

CITY OF DUNWOODY  
July 23, 2012  
CITY COUNCIL MEETING MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting July 23, 2012 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:           Adrian Bonser, Council Member  
                                  Mike Davis, Mayor  
                                  Lynn Deutsch, Council Member  
                                  John Heneghan, Council Member  
                                  Terry Nall, Council Member  
                                  Denis Shortal, Council Member  
                                  Doug Thompson, Council Member

Also Present:                Warren Hutmacher, City Manager  
                                  Cecil McLendon, Assistant City Attorney  
                                  Lenny Felgin, Assistant City Attorney  
                                  Sharon Lowery, City Clerk  
                                  David Sides, Deputy Chief of Police,  
                                  Steve Dush, Community Development Director  
                                  Rebecca Keefer, Planning Coordinator  
                                  Michael Smith, Public Works Director,  
                                  Carl Carver, Deputy Director of Public Works  
                                  Ashley Smith, Information Technology Manager  
                                  Assistant to the City Clerk, Lillie Ward

A.    CALL TO ORDER

Mayor Davis called meeting to order.

B.    ROLL CALL

All members were present.

1.    Administer Oath of Office to Officer Caleb Gilbert. (Deputy Chief Sides)

Mayor Davis administered the Oath of Office to Officer Gilbert.

2.    Presentation of Hermes Award for Economic Development Kit. (Edie Damann)

Marketing and Public Relations Manager Edie Damann presented the 2012 Gold Hermes Award, the fourth Hermes Award the City has received.

Mayor Davis presented Mr. Pat Sadler with a Proclamation recognizing him for his work with Dunwoody Senior Baseball.

C.    INVOCATION

Council Member Bonser gave the Invocation.

D. PLEDGE OF ALLEGIANCE

Council Member Thompson led the Pledge of Allegiance.

E. MAYOR AND COUNCIL COMMENTS

Council Member Heneghan announced that on August 1<sup>st</sup> there will be a zoning rewrite meeting at Dunwoody Baptist Church.

Council Member Nall thanked City Manager Hutmacher for removing the signage item from the agenda. He said the City will call together a citizen's advisory committee to review this and give input. He advised that he has requested that Mr. Hutmacher formally review the fire and rescue services to see if they can be improved, adding that the City needs better control over fire and rescue dispatch. Council Member Nall also requested a review of fire marshal services.

Council Member Thompson announced that streets are being paved in Dunwoody.

Council Member Shortal reminded that voting is ongoing for the July 31<sup>st</sup> primary; citizens can advance vote Monday - Friday of next week at Chamblee City Hall. He commented that DeKalb County is going to outsource its' ambulance service. Council Member Shortal said he and Mayor Davis visited Woodstock last Friday and took a look at the John Wieland Homes; he said they were well built. He thanked the citizens who serve on the various committees in the City.

Mayor Davis announced that the Broken Egg Cafe is moving into Dunwoody in the space vacated by Borders and the Kroger in Georgetown is doing a re-grand opening on August 1<sup>st</sup> at 10:00 a.m.

F. MINUTES

1. Approval of May 29, 2012 City Council Meeting Minutes.
2. Approval of June 26, 2012 City Council Special Called Work Session Minutes.
3. Approval of June 26, 2012 City Council Special Called Meeting Minutes.
4. Approval of July 9, 2012 City Council Special Called Meeting Minutes.
5. Approval of July 9, 2012 City Council Meeting Minutes.

Council Member Deutsch motioned to approve the minutes of the May 29, 2012 City Council Meeting, June 26, 2012 Special Called Work Session Meeting, June 26 Special Called City Council Meeting, July 9, 2012 Special Called Meeting, and July 9, 2012 City Council Meeting. Council Member Shortal seconded.

The motion was voted and Passed (7 - 0)

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

Council Member Shortal moved to approve the meeting agenda as amended with the addition of Item B3. Council Member Deutsch seconded.

The motion was voted and passed (7 - 0).

H. PUBLIC COMMENT

Robert Wolford - 4320 Bethesda Trail asked Council to talk to the owner of the land on Chamblee Dunwoody Road across from the Delido apartments regarding using the land for green space.

Lynn Goldstein - 8309 Hewett Road, spoke in opposition to the dog park being moved.

Marc Goldstein - spoke in opposition to moving the dog park.

Lane Squeezey - asking your permission to annex all or part of the land where the old administration buildings used to be.

Bill Grossman - 5061 Hidden Branches Drive, spoke on behalf of the Dunwoody Homeowner's Association. He asked the City to follow the master plan Brook Run Park and find the money in next year's budget to move the dog park to the four acres shown in the plan.

Lisa Bartlett - 3121 Skyland Drive, asked Council to leave the dog park where it is.

Meredith Carmichael - 4877 Trail Ridge Drive, spoke the widening of Mount Vernon Road to accommodate bicyclists. She said the widening costs are nearly 40% of the total project cost of Mount Vernon Road. Ms. Carmichael said they have not received answers to their questions and she doesn't feel Public Works is being transparent.

Joe Newton - 2667 Beacon Drive, Doraville, spoke on the refugee resettlement program. He said DeKalb County has 85% of the refugees who are relocated to Georgia.

Linda Shulin - 4706 Vermack Road, stated that she has a neighbor who runs a commercial landscape business out of his home in an R-100 residential neighborhood and she would like something done about this type of violation throughout the City. Ms. Shulin urged everyone to attend August 1<sup>st</sup> zoning rewrite meeting.

Bobby Sedam - 4615 Stonehinge Drive, spoke regarding the trees in Brook Run Park. She said the trail in Brook Run Park will be good for the community and asked about the details of the project, specifically how many trees would be removed.

Hilbert Margol - 4565 Village Drive, said he was speaking for most of the homeowner's in Lakeview subdivision. He said they are not against the trail in Brook Run Park and requested that the City use pervious material for the trail. Mr. Margol suggested reducing the width of the trail to 8' or 10' to help offset the cost of pervious material.

Rick Callihan - 1006 Wellstone Court, said there is no soccer field or fields of any

type for the park. He said he would like to see what land has been used for youth. Mr. Callihan said he feels the dog park is a liability rather than an asset and that he doesn't think this is the best use of that land at Brook Run Park.

I. CONSENT AGENDA

1. Approval of Contract Amendment for Ridgelock Court Stormwater Project. (Carl Carver)
2. Approval of Mutual Aid Agreement with DeKalb County School District. (Deputy Chief Sides)
3. Resolution Appointing Sam Portis to Serve as Member of Design Review Advisory Committee. (RESOLUTION 2012-07-27) (Mayor Davis)
4. Magnolia Run Special Event Signage Request. (Steve Dush)
5. Approval of Lekotek of Georgia Special Event Signage Request. (Steve Dush)

Council Member Heneghan moved to approve the consent agenda. Council Member Nall seconded.

The motion was voted and passed (7 - 0).

J. ORGANIZATIONAL AND PROCEDURAL ITEMS

There was none.

K. REPORTS AND PRESENTATIONS

There was none.

L. UNFINISHED BUSINESS

1. Resolution to Approve Refinancing of 16 Acre Parcel. (Warren Hutmacher)

City Manager Hutmacher explained that the Urban Redevelopment Agency (URA) was created to allow Development Authority financing of the 16 acre property, which both removes the rezoning restrictions and allows the City to sell portions of the land to a private sector partner. This resolution begins the refinancing process. Mr. Hutmacher advised that all the language in the documents is consistent with what Council had seen before but the interest rate has been locked in. Bill Camp of Morgan & Keegan and Jim Woodward, the bond attorney, were present to answer questions of Council.

Mr. Camp explained that the tax exempt portion is \$1,785,000 with a 2.00% interest rate for 5 years; the taxable portion is \$3,520,000 with a variable interest rate based on LIBOR + 1.35% (currently 1.597%) for 7 years. The variable portion can be paid off at any time without a penalty.

Council Member Nall clarified that this is the refinancing of an existing debt, not taking on a new debt.

The Council discussed the prepayment penalty. Council Member Bonser inquired regarding the cost for not having a prepayment penalty on the taxable amount of \$3,520,00.

Mr. Camp answered that the amount is \$73,000.

Council Member Heneghan made a motion to approve a resolution of the Mayor and Council of the City of Dunwoody authorizing the execution and delivery of an Agreement of Sale, between the City and the City of Dunwoody Urban Redevelopment Agency in connection with the issuance of the City of Dunwoody Urban Redevelopment Agency Revenue Bond (City of Dunwoody, Georgia Project), Series 2012A. The proceeds of the Series 2012A Bond will be used to refinance certain property located at 4000 Dunwoody Park Drive. Council Member Nall seconded.

The motion was voted and passed (6 - 1), with Council Member Bonser voting against.

Council Member Heneghan made a motion to approve a resolution of the Mayor and Council of the City of Dunwoody authorizing the execution and delivery of an Intergovernmental Service Contract, between the City and the City of Dunwoody Urban Redevelopment Agency in connection with the issuance of the City of Dunwoody Urban Redevelopment Agency Taxable Revenue Bond (City of Dunwoody, Georgia Project), Series 2012B. The proceeds of the Series 2012B Bond will be used to refinance certain property located at 4000 Dunwoody Park Drive. Council Member Deutsch seconded.

The motion was voted and passed (6 - 1), with Council Member Bonser voting against.

2. Approval of Contract for Landscape Architect Services for Project Renaissance. (Michael Smith)

Public Works Director Michael Smith said a Request for Proposals was issued in June for the design services for development of 12 acres of parkland and multi-use paths as part of the Project Renaissance Development. The City received twelve proposals, which were reviewed by the Review Team. Staff's recommendation is to award the contract for landscape architect services for Project Renaissance to Kimley-Horn Associates Incorporated in the amount of \$189,625, plus a \$20,000 contingency.

Council Member Deutsch motioned to approve the contract for Landscape Architect Services for Project Renaissance. Council Member Nall seconded.

The motion was voted and passed (6 - 1), with Council Member Bonser voting against.

M. NEW BUSINESS

1. Update on CAD-to-CAD Expenditures. (Warren Hutmacher)

City Manager Hutmacher provided Council with an update on CAD-to-CAD. He began with an overview of costs to date. A total of \$8,280 has been billed to date, but there is a lag in the billing process and the costs are likely to total approximately \$75,000 for development. For ongoing annual maintenance, only the OSSI portion of the interface has a separate ongoing maintenance charge,

which is \$1,120.

Mr. Hutmacher continued with a project update and answered questions from Council. Staff continues to work towards the installation of a data between DeKalb County and ChatComm. As discussed in June, the County system-wide IT department and IT for the 911 Center have a difference of opinion of which type of data connection should be used. Staff is working with ChatComm to test the virtual private network option (vpn), which is the current preference of DeKalb's system-wide IT department. Once the data connection is finalized and installed there will be a few weeks of testing and we do not presently have a go live date.

The Council commented that the transference of fire and EMS calls may be affected by the future policy decision in regard to long term fire services for the City of Dunwoody.

2. ACTION ITEM: Approval of a Revised Development Agreement with John Wieland Homes (Project Renaissance). (RESOLUTION 2012-07-28) (Warren Hutmacher)

Mr. Hutmacher explained that the Development Agreement adopted in June 2012 was not the final version. Changes had been made in draft form and agreed to by City staff. The revised agreement before Council has incorporated those changes, none of which are substantive.

Council Member Nall motioned to approve the revised Development Agreement with John Wieland Homes, Resolution 2012-07-28. Council Member Heneghan seconded.

The motion was voted and passed (6 - 1), with Council Member Bonser voting against.

N. INITIATION OF TEXT AMENDMENTS

Council Member Thompson requested that staff prepare a text amendment to allow the City to grant administrative relief for special event signage.

O. PUBLIC COMMENT

Robert Wolford - 4320 Bethesda Trail, echoed what another resident said regarding commercial businesses being run out of R-100. He congratulated John Wieland Homes for their successful bid. Mr. Wolford said he will follow the zoning rewrite and urged Council to respect the citizen's comments on it.

P. MAYOR AND COUNCIL CLOSING COMMENTS

Council Member Shortal urged everyone to vote in the primary.

Council Member Deutsch commented that school will have started by the next Council meeting and urged everyone to watch out for the students who walk and bicycle to school.

Mayor Davis reported that he and Council Member Shortal and a journalist visited

the John Wieland property in Woodstock on Friday and were very impressed with the homes they build.

Q. EXECUTIVE SESSION

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

There was none.

R. ADJOURNMENT

Council Member Shortal motioned to adjourn. Council Member Deutsch seconded.

The motion was voted and passed (7 - 0).

Approved by:

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Michael G. Davis, Mayor

Attest:

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Sharon Lowery, City Clerk