

Johns Creek

A city whose time has come

“A government of the people, by the people, for the people,” Abraham Lincoln said in his Gettysburg Address. For the people in Northeast and Northwest Fulton County, there’s never been a more opportune time to execute those words than right now. This July, you will have the opportunity to vote “yes” for control. And in so doing, you will give life to a new city—a new and efficient government that will truly be “of the people, by the people and for the people.”

Put simply, the incorporation of Johns Creek means an end to taxation without representation—the same cry heard at the Boston Tea Party. Instead, the citizens of the new city of Johns Creek will be served by six councilmen and a mayor who are neighbors—seven people who share in the concern to preserve this area of the county’s quality of life.

That’s a night and day difference from the current situation where each Fulton County commissioner is responsible for nearly 160,000 people. The commissioners decide how to spend our tax dollars. Couple that with the fact that under the present unincorporated structure, we are only directly electing several of the Fulton County commissioners. And because majority rules, more often than not, this part of the county loses.

Bringing government closer to the people is the only way to control where and how our money is spent. We’re already paying \$15 million in a one-cent local option sales tax (LOST) to Fulton County. However, we’re not receiving the benefit. Why should we lose with LOST?

In addition, the citizens of Northeast and Northwest Fulton County paid \$7 million dollars more than we received in services through the special services tax district last year. Fire, police, roads, parks and recreation...these are the municipal services that have a direct effect on our quality of life. These are also the same services in question of balance. Fulton County commissioners slice the pie for municipal services in the way that pleases their palate. According to a feasibility study conducted by the Carl Vinson Institute of Government at the University of Georgia, incorporation for Johns Creek is not only fiscally viable, it will bring the balance back in our favor. More importantly, this will be accomplished without raising taxes. By law, property taxes in the new city will be capped at the current millage rate until a referendum to change them is approved by city residents.

By incorporating, Johns Creek will withdraw from specific taxing elements of Fulton County and become responsible for providing its own municipal government and many of its own municipal services. “We’re committed to providing the most services for the least costs,” says Mike Bodker, a North Fulton County resident and member of the Northeast Fulton Study Committee. “As a new city we’ll utilize transition agreements that will give us time to either use privatization, intergovernmental agreements or deliver services directly.” In all cases, the new Johns Creek government will be innovative and efficient to use your tax dollar effectively. Isn’t that a fresh approach?

Sandy Springs may be the pioneer incorporated city in our state; however, there are dozens of success stories* across the country as Americans continue to voice their commitment to self-government. The idea is deeply ingrained in our American culture, stemming from the Jeffersonian notion that local government is an effective way to ensure citizen participation in government. With participation comes accountability, and with accountability comes control. Our forefathers had it right: better government, better service, and better quality of life.

*Village of Pinecrest, Florida; Centennial, Colorado and Covington, Washington are just a few of the cities that have incorporated successfully in the last 10 years.

Why Incorporate Johns Creek?

Q. Why should I vote yes for the incorporation of Johns Creek?

A. In three words...quality of life. The local control, additional resources and immediate representation that is a result of incorporation all adds up to preserving our area’s quality of life.

Q. How does state legislation encourage incorporation?

A. In 2004 the Georgia General Assembly passed House Bill 36, which essentially enables the incorporation of municipalities under certain circumstances. Highlights of the bill include revision of provisions of law so as to eliminate the three-mile minimum distance requirement; to provide new municipal corporations a minimum amount of time to arrange for service delivery; and to allow for equitable distribution of joint county and municipal local option sales tax to new, qualified municipalities. Sandy Springs is the first new city to benefit from this new legislation.

Q. What research supports the incorporation of Johns Creek?

A. The Carl Vinson Institute of Government of the University of Georgia developed a feasibility study for the city of Johns Creek. The report finds the incorporation of Johns Creek as “fiscally viable.” That is to say that Johns Creek will be able to expend the same amount of funds (without raising tax rates and fees above their current level) as is currently expended by county government to provide the same level, or exceed the level of services currently provided by the county.

Q. Shouldn't we wait to see what happens with Sandy Springs?

A. In an ideal world, we could sit back and watch for an indefinite period of time. However, the economic and political landscape is such that *this* is the optimal time to act. Sandy Springs officials have been very generous with their time and advice. They will continue to be a source of knowledge for us between the time that the governor signs the bill enabling the referendum to vote for our new city, and the time of actual incorporation—approximately nine months.

Q. Isn't it expensive to start a city?

A. There are associated start-up costs. However, we believe these expenses will be paid over a 20-30 year period, thus eliminating an upfront financial burden.

Q. Will I pay more in taxes?

A. Simply put, we do not expect any tax increase. From a property tax perspective, the City of Johns Creek will apply the same millage rate to property tax assessments as Fulton County. This is capped by law and can only be changed by a referendum vote of Johns Creek residents. Some of our residents will actually see a slight decrease due to some positive differences between our homestead exemptions and the county's. In addition, all fiscal studies by the Carl Vinson Institute have been based on no changes to any of the tax rates, whether they are property taxes, business licenses or others.

Q. Will this affect my return address?

A. Your return address is controlled by the United States Postal Service. As long as your zip code is accurate, you may use the city's name of Johns Creek and your mail will be delivered to you. And while the new city will make an effort to lobby for a Post Office in our area, it is the USPS that has that final decision.

Q. Where is Town Hall going to be?

A. Town Hall is more than a symbol of city government. It's a place where, at some point, each citizen will have a need to visit. Naturally, we all want convenient access to Town Hall. Because Johns Creek is a compact area, we will make certain that Town Hall is located as centrally as possible.

Q. What positive impact can we expect to see immediately?

A. As we focus our efforts in the first year on taking control of all areas of government for which the City of Johns Creek is responsible, the new city council's charge will be to make noticeable improvements even in the early days. We expect to see improvements in roads, including resurfacing and intersection improvements; increased spending on our existing parks, and possibly increases in fire and police staffing.

Civics 101: Timeline of Bill becoming Law

The bill, sponsored by State Representative Mark Burkhalter (Duluth), is introduced in the House.

The Speaker of the House sends the bill to a committee which assigns the bill to an appropriate subcommittee for review and approval.

When passed in Subcommittee, the bill is sent back to the Full Committee for approval.

Once passed by the Full Committee, the bill goes to the Rules Committee—the gatekeeper of all legislation.

The Rules Committee sends the bill back to the House Floor for a full vote. The bill must pass with a majority—91 votes.

Upon passage from the House, the bill now goes to the Senate in its exact form to begin a similar process.

When the Senate passes the bill, it goes to the Governor for his signature. The Governor has up until the end of the session to sign all legislation.

With the Governor's signature, the bill becomes law and calls for a July public referendum. A majority vote of "yes" (50 percent of the vote, plus one) in July calls for elections of Johns Creeks city officials—a Mayor and six councilman—to occur simultaneously with the state primary elections in November 2006.

Controlling Our Destiny

As a lifelong resident of North Fulton County, I'm fairly certain that I love what you love about our area: our land, our schools, our lifestyle. I'm also certain that I share your dissatisfaction with that which stands to ruin the very quality of life we're entitled to here—that being traffic, poorly maintained roads and the lack of adequate police and fire support. Not only do I live it every single day like you, I've dedicated the better part of my career to resolving this issue. The solution is incorporation; and it's in your hands this July.

Perhaps we take for granted the idea that local governments have the right to incorporate, and to basically control their own destiny. Many other countries do not have that right, and until recently, laws in our State prevented incorporation of new municipalities. But the tides have shifted. In the 2004 General Assembly, the legislature passed a bill that essentially removes those barriers and allows incorporation of municipalities under certain circumstances. Sandy Springs is our pioneer. Johns Creek will be next.

This is our first opportunity to obtain genuine self-government for our area. We deserve it. For too long we've been short-changed by the county commissioners who have sorely neglected our area. We've overpaid into a dysfunctional system of Fulton County and have received very little return on our investment. I believe this is the first step of a two-step mission to get North Fulton its own county. Once we're incorporated, we take a step closer toward control of our local government, and then we can get complete control with the creation of a new county.

What excites me about our new city of Johns Creek is that our fellow neighbors will decide on zoning issues and ultimately the fate of property values. From day one, as a new city, we'll be able to capture our pro rata share of sales tax dollars that are generated, based on our population. We can immediately use those funds that have previously been sent away toward addressing the traffic problems and improving our roads. And, by controlling our own services, we'll have a safe North Fulton with quicker police and fire response times. In the long range, this city of Johns Creek will be the crown jewel city and the most prestigious address to own for any resident of Georgia. We're ready for the birth of a new city, and by the close of 2006, we'll have one!