

CITY OF DUNWOODY
November 14, 2011
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting November 14, 2011 at 7:00 PM. 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:

Voting Members: Wright, Mayor
 Bonser, Council Member
 Heneghan, Council Member
 Ross, Council Member
 Shortal, Council Member
 Wittenstein, Council Member
 Thompson, 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
 Parks and Recreation Manager Brent Walker
 Public Works Director Michael Smith
 Community Development Director Mike Tuller
 Assistant to the City Manager Kimberly Greer

CALL TO ORDER:

Mayor Wright called the meeting to order.

ROLL CALL:

INVOCATION:

Led by Council Member Ross.

PLEDGE OF ALLEGIANCE:

Led by Council Member Thompson.

MAYOR AND COUNCIL COMMENT:

Council Member Wittenstein congratulated Lynn Deutsch and John Heneghan on being elected to office.

Council Member Ross congratulated Council Members Bonser and Shortal on the Veterans Day ceremony last week, and congratulated the citizens on the decision they made in last week's election.

Council Member Shortal congratulated Council Member Bonser, Edie Damann, and Brent Walker for the Veterans Day ceremony. He congratulated Chief Grogan for the police department's apprehension of the iPad thief. He also congratulated Lynn Deutsch on her winning the election. Council Member Shortal reported on "Clean, Fix and Shine-Up Dunwoody Day" and thanked Jim Maloney, Bill Tobin, Brent Walker, Edie Damann,

and everyone else who participated in the event, as well as Sherwin Williams for donating the paint for painting approximately 800 fire hydrants. Council Member Shortal thanked Mayor Wright and Council Member Danny Ross for everything they have done for the citizens while serving on Council.

Council Member Bonser congratulated Council Member John Heneghan and Lynn Deutsch for winning in the election. She thanked Council Member Shortal for sharing in the Veterans Day ceremony and thanked Brent Walker for his work in organizing the ceremony. Council Member Bonser reminded that November 20th is "Light Up Dunwoody" from 3:00 p.m. - 6:00 p.m. in Dunwoody Village.

MINUTES:

Approval of Meeting Minutes from the October 24, 2011 City Council Work Session.

Approval of Meeting Minutes from the October 24, 2011 City Council Meeting.

Council Member Ross motioned to approve the October 24, 2011 City Council Work Session minutes and the October 24, 2011 City Council Meeting minutes. Council Member Bonser seconded. The motion was voted and carried unanimously (7 - 0).

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

The meeting agenda was approved as presented.

PUBLIC COMMENT:

Gerri Penn - voiced concern regarding the text amendment to the home occupation ordinance.

Bob Dallas - thanked Mayor Wright and Council Member Ross for the work they have done; said the Veterans Day ceremony was a beautiful day; said he heard a suggestion for a Veterans' Committee, and he thinks it is a good idea; congratulated Gordon Jackson for bringing his experience to the citizens during the election; said that he looks at HOST as a great thing, and it is being used for the right purposes; and, said he thinks it is reasonable that the Dunwoody Homeowners Association wants a link on the City's website similar to that of the Dunwoody Chamber of Commerce.

Bob Lundsten - said he is putting Council and the City on notice that they have a responsibility to follow their own rules.

Bill Grossman - spoke in favor of keeping the housing reimbursement for police officers to live in the City in effect, and if the budget allows, raising the reimbursement amount and making it permanent without any time limits on it; he asked Council to look at the Planning Commission's recommendation regarding Special Land Use Permits for home occupations; and, asked for a Dunwoody Homeowners Association tab on the City's home page similar to the one for the Dunwoody Chamber of Commerce and the Convention and Visitors Bureau of Dunwoody.

CONSENT AGENDA:

There was none.

ORGANIZATIONAL AND PROCEDURAL ITEMS:

There were none.

REPORTS AND PRESENTATIONS:

Convention and Visitors Bureau of Dunwoody 2012 Budget and Marketing Plan. (Katie Brenckle)

Katie Brenckle gave a presentation on the 2012 budget and marketing plan for the Convention and Visitors Bureau of Dunwoody.

Presentation of Financial Report for the Month Ended September, 2011. (Chris Pike)

Chris Pike presented the financial report for the year to date through September, 2011. Mr. Pike said that the City created an Audit Committee last year and hired an Internal Auditor; that the Internal Auditor submitted his first report with recommendations to the Audit Committee three months ago; one of the Internal Auditor's recommendations was that the City establish an anonymous "whistle blower line;" and that George Keller of Calvin Giordano and Associates took the lead on researching this and will update Council tonight on what he has presented to the Audit Committee.

George Keller gave Council an update on the research for a "whistle blower line." Mayor Wright requested that staff return to the City Council with a list of recommendations. Council Member Ross said the City Attorney and Internal Auditor would work on drafting a checklist for an RFP process for contracts. Council Member Shortal requested that staff return to Council with a report on this matter at the next City Council Meeting or in January. Mr. Pike said that this should be in place by January 1, 2012.

UNFINISHED BUSINESS:

SECOND READ: Ordinance to Amend City of Dunwoody Purchasing Policy to Add Appraisal Requirement for Real Estate Acquisition. (ORDINANCE 2011-11-35) (Chris Pike)

City Clerk Sharon Lowery read the ordinance. Finance Director Chris Pike presented the ordinance.

Council Member Wittenstein motioned to approve the ordinance. Council Member Bonser seconded. The motion was voted and carried unanimously (7 - 0).

Update Regarding Transference of Fire and EMS Calls. (Kimberly Greer)

Assistant to the City Manager Kimberly Greer presented an update of fire and EMS calls. Council Member Ross said the average time to get a call transferred is not acceptable, and said he is concerned that the implementation of Cad-to-Cad continues to be delayed. Ms. Greer said that she will present a report to Council on the November fire and EMS calls at the December City Council Meeting.

Resolution to Authorize the City Manager to Purchase 5.15 Acres of Property Located at 4470 North Shallowford Road. (RESOLUTION 2011-11-53) (Warren Hutmacher)

City Clerk Sharon Lowery read the resolution. City Manager Warren Hutmacher presented

the resolution. Mr. Hutmacher said that the first appraisal on the property was \$1,550,000.00, and the second appraisal was \$1,330,00.00. The majority of Council requested that staff negotiate a lower purchase price for the property. Council Member Wittenstein motioned to approve the resolution. Council Member Bonser seconded.

Council Member Ross motioned to defer. Council Member Shortal seconded. The motion to defer was voted and carried (6 - 1), with Council Member Thompson voting against the motion.

NEW BUSINESS (WORK SESSION ITEMS):

Resolution to Appoint Member to Serve Unexpired Term on Planning Commission. (RESOLUTION 2011-11-54) (John Heneghan)

City Clerk Sharon Lowery read the resolution. Council Member Heneghan recognized Tom Dwyer, whose appointment to the Planning Commission is being voted on, and reminded that Mr. Dwyer currently serves as Chair of the Community Council.

Council Member Heneghan motioned to approve the resolution. Council Member Wittenstein seconded. The motion was voted and carried unanimously (7 - 0).

Contract Award for RFP 11-11 Parks and Right of Way Maintenance. (Brent Walker)

Parks and Recreation Manager Brent Walker presented this matter. Mr. Walker said that the City solicited a bid for a new parks maintenance and right-of-way maintenance contract, which were combined in an effort to obtain a better bid. Mr. Walker said the City received ten bids, and recommends that Council award the contract to Premier Tree and Shrub Care, LLC for a period of two years. Mr. Walker said this contract will save the City approximately \$40,000.00 over the next two years and will obtain an elevated level of service for the City.

Mayor Wright motioned to approve the contract. Council Member Ross seconded. The motion was voted and carried unanimously (7 - 0).

Approval of a Contract Amendment for Engineering and Design - Dunwoody Village Parkway. (Michael Smith)

Michael Smith presented this matter, and said that staff recommends approval of the change order with Kimley Horn and Associates for \$45,800.00.

Council Member Heneghan motioned to approve the contract amendment. Mayor Wright seconded. The motion was voted and carried (6 - 1), with Council Member Bonser voting against the motion.

Discussion of Zoning Process Timeline. (Mike Tuller)

Community Development Director Mike Tuller presented several options for the zoning process timeline. Mayor Wright directed staff to bring this matter before the new Mayor and Council.

Policy Amendment to Housing Reimbursement for Police Officers. (Warren Hutmacher)

City Manager Warren Hutmacher presented this matter, and explained that the amendment removes the sunset provision.

Council Member Ross motioned to approve the policy amendment. Mayor Wright seconded. The motion was voted and carried unanimously (7 - 0).

FIRST READ: Amendments to the Text of Chapter 27, Sections 27-183, 27-185, and 27-1321 Regarding Home Occupations in the R-100 (Single-Family Residential) District and "Supplemental Regulations." (Michael Tuller)

Read by City Clerk Sharon Lowery. Mayor Wright recommended this item be brought before the new Mayor and Council.

Mayor Wright motioned to defer until January. Council Member Bonser seconded. The motion was voted and carried (6 - 1), with Council Member Ross voting against the motion.

Discussion Regarding Adding Community Group Links to the City Website. (Warren Hutmacher)

City Manager Warren Hutmacher presented this matter. He reported that the City received a request from the Dunwoody Homeowners Association to have a link to their website from the City's splash page. Mr. Hutmacher said he recommends that Council authorize the City to put on a separate page a list of links for all community groups. Council requested that staff add a link to other community organizations to the bottom of the City's splash page. Mayor Wright directed staff to draft guidelines for the process of having organizations listed.

Resolution Amending the Schedule of Fees for Alcohol Licensing in the City of Dunwoody. (RESOLUTION 2011-11-55) (Chris Pike)

City Clerk Sharon Lowery read the resolution. Finance Director Chris Pike said this resolution amends the current fee schedule to include a fee for package sales on Sunday.

Council Member Shortal motioned to approve the resolution. Council Member Bonser seconded. Council Member Wittenstein urged Council not to pass the resolution, stating that the fees are already paid by the businesses. The motion was voted and carried (5 - 2), with Council Member Heneghan and Council Member Wittenstein voting against the motion.

Resolution of Support for an Application for Department of Natural Resources Recreational Trail Grant. (RESOLUTION 2011-11-56) (Brent Walker)

City Clerk Sharon Lowery read the ordinance. Parks and Recreation Manager Brent Walker presented the resolution. Mr. Walker said that staff needs a resolution of support in order to submit this application, which will produce for the City 2.5 miles of trails through Brook Run Park.

Council Member Bonser motioned to approve the resolution. Council Member Shortal seconded. The motion was voted and carried unanimously (7 - 0).

OTHER BUSINESS:

There was none.

INITIATION OF TEXT AMENDMENTS:

There was none.

PUBLIC COMMENT:

Tom Dwyer - thanked Mayor and Council for appointing him to the Planning Commission. He suggested eliminating the required neighborhood meeting if Council wishes to shorten the zoning process timeline, and promote citizen attendance at the Community Council meetings. Mr. Dwyer said that home occupation/home businesses are a good thing if done correctly.

MAYOR AND COUNCIL CLOSING COMMENTS:

There were none.

EXECUTIVE SESSION:

Executive Session was held for purposes of personnel and real estate discussions.

For the purposes of legal, real estate, and personnel discussions.

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

ADJOURNMENT:

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

Approved by:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk