

CITY OF JOHNS CREEK
COUNCIL MEETING MINUTES
April 26, 2010 @ 7:00pm

The City of Johns Creek Mayor and Council held a monthly meeting on Monday, April 26, 2010. 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-**Absent**
Post 3-Karen Richardson
Post 4-Ivan Figueroa
Post 5-Liz Hausmann
Post 6-Bev Miller
Mayor Michael Bodker

STAFF PRESENT: City Manager, John Kachmar
William Riley, City Attorney
Joan Jones, City Clerk

PLEDGE OF ALLEGIANCE: Led by Eagle Scouts Michael Evan Casto, Kevin Valentino and Patrick Lane of Troop 10 and Alex Kraemer of Troop 629.

OPENING REMARKS: Mayor Bodker welcomed everyone to the meeting and mentioned he attended the Water for the World Race in Tech Park this past Saturday, and on Sunday, went to Northview High School to present Governor Purdew's Proclamation in recognition of Johns Creeks' hosting of the 2010 Southeastern Lacrosse Conference Championships. He congratulated the SELC organizers on a great event and commented he missed the regional championship game, won by the University of Florida, as he was attending a North Atlanta Dance Production which featured several Johns Creek Students. The Mayor invited everyone to support the JCPD upcoming fundraisers for Special Olympics, "Cops on Shop", Friday night, April 30 through Sunday, May 2 at 2:30am, at the Medlock Shopping Center, and the 2nd annual Special Olympics Golf Tournament, May 17th. Mayor Bodker reminded everyone to complete their census forms and announced the North Fulton Mayors Association will be hosting a gubernatorial debate on April 29th in Roswell. He mentioned information about the debate, a link to the 2010 Census website, and other city news and information is available via our website.

MINUTES: Council Member Johnson motioned, seconded by Council Member Hausmann to approve the April 12, 2010 Work Session Summary and Council Meeting Minutes as presented. There being no further discussion, the motion carried unanimously.

AGENDA APPROVED: Council Member Figueroa motioned, seconded by Council Member Richardson to approve the meeting agenda as presented. There being no further discussion, the motion carried unanimously and the agenda was approved.

PUBLIC COMMENT: No Public Comment.

CONSENT AGENDA: Council Member Figueroa motioned, seconded by Council Member Hausmann, to approve the Consent Agenda, which included **ACTION ITEM-** Approve Privileged Resolutions for Eagle Scouts Michael Evan Casto, Kevin Valentino and Patrick Lane

of Troop 10 and Alex Kraemer of Troop 629. There being no discussion, the motion carried unanimously.

ANNOUNCEMENTS: City Clerk Jones announced the following meetings:

Tuesday, 5/4/10@5:00pm-RPAC Meeting

Tuesday, 5/4/10 @7:00pm—Planning Commission Meeting

Monday, 5/10/10 @ 5:00pm-Work Session, followed @7:00pm by City Council Meeting

REPORTS & PRESENTATIONS: Council Member Richardson presented and read the following Privileged Resolution recognizing Eagle Scout Michael Evan Casto, Troop10:

The City of Johns Creek recognizes Michael Evan Casto of Troop 10, on successfully completing all the rank requirements for Eagle. Whereas Eagle Scout Casto has completed his Eagle Scout project, which was to organize the purchase, assembly and mailing of over 130 care packages to our military serving in Afghanistan and Iraq. Whereas Eagle Scout Casto, by working with other agencies and community residents, raised over \$5,000 to help send our soldiers items they are unable to acquire at their duty stations and each package included a personal note of thanks to remind them the citizens of Johns Creek care. Whereas the Eagle Scout Award is a distinction that will follow him throughout life, the Mayor and Council of the City of Johns Creek recognize and applaud Eagle Scout Michael Evan Casto.

Council Member Richardson presented and read the following Privileged Resolution recognizing Eagle Scout Kevin Valentino, Troop10:

The City of Johns Creek recognizes Kevin Valentino of Troop 10 on obtaining the rank of Eagle Scout. Whereas Eagle Scout Valentino completed his service project, which included the construction and placement of three (3) informational signs located within the Autrey Mill Heritage Center and Nature Preserve. Whereas Eagle Scout Valentino's project took many hours, it enhances the educational experience at Autrey Mill and allows visitors to easily ascertain what is happening at the preserve; and, Whereas Eagle Scout Valentino has earned many badges and merits, the distinction of the Eagle Scout Award will follow him throughout his career. The Mayor and Council of the City of Johns Creek hereby recognize and applaud Eagle Scout Kevin Valentino.

Council Member Miller presented and read the following Privileged Resolution recognizing Eagle Scout Patrick Lane, Troop10:

The City of Johns Creek recognizes Patrick Lane of Troop 10 on obtaining the rank of Eagle Scout. Whereas, Eagle Scout Lane completed his community service project in which he enhanced the existing flagpole area at Christ the Shepherd Lutheran Church by constructing a walkway from the parking lot to the building entrance and by installing pavers to and around the flagpole. Whereas Eagle Scout Lane's project will provide easier accessibility and enjoyment to the many students, families and visitors to the Open Arms Development Center located at the church, it also provides an area to hold various flagpole ceremonies during special holidays. Whereas Eagle Scout Lane inspires others to volunteer their time and talents to their community, his Eagle Scout Award distinction will follow him throughout his life. The Mayor and Council of the City of Johns Creek hereby recognize and applaud Eagle Scout Patrick Lane.

Council Member Johnson presented and read the following Privileged Resolution recognizing Eagle Scout Alexander William Kraemer, Troop 629:

The City of Johns Creek recognizes Alexander William Kraemer of Troop 629, on successfully meeting all the rank requirements for Eagle. Whereas Eagle Scout Kraemer's project consisted of adding benches, wild flowers and plants to the garden at the Peachtree Christian Hospice thereby providing a more relaxing and comfortable experience for residents and visitors alike. In addition, Eagle Scout Kraemer collected and donated books for the children of the residents to enjoy. Whereas Eagle Scout Kraemer's project took many hours of dedication and commitment to his community, it demonstrates the values Scouting brings to our city. The Mayor and Council of the City of Johns Creek now hereby recognize and applaud Eagle Scout Alexander William Kraemer.

Parks and Recreation Manager Robbie Newton presented the awards to the MLB Regional Champs of the Third Annual Pitch, Hit and Run Competition held in Ocee Park on April 17th. Awardees ranged from ages 7 to 13. Manager Newton also reported the Ocee Park expansion is completed, there are now 70 additional parking spaces at the facility, and the dates for the Movies in the Park event are June 5, July 10 and September 4th. He also mentioned there will be an Adult Tennis Tournament on May 15 in Newtown Park.

Council Member Liz Hausmann read a letter of resignation, outlining her intent to resign from her Council pos, effective April 28th, to run for a seat on the Fulton County Commission.

Mayor acknowledged Scout Parth Sang, from Troop 3143 attending the meeting to work on his Communications Badge.

OLD BUSINESS: No Old Business.

NEW BUSINESS:

RIVER CORRIDOR CERTIFICATE: Planning and Zoning Administrator Justin Kirouac presented on the request for a River Corridor Certificate for the property located 9263 River Club Parkway. The property owner has requested to build a house expansion and because it is located within 2000 feet of the Chattahoochee River, the certificate is required. ARC reviewed the request and raised no objections. .

Mayor Bodker opened the Public Hearing regarding the River Corridor Issuance of Certificate for Case, RC-10-001- 9263 River Club Parkway and called for public comment. There being no public comment, Mayor Bodker closed the Public Hearing. Council Member Johnson motioned, seconded by Council Member Richardson to approve RC-10-001 for the River Corridor Issuance of Certificate for 9263 River Club Parkway. There being no discussion, the motion passed unanimously. (***ACTION ITEM***)

REZONING CASE 10-001/ VC-10-001-01 TRIBAC DEVLEOPMENT LLC Public Hearing and Consideration of Ordinance 2010-04-04 to Amend the Zoning Map for Zoning Case RZ-10-001- 10700 Block of Abbotts Bridge Road and the 11700 Block of Medlock Bridge Road for Tribac Development LLC- to change the conditions to TR Conditional to TR Conditional-to allow detached units in addition to the approved attached units and VC-10-001-01 – Concurrent variance to reduce the building setbacks between the detached units was held.

Planning and Zoning Administrator Justin Kirouac presented, stating the applicant is requesting a change in conditions to amend the approved site plan to allow detached units in addition to the previously approved attached units. To facilitate the proposed detached units, the applicant is also seeking a variance, which would be required to reduce the setback on the individual lots. Staff recommended approval of the request with conditions.

Clerk Jones read into the record the Zoning Hearing Procedures.

Mayor Bodker opened the Public Hearing to amend the zoning map regarding RZ-10-001- 10700 Block of Abbotts Bridge Road and the 11700 Block of Medlock Bridge Road for Tribac Development LLC- to change the conditions to TR Conditional to TR Conditional-to allow detached units in addition to the approved attached units and the concurrent variance VC-10-001-01 to reduce the building setbacks between the detached units..

Mr. Pete Hendricks represented the applicant and stated the revision is being requested partly due to consumer demand for detached units, and he added the addition of detached housing units will reduce the property density. Lea Taylor, representing the JCCA, addressed Council and stated that a community meeting was held and there were no objections raised to this application.

As there were no additional public comments, Mayor Bodker closed the public hearing. Council Member Hausmann motioned, seconded by Council Member Richardson to approve Ordinance 2010-04-04 approving RZ-10-001 and VC10-001-01 with the following staff and Planning Commission recommendations:

1. The site shall be developed with a maximum of 70 residential units.
2. The site shall be developed in general accordance with the site plan submitted January 5, 2010 to the Community Development Department.
3. Detached units shall provide a minimum of 5 feet of separation between units and, where driveways are located, shall provide 20 feet from internal drives (V-10-001-1). Depending on the building separation, the detached units could be subject to more stringent Building Codes regarding material, which will be determined upon building permit submittal.
4. All dwellings shall be constructed of brick, stone, cedar shake or fiber-cement siding generally consistent with the elevations submitted January 5, 2010. All exterior elevations shall be constructed of at least 50 percent brick or stone. Final elevations shall be subject to review and approval of the Director of Community Development.
5. Building type within individual pods, as depicted on the site plan, shall be of a single type.
6. Provide a 15 foot landscape strip planted to buffer standards with a 6 foot high privacy fence along the north property line exterior to the landscape strip.
7. Access to Medlock Bridge Road shall be prohibited.
8. The owner/developer shall dedicate at no cost to the Georgia Department of Transportation (GDOT) along the entire property frontage on Medlock Bridge Road (SR 141) a minimum of seventy-five feet (75ft) from the centerline of the road prior to the

issuance of any additional building permits by the City of Johns Creek and as approved by the City of Johns Creek Director of Public Works.

There being no further discussion, the motion passed unanimously. (*ORDINANCE 2010-04-04*)

COMMUNITY DEVELOPMENT BLOCK GRANT FUND (CDBG): Finance Director Monte Vavra presented on Resolution 2010-04-18 authorizing transfer of \$360,411.00 from the General Fund to the CDBG Fund to facilitate construction work on the Newtown Senior Center. The City will be reimbursed over a three-year period. Council Member Johnson motioned, seconded by Council Member Miller to approve Resolution 2010-04-18. There being no further discussion, the motioned passed unanimously. (*RESOLUTION 2010-04-18*)

AMEND FY10 BUDGET CDBG FUNDS: Director Vavra explained Council must approve the transfer of funds from the General Fund into another fund. Council Member Richardson motioned, seconded by Council Member Hausmann, to approve Ordinance 2010-04-05 to amend the FY 2010 Budget for the transfer of General Fund dollars, \$360,411.00, to the CDBG Fund. There being no further discussion, the motioned passed unanimously. (*ORDINANCE 2010-04-05*)

CHATCOMM E-911: Finance Director Vavra Presented on Resolution 2010-04-19 to authorize the transfer of \$350,000 from the General Fund to the E 911 Fund to support operation costs for ChatComm. Council Member Johnson motioned, seconded by Council Member Figueroa, to approve Resolution 2010-04-19. There being no further discussion, the motioned passed unanimously. (*RESOLUTION 2010-04-19*)

AMEND FY10 BUDGET FOR GENERAL AND E-911 FUNDS: Council Member Figueroa motioned, seconded by Council Member Miller, to approve Ordinance 2010-04-06 to amend the FY 2010 Budget for the transfer of General Fund dollars, \$350,000, to the E911 Fund. There being no further discussion, the motioned passed unanimously. (*ORDINANCE 2010-04-06*)

FEMA GRANT: Executive Aide Patty Hansen presented on the FEMA Assistance Grant, informing Council the grant amount awarded is \$177,640, with a local match of \$44,409, for a total of \$222,049 to fund specific fire equipment purchases to aid in firefighting. There was discussion on the type of equipment funded, which include equipment to manipulate traffic signal controls, Pulse Oximeters to monitor firefighters in the service of firefighting, mobile exhaust system and tracking device to track fire fighters during an incident.

Council Member Miller motioned, seconded by Council Member Hausmann, to approve the Action Item to accept the FEMA grant funds. There being no further discussion, the motioned passed unanimously. (*ACTION ITEM*)

GDOT GATEway GRANT: Executive Aide Hansen reported that through the Georgia Transportation Enhancement Grant the City was awarded \$50,000 for landscaping improvements at Abbots and Jones Bridge Roads and Johns Creek Beautification made a donation to help cover a year of maintenance costs, which is approximately 10,000.

Council Member Figueroa motioned, seconded by Council Member Richardson to approve the Action Item to accept the GATEway grant. There being no further discussion, the motioned passed unanimously. (*ACTION ITEM*)

OTHER BUSINESS: Executive Aide Hansen presented a summary report of the current grants the city has applied for, including those funded and/or still pending funding. City Manager John Kachmar asked Council to let him know their availability for one Friday in June to schedule the dedication ceremony for the Newtown Fire Station in honor of fallen Fire Fighter Felix Roberts.

PUBLIC COMMENT: No public comment.

MAYOR'S COMMENT: Mayor Bodker thanked everyone for attending and again congratulated the Eagle Scouts and Pitch-Hit-and Run Competition winners. He wished Council Member Hausmann all the best and said it was a pleasure serving on the Council with her.

EXECUTIVE SESSION: No Executive Session.

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

Approved:

Attest:

Michael E. Bodker, Mayor

Joan C. Jones, City Clerk