CITY OF DUNWOODY
August 17, 2009
CITY COUNCIL MINUTES

The Mayor and Council of the City of Dunwoody held a Work Session on Monday, August 17, 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 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
Staff Present:	Warren Hutmacher, City Manager
	Sharon Lowery, City Clerk
	Karine Roy, Assistant City Clerk
	Brian Anderson, City Attorney
	Lenny Felgin, Assistant City Attorney
	Jennifer Peterson, Community Development Director
	Michael Lockett, IT Manager
	Richard Meehan, Public Works Director
	Chris Pike, Finance Director

Mayor Wright called the meeting to order.

INVOCATION led by Council Member Ross.

PLEDGE OF ALLEGIANCE led by Council Member Bonser.

APPROVAL OF THE MEETING AGENDA:

PUBLIC COMMENT: Mayor Wright requested public comment.

Bill Grant – spoke on a comparison of building permit fees with neighboring cities and said Dunwoody's fees are high. Mr. Grant said there is a law on the books that says you cannot charge more for a permit than it cost to provide the service. He requested that the City's permit fees be rescinded and that he receive a refund of the fees he has paid.

Mayor Wright closed public comment.

MAYOR AND COUNCIL COMMENT:
Council Member Wittenstein congratulated City Clerk Sharon Lowery on being presented with a House Resolution from State Representative Melvin Everson in recognition of her years of service at the City of Snellville.

Council Member Shortal announced that Lance Corporal Ryan McJilton is out of intensive care and recovering at Bethesda Naval Hospital. He asked for everyone's continued thoughts and prayers.

CITY BUSINESS:

July financial report: Chris Pike, Finance Director, said the City has received financial institution tax that line item was increased, with the business license line item lowered accordingly. As of August 8, 2009 $381,000 in property tax revenue has come in. Motor vehicle tax revenue is bringing in a steady $20,000 each month. He reported that the business license revenue will increase next month.

Council Member Wittenstein asked how much financial institution tax would be received and if the insurance premium is the same. Mr. Pike responded that the financial institution fees are currently due, with additional research needed to confirm if anyone has not paid; he said insurance premium is not due at this time. Council Member Shortal requested bi-monthly reports via email on business occupational taxes. Council Member Bonser asked if the City collects taxes from any taxi, limo, or rental car companies. Mr. Pike said the City does collect taxes from some rental car companies.

Council Member Ross requested that the hotel/motel tax be separated into two columns, 2% and 3%. Mr. Pike said he is optimistic that we have had our last TAN draw for the year and the cash balances are starting to buildup.

Discussion of building permit fees: City Manager Warren Hutmacher said the City has issued 1,057 building permits in FY 2009, with an average permit cost of $253. He said the City pays 80% of all permit revenues to Clark Patterson Lee and retains 20% to cover other costs related to the building permit process. Mr. Hutmacher said the building permit fees are calculated by determining the costs of construction and using a multiplier of .008. He added that the costs of construction is determined by using market based data provided by the International Building Council.

Council Member Ross said that when the fees were set the objective was to break even and asked what Sandy Springs is doing differently than Dunwoody and where the City of Dunwoody got its rate. Jennifer Peterson, Community Development Director, said Dunwoody's fees are competitive and unbiased and the City's fees are based on data from the International Building Council, which is updated every six months.

Council Member Bonser asked if the City is charged when a certified inspector is needed. Ms. Peterson said there is no charge for plan reviews. Mr. Hutmacher said staff will present recommendations to Council at the next meeting showing an adjustment in residential permit fees with commercial fees remaining the same. Council Member Shortal said that the permit fees for the City of Dunwoody should be competitive with our neighboring cities.

Discussion of selection of auditing services provider: Chris Pike, Finance Director, said that the City released an RFP for auditing services. The first audit is for fiscal year 2009 and will be a thirteen month audit. The City received eleven responses which were reviewed, with three companies standing out: Bates, Carter & Co., Larson Allen, and Mauldin & Jenkins CPA. Mr. Pike

said his recommendation is to award the contract to Mauldin & Jenkins CPA. Council Member Ross expressed that in the future they would like to see the City do business with Dunwoody businesses.

Discussion of City Council Rules and Procedures regarding public comment and meeting schedule: City Clerk Sharon Lowery presented Mayor and Council with two options for meeting schedules. Michael Lockett, IT Manager, presented the option of having a closed discussion board Mayor and Council could use to comment and make suggested changes to agenda documents, with a second option of using a software called Sharepoint. Council Member Wittenstein said the good thing about using Sharepoint is that it notifies you when someone has made a change. Council Member Ross commented that he like the meeting schedule in Option A, but that a Work Session is still needed and spoke in favor of adding technology. Council Member Taylor asked if a closed discussion would count as an open meeting. City Attorney Brian Anderson said that it would if it were open to the public. City Manager Warren Hutmacher said the discussion board would have to be "view only" to the public.

Council Member Shortal said three meetings a month are good and there is no need to fix something that is not broken. Council Member Wittenstein suggested an alternative of having a Work Session every other month and said there is a need for a change. Mayor Wright expressed his interest in cutting down the number of meetings, but said there needs to be a Work Session each month. Mr. Hutmacher said that staff will consider other alternatives and bring them back to Council.

Traffic calming policy discussion: Richard Meehan, Public Works Director, presented the first draft of the traffic calming policy. His recommendations were to 1) implementing a volume criteria; 2) eliminating the first City Council approval meeting; 3) implementing a cost sharing of 50/50; 4) revise the petition voting requirement to 90%; and 5) revising the petition voting requirement to 75% for removal of traffic calming devices. Mayor Wright questioned the 90% voting requirement and asked what equates to the volume criteria. Alex of Lowe Engineers, said volume criteria is the bottom threshold, approximately 400 vehicles per day. Council Member Ross asked for the definition of an affected area. Mr. Meehan said it varies and is generally homes that only have one way out of the neighborhood, and said this would be determined on a case by case basis utilizing traffic studies.

Council Member Shortal said that everyone should be treated equal. He suggested a two year payback with a special assessment on tax bill, a $20 maintenance fee, and that 50% is too high for the City to pay. He said neighborhoods should not rely on the City to fund installation, un-installation, and reinstallation, and the voting requirement should be 75%-90%. He said that it must be made clear to those who want speed humps that LARP funding will not repave streets unless the speed humps are removed. Council Member Bonser agreed that a 90% voting requirement is too high. Council Member Wittenstein said he does not feel the City should fund speed humps to everyone and that the City should determine whether to fund speed humps or sidewalks.

Council Member Wittenstein discussed adding a process in zoning that DeKalb had and asked that staff look into it and start the process. Mayor Wright directed staff to move forward with the initiation of a text amendment.

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

EXECUTIVE SESSION:
There was no executive session.

ADJOURN

Mayor Wright motioned to adjourn. Council Member Shortal seconded. Mayor Wright called for the vote and the motion carried unanimously (6-0).

There being no further business the Meeting was adjourned.

Approved by:

_____
Ken Wright, Mayor

Attest:

_____
Sharon Lowery, City Clerk