CITY OF DUNWOODY
July 27, 2009
CITY COUNCIL MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, July 27, 2009 at 7:00 p.m. The Council Meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for this meeting were the following:

Mayor	Ken Wright
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 6	John Heneghan, Council Member
Staff Present:	Brian Anderson, City Attorney
	Warren Hutmacher, City Manager
	Sharon Lowery, City Clerk
	Karine Roy, Assistant City Clerk
	Jennifer Peterson, Community Development Director
	Lenny Felgin, Assistant City Attorney
	Richard Meehan, Public Works Director
	Howard Koontz, City Planner
	Tiffaney Pete, Court Clerk

Mayor Wright called the Meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS
Mayor Wright announced that all members were present except Council Members Ross and Shortal. There were no general announcements.

INVOCATION led by Council Member Wittenstein.

PLEDGE OF ALLEGIANCE led by Council Member Bonser.

MINUTES:
Council Member Taylor moved to approve the June 22, 2009 meeting minutes. Mayor Wright seconded. Under discussion, Mayor Wright reported that Council Member Shortal sent out an email requesting two changes to the June 22, 2009 minutes. Mayor Wright moved to approve the June 22, 2009 meeting minutes with the incorporation of the changes outlined by Council Member Shortal. Council Member Wittenstein seconded. Mayor Wright called for the vote and the motion carried unanimously (5-0).

Council Member Taylor moved to approve the July 13, 2009 meeting minutes. Council Member Wittenstein seconded. Mayor Wright called for the vote and the motion carried unanimously (5-0).

APPROVAL OF THE MEETING AGENDA:
Council Member Wittenstein motioned to remove item L3, "Resolution amending the City Council Rules and Procedures regarding criteria for Public Comment" from the agenda. Council Member Taylor seconded. The vote carried unanimously (5-0). Council Member Wittenstein motioned to remove item L4, "First Read: Ordinance to amend §4-22: Lighting. Mayor Wright seconded. Mayor Wright asked City Attorney Brian Anderson if the agenda could be amended with a first read on a public hearing. Mr. Anderson recommended opening the public hearing and deferring the first read at that time. Council Member Wittenstein withdrew his request to amend the agenda to remove item L4.

PUBLIC COMMENT: Mayor Wright requested public comment.

Joe Hirsch – commented on the resolution that was removed from the agenda regarding criteria for Public Comment and said there appeared to be inconsistencies between Georgia law and interpretation of Georgia law. Mr. Hirsch spoke on the lighting ordinance and should be more definition of temporary lighting and holiday lighting, and asked what is considered a Holiday.

Brian Sims – spoke on the traffic calming for Village Creek Drive, stating that he is not opposed. He mentioned that the city was promised new roads after the April 9, 1998 tornado and the city never got them. He recommended postponing any action until there is more information.

Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT:
Council Member Heneghan announced that on August 3, 2009 a public meeting will be held at the Dunwoody United Methodist Church for the Comprehensive Plan regarding density and encouraged citizens to attend.

Council Member Wittenstein thanked staff for the new clock, working microphones, and the city seal.

Council Member Bonser invited everyone to attend the Dunwoody Elementary School Open House on August 8, 2009 at 11:00 a.m.

Council Member Taylor asked the City Manager Warren Hutmacher to brief everyone on the City Hall Open House.

City Manager Hutmacher invited everyone to attend the Open House at City Hall on August 17, 2009 from 4:00 p.m. to 7:00 p.m., followed by the City Council Work.

Mayor Wright mentioned the recent news coverage of the elected officials jailed in New Jersey and said their behavior is an embarrassment to those in government. He said he and City Council just completed an ethics training session and that all city boards are going through that same training.

CONSENT AGENDA:
RESOLUTION for Sustainability Commission refocus. (RESOLUTION 2009-07-43).

RESOLUTION to approve traffic calming on Village Creek Drive. (RESOLUTION 2009-07-44).

Contract amendments for Calvin, Giordano & Associates.

Contract amendments for Clark Patterson Lee.

Council Member Wittenstein moved to approve the consent agenda. Council Member Taylor seconded. Mayor Wright called for the vote and the motion carried unanimously (5-0).

UNFINISHED BUSINESS: There was none at this time.

REPORTS AND PRESENTATIONS: There were no reports or presentations.

NEW BUSINESS

ACTION ITEM: Addition of calendar dates for Municipal Court: Tiffaney Pete, Court Clerk, gave a brief presentation on the need to add additional arraignment dates for 2009 due to the high volume of citations and the implementation of three emergency court dates in the months of August and September. Ms. Pete said the total cost for the additional arraignment dates is $17,216. City Manager Hutmacher said there would be a budget amendment presented in October. Council Member Heneghan asked when the Records Management System would go online. Mr. Hutmacher replied that it should go online in late September or early October and go live by November 1st.

RESOLUTION to appoint an Assistant City Clerk (RESOLUTION 2009-07-45): City Clerk Sharon Lowery read Resolution 2009-07-45 appointing Karine Roy Assistant City Clerk. City Manager Warren Hutmacher said appointing an Assistant City Clerk provides that person with the ability to sign documents in the event the City Clerk is out of the office. Council Member Wittenstein moved to adopt the resolution. Mayor Wright seconded. The vote carried unanimously (5-0).

PUBLIC HEARING - FIRST READ: Ordinance to amend §4-22: Lighting. A text amendment to add the Outdoor Lighting Efficiency (ORDINANCE 2009-XX-XX): Mayor Wright opened the public hearing without objection. Mayor Wright opened public comment without objection. There was no public comment. Mayor Wright closed public comment and the public hearing without objection. The first read of the ordinance was deferred.

PUBLIC HEARING - FIRST READ: Ordinance to amend Chapter 27 (Zoning Ordinance) to add the New Zoning Districts – G-C (Government Community) District and the G-U (Government Utility) District (ORDINANCE 2009-XX-XX): City Clerk Sharon Lowery read the Ordinance. Howard Koontz, City Planner, presented the amendment, explaining that it creates two new zoning districts: G-C (Government Community) District and G-U (Government Utility) District. He reported that the Community Council and the Planning Commission both voted to approve the amendment to the Zoning Ordinance. Council Member Heneghan asked if the DeKalb County school system were to sell one of their schools would this affect them at all. Mr. Koontz replied that if you were to apply this zoning to the property the new owner would be bound by the zoning, not the County. Mayor Wright opened the public hearing without objection. Mayor Wright

opened public comment without objection. There was no public comment. Mayor Wright closed public comment without objection. Mayor Wright closed the public hearing without objection.

OTHER BUSINESS: There was no other business.

PUBLIC COMMENT: Mayor Wright requested public comment. There was no public comment. Mayor Wright closed public comment.

EXECUTIVE SESSION:
Mayor Wright motioned to break into executive session for legal discussion. Council Member Wittenstein seconded. The vote carried unanimously (5-0).

ADJOURN

Council Member Wittenstein motioned to adjourn. Council Member Bonser seconded. Mayor Wright called for the vote and the motion carried unanimously (5-0).

There being no further business the Meeting was adjourned.

Approved by:

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Ken Wright, Mayor

Attest:

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Sharon Lowery, City Clerk