

CITY OF DUNWOODY
March 16, 2009
CITY COUNCIL MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, March 16, 2009 at 7:00 p.m. The Council Meeting was held in the Dunwoody United Methodist Church, 1548 Mount Vernon Road, Dunwoody, Georgia 30338. Present for this 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	Tom Taylor, 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
Staff Present:	Brian Anderson, City Attorney Warren Hutmacher, City Manager Sharon Lowery, City Clerk Bill Grogan, Chief of Police Karine Roy, Assistant City Clerk Lisa Ferguson, Accounting Manager Jennifer Peterson, Director of Community Development Richard Meehan, Public Works Director

Mayor Wright called the Meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS

Council Member Shortal welcomed Council Member Bonser back. He announced that he and 200 other volunteers participated in “Clean Up, Shine Up Dunwoody” on Saturday, with a lot of work being done in Brooke Run Park. He thanked the volunteers from North Atlanta Church of Christ, who initiated this effort.

Council Member Taylor reported that the Police Department is fully forced and ready to roll out on April 1. He announced that the City won the lawsuit against Dekalb County and will now receive the HOST proceeds. Council Member Taylor congratulated City Attorney Brian Anderson for being elected First Vice Chair of the Dekalb GOP over the weekend.

Council Member Bonser announced that ballots will be distributed to the kids in the five Dunwoody feeder schools for voting on naming of the new school, the school colors and the school mascot.

Council Member Heneghan announced that he attended Junior Achievement Day at Chestnut Elementary on Friday. He thanked Council Members Bonser and Ross and Chief Grogan for attending. Council Member Heneghan announced that he raised \$1,500.00 for childhood cancer research by having his head shaved.

INVOCATION led by Council Member Ross.

PLEDGE OF ALLEGIANCE led by Council Member Bonser.

APPROVAL OF THE MEETING AGENDA

Mayor Wright motioned to approve the meeting agenda. Council Member Shortal seconded. Mayor Wright called for the vote on the motion and the motion carried unanimously.

PUBLIC COMMENT: Mayor Wright requested public comment.

Bob Dallas - Spoke on behalf of the hoteliers and discussed their needs. He said all parties should work together to brand the City of Dunwoody.

Joe DeVita – Said the Chamber of Commerce is working on a City of Dunwoody Guide Book. Mr. DeVita stated that the Chamber of Commerce is willing to help in any way.

Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT

There was none.

DISCUSSION:

Boyken Status Report: City Manager Warren Hutmacher reported that for February, 2009 \$77,748 in cost was incurred under the City’s contract with Boyken International; the cumulative cost as of February 28, 2009 is \$425,927. Mr. Hutmacher said Boyken personnel are currently working on the City Hall build out and completion of the compilation of policies and procedures.

Report of the Overlay Task Force: Bill Robinson thanked the members of the task force and the City staff. He presented an overview of the task force’s recommendations to the Village Overlay regulations. The task force proposes to remove the Dunwoody United Methodist Church property from the overlay district. Mr. Robinson said they looked at “Adopt-a-Spot” for areas controlled by the City that are not landscaped, recommend using “Pre-1900 Mid Atlantic American Colonial” rather than “Williamsburg” when defining style, added stone as a part of exterior, refined massing, and addressed sidewalk and pedestrian walkways.

Jennifer Peterson, Director of Community Development, said Staff had reviewed the task force’s recommendation to the Village Overlay regulations are generally supportive of the changes. Staff recommends two changes: the Design Review Board would here exceptions to the overlay standards and the second is to expand the list of trees allowed in the overlay district.

Council Member Ross said his vision of Dunwoody Village is that it would have the same look and feel as Perimeter Center. Council Member Shortal stated that he would like to see commonality with what the PCID has. Council Member Heneghan asked the process should be postponed until the Comprehensive Land Use Plan is put in place.

Gordon Jackson, Chairman of the Dunwoody Homeowner's Association, said this is a step in the right direction and that can be tweaked for look at different nodes around the City.

Council Member Wittenstein suggested having the Community Council review the report for their input.

February Financial Report: City Manager Warren Hutmacher presented the February Financial Report and stated that the City is where we expected to be. Total revenues collected year to date are \$879,561 and expenditures are where they were expected to be at 15%. Council Member Heneghan asked about the City's procedures to ensure we collect all funds for the business licenses. Council Member Wittenstein expressed concern that the \$5.7 million projected for property tax revenue may be over estimated. City Manager Warren Hutmacher said the City will hold off on making any adjustments until the tax digest is received in late April or early May. Council Member Wittenstein requested that the March report include actual versus budget at the department level.

Request to initiate a Zoning Code amendment to reflect internally consistent language: Jennifer Peterson, Director of Community Development, explained that the amendment will clean up inconsistencies in the zoning code. The proposed amendment would go before the Community Council and the Zoning Board, then the first read would be May 25, 2009 and the second read on June 8, 2009.

FIRST READ: Ordinance to amend Chapter 14 - Development and Environmental code to reflect internally consistent language and EPD requirements: Jennifer Peterson, Director of Community Development, that the amendment to cleans up inconsistencies and unclear language in the Development and Environmental Code.

FIRST READ: Ordinance to amend Chapter 7 - Building Code to reflect State mandated changes and complete text: Jennifer Peterson, Director of Community Development, stated that Staff recommends approval of the first read of an ordinance to amend Chapter 7, Building Code. The amendment cleans up the code to be internally consistent and to be consistent with the latest mandated code amendments from the State.

FIRST READ: Ordinance to adopt Chapter 28 - Illicit Discharge Regulations: Jennifer Peterson, Director of Community Development, explained that in order to comply with state standards to establish and maintain Community Development as a permitting authority the City must adopt and enforce the code written by the Metropolitan North Georgia Water Planning District.

FIRST READ: Ordinance to amend the Property Maintenance Code: Jennifer Peterson, Director of Community Development, said the proposed amendment cleans up the code language and includes State mandated changes to the code as of January 1, 2009.

FIRST READ: Ordinance to adopt Chapter 26 - to establish a Stormwater Utility: Richard Meehan, Public Works Director, gave a brief presentation on the proposed ordinance to establish a Stormwater Utility. Mr. Meehan said that most pipes in the City are corrugated metal pipe approaching its expected life span of 25 years. Council Member Shortal requested that he check with DeKalb County to see if they had conducted an inventory and assessment of the pipe within the city limits. Mr. Meehan said that Public Works will present a proposed storm water utility fee

next month for Council's consideration; this fee would replace the one currently assessed by DeKalb County and would not be a new fee to the residents of Dunwoody.

Discussion of Convention and Visitor's Bureau: Council Member Ross said there are five hotels in the City of Dunwoody. He proposed creating an Authority made up of a 9 member board consisting of 1 member from PCID, 1 from the DCVB, 3 from the hotels, 1 from the Chamber of Commerce, and 1 from each of the districts. Council Member Wittenstein asked about the governing structure of the board and the selection process for board members. He stated that if the customer is the hotels it makes sense to have a 501C-6; if the customer is the City then it makes sense to create an authority. Council Member Shortal asked if the executive director position would be a paid position and if they would answer to the nine member board. Council Member Ross answered that it would be a paid position answering to the board.

Mayor Wright requested Public Comment.

Representatives from the Embassy Suites and the Intercontinental spoke in favor of continuing to work with the DeKalb Convention and Visitor's Bureau. They expressed their belief that the DCVB would not agree to anything less than 2%. Both gentlemen said they would prefer establishing a 501C-6.

Resolution establishing a Georgia Fund 1 account for Hotel/Motel tax: City Manager Warren Hutmacher explained that Staff recommends opening a Georgia Fund 1 account for investment of the 2% of Hotel/Motel tax money. The account would be an investment account and would be liquid and safe.

Discussion of schools: Council Member Shortal expressed his interests in the City having a voice with regard to the schools in the City of Dunwoody. He said he would like to get rid of the school trailers. Council Member Bonser suggested creating a task force with the parents and a committee of City Council.

Discussion of SB164: Council Member Taylor gave an update on SB164 and said it is a bill that allows owners of billboards along our State highways to clear cut trees to allow visibility of their signs. He mentioned that Senator Weber voted against it and urged everyone to contact the House and Senate and express their opinions.

Discussion of SB516: Council Member Taylor gave an update on HB516 and said it is a bill that deals with Industrial Buildings and allows pre-fabricated/modular homes. He said that Georgia Municipal Association opposing this bill. He encouraged everyone to contact the House and Senate and express their opinions.

PUBLIC COMMENT:

Mayor Wright requested Public Comment.

Bob Dallas – Mentioned the “Cruise Night” and that a Dunwoody Police car was there and very popular.

Joe DaVita – Commented that the City may be able to get someone like Mike Bush to help make the Dunwoody Convention & Visitors Bureau the best we can.

Mayor Wright closed Public Comment.

EXECUTIVE SESSION:

There was no executive session.

ADJOURN

Mayor Wright motioned to adjourn. Council Member Ross seconded. Mayor Wright called for the vote and the motion carried unanimously.

There being no further business the Meeting was adjourned.

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk