

**CITY OF JOHNS CREEK
COUNCIL MEETING
February 11, 2008
7:00pm**

The City of Johns Creek Mayor and Council held a Council Meeting on Monday, February 11, 2008. The meeting was held at 7:00pm in the City Hall Council Chambers located at 12000 Findley Road, Suite 300 in Johns Creek, Georgia.

COUNCIL PRESENT: Post 1-Randall Johnson
Post 2-Dan McCabe
Post 3-Karen Richardson
Post 4-Ivan Figueroa
Post 5-Liz Hausmann
Post 6-Bev Miller
Mayor Michael Bodker

STAFF PRESENT: William Riley, City Attorney
John Kachmar, City Manager
Joan Jones, City Clerk
Patty Hansen, Chief of Staff

PLEDGE OF ALLEGIANCE was lead by Mayor Bodker.

OPENING REMARKS: Mayor Bodker thanked Rev. Rebecca Orton of Parkway Baptist Church for her invocation. He announced the city was presented an award for their Public/Private Partnership with CH2M Hill at the U.S. Conference of Mayors. Council Member Figueroa updated everyone on the successful opening night of the Johns Creek Symphony held at Northview High School. Mayor Bodker thanked the Johns Creek Area Council of Greater North Fulton for inviting him to present the State of the City at their monthly meeting. Mayor Bodker called for a Moment of Silence on the passing of one of Johns Creek founding citizens, Margaret Krueger.

MINUTES: Council Member Miller made a motion to approve the January 22, 2008 Work Session Summary with the following amendment: *that Council Member Miller recused herself from the discussion of Street Name Change.* Council Member Richardson seconded the motion. The Work Session Summary for January 22, 2008 was approved as amended. Prior to consideration of the January 22, 2008 Council Meeting Minutes, Planning and Zoning Administrator Justin Kirouac requested clarification from council on a condition in RZ-07-012. Mayor Bodker asked council if their intent was to include the handwritten portion of Item B in the handout of Exhibit "C". Upon polling the council, Council Members Figueroa, Richardson, Johnson agreed they did not intend to include the handwritten portion of Item B, of the Exhibit "C" handout. Council Member Miller thought it was to be included. Council Members Hausmann and McCabe were not at the meeting and therefore did not offer their opinion on this matter. Council Member Figueroa made a motion to approve the January 22, 2008 Council Minutes with

the amendment to delete the “hand written” wording in bold from condition Item 26 in RZ-07-012. Council Member Johnson seconded. The motion carried unanimously and the amended minutes were approved.

AGENDA APPROVAL: Mayor Bodker asked council to consider amending the agenda to include under New Business Item 1-A presentation from Fulton County Commissioner Lynne Riley regarding Autrey Mill and under New Business, Item 2- Presentation by Community Development Director Mike Williams regarding feedback from the Planning Commission on possible deferral changes and the need for an Executive Session to discuss one personnel matter. Council Member Hausmann made a motion to approve an amended agenda to include the Mayor’s request to add his two requested items under New Business and the Executive Session Personnel Matter. Council Member Johnson seconded. The amended agenda was unanimously approved.

PUBLIC COMMENTS: Cleve Gaddis, on behalf of the JCCA addressed council regarding the Planning Commission’s right to defer cases.

CONSENT AGENDA: Council Member Johnson made a motion to approve the item on the Consent Agenda which include Resolution 2008-02-06 Approval of 2008 Alcohol Beverage Licenses. Council Member Miller seconded the motion. The motion carried unanimously and the Consent Agenda was approved. (*Resolution 2008-02-06*)

REPORTS & PRESENTATIONS: Council Member Hausmann on behalf of the Mayor and Council presented a plaque to the Shriners’ for their invaluable assistance and contribution to the success of the Founders Day Parade held on December 1, 2007. Shriner Roger Wise accepted the plaque on behalf of the Shriners.

City Manager Kachmar introduced Johns Creek first Fire Chief Joseph “Joey” Daniels to the council. Fire Chief Daniels was sworn in by City Clerk Jones. Mayor and Council welcomed Chief Daniels to the city.

City Attorney Riley presented council with information regarding technical changes to the City Charter and requested council consent to proceed with sending the changes to the legislation for a draft, which would then come back to council for their review before any final changes are made and forwarded onto the state legislature. Council consensus was to proceed and place this on an upcoming agenda for further discussion.

OLD BUSINESS

CHAPTER 7 AMENDMENT: The Second Read of Ordinance 2008-01-02 Amending Chapter 7: Alcohol Beverages was read. City Attorney Bill Riley reviewed the changes to Chapter 7: Alcohol Beverages, which would require licensees of retail sale of distilled spirits for consumption on the premises to be designated eating establishments. Council Member Miller made a motion to adopt Ordinance 2008-01-02 amending Chapter 7: Alcohol Beverages as presented. Council Member McCabe seconded. The motion carried unanimously. (*Ordinance 2008-01-02*)

NEW BUSINESS:

AUTREY MILL: City Manager Kachmar reminded council of the history on how the city acquired park land and how 1.4 acres of Autrey Mill is owned by Fulton County Water Authority. Fulton County Commissioner Riley addressed the council clarifying how the FC Water Resource Commission would like to transfer this 1.4 acres to one owner unit, that being the City of Johns Creek. The Water Resource Commission will meet February 21st and Commissioner Riley requested if the city is interested in obtaining ownership of this section of Autrey Mill, she would like to approach the Commission with this request. City Manager Kachmar reminded council of the necessity of a Phase 1 Environmental Survey of this parcel. Mayor Bodker and Council directed city staff to work with Commissioner Riley and Fulton County Water Resource Commission on this matter.

PLANNING COMMISSION: Community Development Director Mike Williams updated the council on the Planning Commissions requests regarding the deferral process; options considered are no deferral by the Planning Commission; deferral if new site plan is received within seven days of hearing; and or applicant request deferral. In addition, he requested council not to place this in the zoning ordinance, but in the code under administrative purposes. This item will be placed on an upcoming agenda for discussion.

STREET NAME ASSIGNMENT POLICY: Community Development Director Williams outlined the Street Name Assignment Policy which includes the Street Name and Addressing Standards to the council. Council Member Figueroa made a motion to approve Resolution 2008-02-07 adopting the Street Name Assignment Policy which includes the Street Name and Addressing Standards. Council Member Johnson seconded. The motion carried unanimously. (*Resolution 2008-02-07*)

Council Member Miller recused herself from the next agenda item as she is employed by the applicant. City Clerk announced the public hearing will allow ten (10) minutes per side unless council votes otherwise.

STREET NAME CHANGE: Community Development Director Williams addressed the council on the request from Emory Johns Creek Hospital to change the name of their street from West Johns Crossing to Hospital Parkway. He reviewed the street name change application, all requirements have been met, that citizens and businesses that are affected by this change have been notified.

Mayor Bodker opened the Public Hearing on the street name change request from Emory Johns Creek Hospital.

Emory Johns Creek President and CEO, John Quinlivan addressed council and requested their approval to change West Johns Crossing to Hospital Parkway. He explained the change would improve times for emergency vehicles as they could locate the facility

quicker; ease of locating the hospital for both patients and visitors; and he explained the surrounding medical offices are in support of this name change.

Mayor Bodker called for any opposition on this proposed street name change. There being no opposition, Mayor Bodker closed the Public Hearing.

Council discussion was held on this proposal; clarification was made that the street name of East Johns Crossing would remain the same. Council Member Johnson made a motion to adopt R2008-02-08 approving the Street Name Change of West Johns Creek to Hospital Parkway. Council Member McCabe seconded. The motion carried 6-0 with Council Member Miller having recused herself from this discussion and action. (***Resolution 2008-02-08***)

RECREATION & PARKS ADVISORY COMMITTEE: Mayor Bodker presented Council with nominees for appointment to the Recreation and Parks Advisory Committee. Council Member Miller made a motion to accept Resolution 2008-02-09; the nomination of Wayne Henderson, Alan Hill, James Jones, Teresa Johnston, Tony Green, Larry Buckles and Peter Hall as the newly appointed Recreation and Parks Advisory Committee. Council Member Hausmann seconded the motion. The motion carried unanimously. (***Resolution 2008-02-09***)

DASH CAMERAS: Police Chief Densmore request council action on the procurement of dash cameras for the police vehicles. He addressed the cost and benefits for this purchase. Council Member Johnson made a motion to approve the procurement of the 27 dash cameras for the police vehicles from L-3 Communications at a cost of \$167,209. Council Member McCabe seconded the motion. The motion carried unanimously. (***ACTION ITEM***)

RZ CASE 08-002: The First Read of the ordinance to amend the zoning map for Rezoning Case 08-002 from Greg Swinks involving 11885 and 11895 Douglas Road from R-4 Conditional to TR (Townhouse Residential District) for a proposed Townhouse development was read.

RZ CASE 07-010 (Amended) The First Read of the ordinance to amend the zoning map for Rezoning Case 07-010 as amended from Aladdin Nabavi of 8125 McGinnis Ferry Road from AG-1 to MIX Conditional to allow for a two story 8,320 square foot office building and a 6,223 square foot Art Studio with residence and a Concurrent Variance VC-07-010-1 as amended requesting to eliminate required 10 foot landscape strip along the internal property line was read.

OTHER BUSINESS:

Mayor and Council reviewed the upcoming February 25, 2008 Agendas for the Work Session and Council Meeting.

No public comment.

MAYOR'S COMMENT: Mayor Bodker thanked everyone for attending and for the continued citizen input and support. He welcomed the Recreation and Parks Committee and reminded everyone of the upcoming Citizen Advisory Committee meetings for the Comp Plan on 19th of February here at city hall. He announced there will not be a Council Work Session on February 19th, the next meeting of the Mayor and Council will be February 25, 2008 with a Work Session at 5pm followed by a Council Meeting at 7:00pm.

EXECUTIVE SESSION: Council Member Johnson made a motion to go into Executive Session to discuss a personnel matter. Council Member McCabe seconded. The motion carried unanimously.

Council Member Figueroa made a motion to come out of Executive Session and resume the meeting. Council Member Johnson seconded. The motion carried and Regular Session resumed.

There being no further business, Council Member Johnson made a motion to adjourn. Council Member McCabe seconded. The motion carried unanimously and the meeting was adjourned.

Approved:

Michael E. Bodker, Mayor

Joan Jones, City Clerk