyken.com). Anyone interested in receiving these proposals will need to sign up for them as the City needs to keep records of the responses. Three posted RFP's are: Finance and Administrative Services, Community Development (Engineering) and Public Works and the Banking RFP should be posted within the next few days. The Pre-Proposal conference is November 7<sup>th</sup>, the deadline for written questions is the 12<sup>th</sup> of November and the deadline for the city to respond to the written question is November 15<sup>th</sup> and the deadline for submission of proposal is the 17<sup>th</sup> of November. Responses have been good for the RFP's thus far. These are posted in the AJC and the GMA website, which will direct the inquirer to the Boyken website. Verification will be made that any company/vendors who received Citizens for Dunwoody RFP's will be given this information. Mayor Wright thanked Council Member Shortal for chairing this committee.

Council Member Taylor will be bringing an update on the police project at the next meeting.

### **NEW BUSINESS**

**APPOINTMENT OF CITY MANAGER:** Acting City Clerk Jones read the Resolution 2008-11-10 appointing the City Manager. Council Member Shortal motioned, seconded by Council Member Wittenstein to approve Resolution 2008-11-10 to appoint Warren Hutmacher as City Manager. Mayor Wright gave a brief overview of the review/selection process for the city manager position. He thanked all those who were

involved with this process and recommended approval of this resolution. Mayor Wright gave a brief statement outlining Mr. Hutmacher's qualifications and work history. The motion carried unanimously. (***RESOLUTION 2008-11-10***)

**ALCOHOL LICENSING FEES:** Acting City Clerk read Resolution 2008-11-11 into the record. Council Member Ross motioned, seconded by Council Member Shortal to approve Resolution 2008-11-11 Adopting and Authorizing the Schedule of Fees for Alcohol Licensing in the City of Dunwoody, Georgia (Schedule "A") and Authorizing the Mayor and City Clerk or their designees to execute any and all documents necessary for the implementation thereof. Under discussion, Council Member Wittenstein voiced concern that the Sunday Sales Permit fee seemed high, and it was confirmed these fees match Dekalb County's fee schedule. There being no further discussion, Mayor Wright called for a vote on the motion. The motion carried unanimously. (***RESOLUTION 2008-11-11***)

No Other Business

No Public Comment at this time.

There being no further business, Council Member Heneghan motioned to adjourn, seconded by Council Member Ross. The motion carried unanimously. The meeting was adjourned.

Approved:

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Ken Wright, Mayor

Attest:

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Joan C. Jones, Acting City Clerk

(Seal)