

**CITY OF JOHNS CREEK  
COUNCIL MEETING  
March 24 2008  
7:00pm**

The City of Johns Creek Mayor and Council held a Council Meeting on Monday, March 24, 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:** Led by Cub Scouts Pack 669 from Ocee Elementary School.

**OPENING REMARKS:** Mayor Bodker thanked everyone for attending and hoped they had a pleasant Easter; he thanked Cub Scouts Pack 669 for their pledge. Mayor Bodker recognized Eric Beppler of Troop 2000 who was in attendance tonight working on his communication and citizenship badge and he congratulated the award winning Chattahoochee High School Academic Bowl Team who was also in attendance.

**MINUTES:** Council Member Hausmann made a motion to accept and approve the March 10, 2008 Work Session Summary and the March 10, 2008 Council Meeting Minutes as submitted. Council Member Johnson seconded. The motion carried unanimously.

**AGENDA APPROVAL:** Mayor Bodker asked the council to consider amending the agenda by adding to the consent agenda the consideration of the revision of the meeting schedule for the mid-month work session as discussed in the work session and to note there will be a need for an Executive Session to discuss two legal matters. Council Member McCabe asked for clarification of a Resolution Number for the meeting schedule, the clerk issued Resolution 2008-03-21 if needed. Council Member McCabe made a motion to approve the Agenda with the following amendments: to add under Consent Agenda Resolution 2008-03-21 Work Session Schedule and to add Executive Session for discussion of two legal matters. Council Member Figueroa seconded the motion. The motion carried unanimously and the agenda was amended.

**PUBLIC COMMENT:** No Public Comments tonight.

**CONSENT AGENDA:** City Clerk Jones read the following items to be considered on the Consent Agenda:

- The consideration of the GDOT Contract designating McGinnis Ferry Road as a temporary state route. (***Action Item***)
- The approval of Privileged Resolutions for Eagle Scouts Michael McDonough and Samuel White. (***Action Item***)
- The approval of Resolution to approve Proclamation for the Chattahoochee High School Academic Team. (***Resolution 2008-03-19***)
- The approval of Resolution to approve the cancellation of the middle Work Sessions in April, May and June, to be reconsidered at the July Council Retreat and to have the remaining Work Sessions begin at 5:00pm -(***added to Consent Agenda***) (***Resolution 2008-03-21***)

Council Member McCabe made a motion to approve the Consent Agenda. Council Member Miller seconded. The motion carried unanimously.

**ANNOUNCEMENTS:** Council Member Richardson read the following Privileged Resolution into the record:

*The City of Johns Creek recognizes Michael McDonough of Troop 3143 on obtaining the rank of Eagle Scout. Scout McDonough completed his service project which included the removal of the old steps and construction on new steps and handrails at the Program Barn located within the Autrey Mill Heritage Center and Nature Preserve. In addition, Scout McDonough installed a concrete walkway from the new stairs to the adjacent sidewalk. This project was a culmination of hard work and dedication and reminds us of the value of scouting both to the individual and to our community as well. Whereas Eagle Scout McDonough's project enhances park safety for citizens and visitors alike, the Mayor and Council of the City of Johns Creek hereby recognize and applaud Eagle Scout Michael McDonough.*

Council Member Figueroa read the following Privileged Resolution into the record:

*The City of Johns Creek recognizes Samuel White of Troop 3143 on obtaining the rank of Eagle Scout. Scout White completed his service project by planning and leading the effort on the construction of two foot bridges within the Autrey Mill Heritage Center. This project ensures the safety and continued protection of the low-lying wetlands and designates the pathways more clearly and safely for visitors. Not only does the Autrey Mill Heritage Center benefit from this project; Johns Creek will continue to benefit from Scout White's involvement within his community. Whereas Eagle Scout White's project enhances the green space within our city park which in turn enhances the quality of life for our citizens, the Mayor and Council of the City of Johns Creek hereby recognize and applaud Eagle Scout Samuel White.*

Council Member Hausmann presented a Proclamation to the Chattahoochee High School Academic Team on winning the State Championship. The Mayor and Council congratulated each member and their coaches.

City Clerk Jones updated the council on the upcoming public meetings.

**REPORTS & PRESENTATIONS:** No Reports Given.

### **OLD BUSINESS**

**CHAPTER 2 AMENDMENT (Planning Commission Guidelines):** The Second Reading of Ordinance 2008-03-04 to Amend Chapter 2 was held. Planning and Zoning Administrator Justin Kirouac reviewed with council the changes to the Planning Commission Guidelines in Chapter 2; Planning Commission Procedures change from a 30 days deferral to month with everything remaining the same as the first read.. Clarification was made that a public hearing process (the 10 minute hearings) is not required for this change as this ordinance is not part of the Zoning Ordinance. The withdrawal amendment is not included in this amendment. Discussion was held if this changes the Public Participation Report (it does not), the deferral options and the need for the applicant to present all information necessary for the Planning Commission in a timely manner, and staggered terms for future commissions. The council commended the efforts and work of the Planning Commission. Council Member Miller motioned to adopt Ordinance 2008-03-04 to amend Chapter 2: Administration regarding guidelines for the Planning Commission Procedures. Council Member Johnson seconded the motion. The motion carried unanimously. (*Ordinance 2008-03-04*)

### **NEW BUSINESS**

**CHAPTER 2: ADMINISTRATION:** The First Read of Ordinance 2008-03-05 to amend Chapter 2: Administration to amend Council's Rules and Procedures for the City Council Meetings and Public Hearings was held. Administrative Services Director Sheryl Boell outlined the changes to this ordinance. This change involves a First and Second read Ordinance along with a Resolution adopting the amended Rules and Procedures.

**IGA w/DORAVILLE for WARRANT SERVICES:** Court Clerk Tony Day outlined an updated Intergovernmental Agreement between City of Johns Creek and the City of Doraville for the provision of warrant services. He explained Doraville will enter/maintain bench warrants for Johns Creek until we are set up as 24/7 GCIC facility, there will be a review in sixty days, warrants are to be entered within 12 hours of delivery and clarification of contact information/title as they are authorized GCIC users. Council Member Johnson made a motion to adopt resolution 2008-03-17 authorizing the Intergovernmental Agreement with the City of Doraville for the provision of warrant services as amended (titles).

Council Member Figueroa seconded. The motion carried unanimously. ***(Resolution 2008-03-17)***

City Manager Kachmar outlined information received from the City of Doraville regarding the IGA for police to check for outstanding warrants which should have been received when the initial IGA for Court was received. This information for agreement was just received. City Attorney Riley explained if the council wishes to consider this IGA, the agenda would need to be amended. To consider and discuss this item, Council Member Figueroa made a motion to amend the agenda to include under New Business, this IGA between the City of Doraville and City of Johns Creek which would be Resolution 2008-03-22. Council Member McCabe seconded the motion to amend the agenda. The motion carried unanimously. Mayor Bodker called for a ten (10) minute recess to allow council to review this document.

Mayor Bodker called the Regular Session back to order. City Manager Kachmar requested council to withdraw this document from the agenda as this is a barebones document and needs to be revised. He assured council there will be something in place prior to police startup. The process of how this IGA works for our Police Officers regarding warrants was outlined for council. Council Member Figueroa made a motion to table this item Resolution 2008-03-22 until the April 14<sup>th</sup> Council Meeting. Council Member Hausmann seconded the motion. The motion carried unanimously

**IGA w/FULTON COUNTY for RADIO SERVICES:** City Manager Kachmar and City Attorney Riley reviewed this IGA for utilization of the 800 MHz Radio System. Discussion was held regarding the length of the agreement, the possibility of having our own system in the future and the number of licenses/radios in this band width. Council Member Richardson made a motion to adopt Resolution 2008-03-20 to approve an Intergovernmental Agreement between Fulton County and the City of Johns Creek for the provision of 800 MHz Radio System Access. Council Member Johnson seconded the motion. The motion carried unanimously. ***(Resolution 2008-03-20)***

**FIRE STAFF VEHICLES:** No presentation needed by council as this was discussed at tonight's work session. Council Member Johnson made a motion to authorize the purchase of fire staff vehicles as follows: three (3) 2008 Chevrolet Tahoe's; three (3) 2008 Chevrolet Silverado for total purchase price of \$185,215.71. Council Member Miller seconded the motion. The motion carried unanimously. ***(ACTION ITEM)***

**FIREFIGHTER GRANTS:** No presentation needed by council as this was discussed at tonight's work session Council Member Hausmann made a motion to proceed with the submission of the Federal Assistance Firefighter Grants. Council Member Figueroa seconded the motion. The motion carried unanimously. ***(ACTION ITEM)***

**OTHER BUSINESS:** Council reviewed the April 14, 2008 Draft Agendas.

**PUBLIC COMMENTS:** No Public Comments.

**MAYOR'S COMMENTS:** Thanked everyone for attending and wished them a safe drive home.

**EXECUTIVE SESSION:** Council Member Hausmann made a motion to go into Executive Session to discuss two legal items. Council Member McCabe seconded the motion. The motion carried unanimously. Mayor Bodker announced the council may return for action.

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

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

Approved:

---

Michael E. Bodker, Mayor

Attest:

---

Joan Jones, City Clerk