CITY OF DUNWOODY
May 11, 2009
CITY COUNCIL MINUTES

The Mayor and Council of the City of Dunwoody held a City Council Meeting on Monday, May 11, 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
	Jeff Timler, Community Development
	Kimberly Larson, Community Development
	Tiffaney Pete, Court Clerk
	Tanya Jackson, Finance & Administration
	Richard Meehan, Public Works Director

Mayor Wright called the Meeting to order.

ROLL CALL AND GENERAL ANNOUNCEMENTS
All members were present.

Proclamation: "Kids Day America"
Mayor Wright deferred the "Kid's Day America" proclamation.

INVOCATION led by Council Member Danny Ross.

PLEDGE OF ALLEGIANCE led by Council Member Adrian Bonser.

MINUTES:
Mayor Wright announced that approval of the April 20, 2009 minutes were not ready and approval would be deferred. Member Shortal motioned to approve the March 16, 2009 City Council Work Session Minutes and the March 23, 2009 City Council Meeting Minutes. Council Member Bonser seconded. Mayor Wright called for a vote and the motion carried unanimously.

APPROVAL OF THE MEETING AGENDA: Mayor Wright motioned to approve the amended agenda. Council Member Taylor seconded. Mayor Wright called for a vote and the motion carried unanimously.

PUBLIC COMMENT: Mayor Wright requested public comment.
Bob Lundsten – spoke on the importance of having Automated External Defibrillators (AED) units in all of the police vehicles. Mr. Lundsten said the approximate cost per unit is $1,500 and offered to head a committee to raise funds to purchase 40 units for the police vehicles.

Bob Dallas – thanked the Chief Grogan and Council Member Heneghan for their assistance in having the speed detection sign put up.

Joe Hirsch – said that permitting for markets must be fair and equitable and gave examples of several festival markets that are held in the city each year.

Rick Woroniecki – requested that the sign be put back up on Tilly Mill Road just down from the Exxon station and that the center lane be eliminated by the college.

Bob Uszynski – said that he is in favor of the amendment to Chapter 25 that addresses water leaks. He said his neighbor has a water line leak and that he is concerned with potential erosion damage on his property.

Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT:
Council Member Wittenstein welcomed Council Member Adrian Bonser back.

Council Member Bonser thanked everyone for their thoughts, prayers, and emails while she was hospitalized.

Council Member Taylor announced that Officer Jesus Maldonado made three felony arrests from a single traffic stop.

Mayor Wright said it's exciting to see the police pro-actively patrolling the neighborhoods.

Council Member Ross thanked the Council Members who attended Monsignor Kiernan's celebration, adding that Monsignor Kiernan was presented with the first "Key to the City".

CONSENT AGENDA:

SECOND READ: Ordinance to amend Chapter 25: Water, Sewers, and Sewage Disposal. **(ORDINANCE 2009-05-27)**

Council Member Wittenstein motioned to approve the SECOND READ of the Ordinance to amend Chapter 25: Water, Sewers, and Sewage Disposal. Council Member Heneghan seconded. Mayor Wright called for the vote and the motioned carried unanimously.

Appointment of Sustainability Commission
Mayor Wright motioned to approve the appointment of the Sustainability Commission. Council Member Ross seconded. Mayor Wright called for the vote and the motioned carried unanimously.

Appointment of Comprehensive Plan Steering Committee
Mayor Wright read the names of the nominees for the Comprehensive Plan Steering Committee. Council Member Ross motioned to accept the nominees as read. Council Member Taylor seconded. Mayor Wright offered an amendment that the appointment of non-residents on the list be conditioned upon an amendment to Chapter 2 to allow non-residents to serve on committees. Council Member Taylor seconded.

Mayor Wright requested public comment on the amendment.

Brian Sims – stated that the nominees may serve on other committees and urged Mayor and Council to open the sphere going forward.

Mayor Wright closed public comment.

Mayor Wright called for the vote on the amendment and the motioned carried unanimously. Mayor Wright called for the vote on the motion to appoint the Comprehensive Plan Steering Committee and the motion carried unanimously.

City Manager Warren Hutmacher pointed out that the resolution to increase the size of the Sustainability Commission to 14 was on the back page of the memo.

Council Member Wittenstein moved to amend the agenda to add a new item "L3" Resolution to amend the number of members of the Sustainability Commission. Mayor Wright seconded. Mayor Wright called for the vote and the motioned carried unanimously.

UNFINISHED BUSINESS:
Mayor Wright motioned to open the Public Hearing. Council Member Bonser seconded. Mayor Wright called for a vote and the motion carried unanimously.

PUBLIC HEARING - SECOND READ: Ordinance to amend Chapter 14, Land Development and Environmental Protection, Article 2: Environmental Control. **(ORDINANCE 2009-05-28)**

Jennifer Peterson, Community Development Director, explained that the amendment to Chapter 14 is specifically to the stream buffer section. She said the language presented would alter the ability to ask for a variance to the full stream buffer currently required, and those variance requests would be heard by the Zoning Board of Appeals.

Mayor Wright opened the Public Comment.

Peggy Kiernan – spoke in favor of the proposed amendment.

Mayor Wright closed Public Hearing, without objection.

SECOND READ: Ordinance to amend Chapter 14, Land Development and Environmental Protection, Article 2: Environmental Control. - The Second Read of the Ordinance to amend Chapter 14 was read by City Clerk Sharon Lowery. Council Member Shortal motioned to adopt the Ordinance to amend Chapter 14 as read. Council Member Ross seconded. Mayor Wright called for a vote and the motion carried unanimously. **(ORDINANCE 2009-05-28)**

ACTION ITEM: Approval of award of Police Records Management System – Chief Grogan reported that a total of six proposals were received in response to the Request for Proposal for a Records Management System. Upon review of all proposals received, Staff's recommendation is for award of the contract to SunGard OSSI; their bid was for $399,110. Chief Grogan explained that the cost will be paid over a five year period from the approved master lease program. Following further discussion, Mayor Wright moved to approve award of the contract to SunGard OSSI. Council Member Bonser seconded. Mayor Wright called for a vote and the motion carried, 6-1 (Wittenstein "nay").

Farmer's Market Update – Jennifer Peterson, Community Development Director, said that Spruill Green Market had submitted an application for a permit, and were issued a permit not to exceed 90 days

Council Member Ross reported that he talked to the owners of the land adjacent to the post office in Dunwoody Village and they agreed that the Farmer's Market is welcome there. He stated that he met with the Farmer's Market marketers and they have agreed to open at St. Patrick's on May 13 then open on May 20 on the property adjacent to the post office. Council Member Ross thanked the owners of the property for granting permission to use their property.

Council Member Wittenstein suggested having a public hearing and to ask Staff to look at making a text change that would allow for application of a Special Land Use Permit. He requested this item be placed on the next work session agenda.

Council Member Shortal thanked Council Member Ross for his efforts. Council Member Bonser also thanked Council Member Ross.

REPORTS AND PRESENTATIONS: There were no reports or presentations.

NEW BUSINESS:

Approval of surplus equipment items – City Manager Warren Hutmacher explained that the list of surplus equipment items were items the City purchased from a business that was going out of business for a total price of $3,000. The items to be surplused were items included in the lot of "all or nothing" that the City could not use and will be sold on GovDeals. Council Member Wittenstein motioned to approve the list as submitted. Council Member Bonser seconded. Mayor Wright called for a vote and the motion carried unanimously.

FIRST READ: Amendment to Chapter 2: Administration (**ORDINANCE 2009-05-XX)** – City Attorney Brian Anderson explained that the amendment to Chapter 2: Administration is to allow non-residents to serve on committees.

Council Member Shortal stated that he feels that everyone who serves on a committee should be a resident of the City of Dunwoody, a business owner, or have some type of relationship with a company that does business in Dunwoody. A suggestion was made to place this item on the May 18th Work Session agenda.

Resolution to amend the number of members of the Sustainability Commission – The Resolution to amend the number of members of the Sustainability Commission to 14 was read by City Clerk Sharon Lowery. Council Member Ross motioned to adopt the Resolution. Council Member Wittenstein seconded. Mayor Wright called for a vote and the motion carried unanimously.

OTHER BUSINESS: There was no other business.

PUBLIC COMMENT:
Mayor Wright requested public comment.

Gerri Penn – thanked Council Member Ross for his efforts on the Farmer's Market.

Mayor Wright closed public comment.

EXECUTIVE SESSION:

Mayor Wright announced the need to have an executive session to discuss real estate and litigation. Council Member Shortal to recess to move into executive session. Council Member Bonser seconded. Mayor Wright called for the vote and the motion carried unanimously.

Mayor Wright reconvened the meeting.

ADJOURN
Council Member Shortal motioned to adjourn. Council Member Wittenstein 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