

Special Called Meeting of the Mayor and Council of the City of Milton was held on December 1, 2006 at 9:00 AM.

CALL TO ORDER

City Manager Aaron Bovos called the meeting to order.

ROLL CALL

City Clerk Marchiafava called roll.

Councilmembers Present: Councilmember Karen Thurman, Councilmember Julie Zahner Bailey, Councilmember Tina D'Aversa-Williams, and Councilmember Rick Mohrig.

Absent: Mayor Joe Lockwood

PLEDGE OF ALLEGIANCE

City Manager Bovos led the pledge of allegiance.

APPROVAL OF THE MEETING AGENDA

City Clerk Marchiafava stated that staff would like to amend the Meeting Agenda by moving Agenda Item 06-118 from First Presentation to the last item under New Business, which will be heard as an emergency ordinance requiring one reading.

Motion and Vote: Councilmember Zahner Bailey moved to approve the Meeting Agenda with the amendment of placing Agenda Item 06-118 at the end of the agenda as an emergency ordinance requiring one reading. Councilmember Mohrig seconded the motion. There was no Council discussion. The motion passed unanimously.

PUBLIC COMMENT

There was no public comment.

FIRST PRESENTATION (*none*)

NEW BUSINESS

Appointment of Temporary Chairperson.

Councilmember Mohrig asked if the chairperson would be just for that day.

City Manager Bovos answered yes.

Councilmember Zahner Bailey nominated Councilmember D'Aversa-Williams.

City Clerk Marchiafava asked if there were any other nominations. There were none. She announced that the nominations were closed.

Motion and Vote: Councilmember Mohrig moved to appoint Councilmember D'Aversa-Williams as Temporary Chairperson for one day. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously.

Approval of a Resolution to Impose a Temporary Moratorium from December 1 through 22, 2006 unless sooner terminated to finalize the format and structure of zoning applications, applications for sign permits, use permits, building permits, with the exception of trade permits and demolition permits which do not rely upon the standards of the Zoning Ordinance, and land disturbance permits, which are subject to or related to Zoning, or other applications addressing the uses and development of property within the territorial

boundaries of the City to allow for the consideration and adoption of Zoning Ordinances, as defined and required by the Georgia Zoning Procedures Law.

Resolution No. 06-11-20

City Attorney Scott stated that it is D-Day for the City and because of that the City is susceptible to potential challenges on zoning, so the City will adopt as a transitional matter the Fulton County Zoning Resolution. There is a potential of a constitutional challenge to the provision in the Charter which allow for the transition from Fulton County to the City's Zoning Ordinance. The City has indicated to Fulton County that the City will not assume the permitting and zoning functions until December 22nd.

His recommendation is to adopt a moratorium on building permits from December 1st through December 22nd. The moratorium is an extra layer of protection while the City is waiting to adopt the zoning ordinance.

Councilmember Mohrig asked if the moratorium will also include zoning application.

City Attorney Scott answered yes, most importantly the zoning application.

Councilmember Zahner Bailey asked in regards to the exceptions that are noted, the trade permits and demolition permits, can City Attorney Scott explain why the City may not be at risk.

City Attorney Scott answered that Tom Wilson, Acting Community Development Director, adamantly recommends that the City needs to carve out the exception for trade permits and demolition permits which do not rely on zoning because that allows people in the trades to get things done.

Councilmember Zahner Bailey asked if land disturbance permits do not have some reliance on the zoning standards since they are referred to within the Fulton County zoning requirements. She wanted to make certain that the City is not curving out exceptions.

City Attorney Scott answered that the exception is only for building permits, with the exception of trade and demolition permits which do not rely upon the standards of the zoning ordinance, and land disturbance permits which are in the moratorium.

Councilmember Thurman asked if the land disturbance permits are included.

Councilmember Mohrig stated that only trade permits and demolition permits are excluded.

City Attorney Scott confirmed.

Councilmember Zahner Bailey asked before the Council approves the resolution can they affirm with staff how the City will handle the review of demolition permits to insure they do not lose the structures between now and December 22nd.

Community Development Manager Tuller answered that based on his past experience with the Cobb Planning Division, they would receive the demolition request from the developer, they would then check on any historical significance through a resource book, then sign off on it and send it to permitting.

Councilmember Zahner Bailey responded that she understood that process to be the same in Fulton County and the City of Milton, but what has been recently happening is demolitions have been occurring without the pursuit of a permit and Fulton County has not been flagging permit application as possibly historical. She added that Tom Wilson, Acting Community Development Director, had been concerned about the City's access to the GIS database at Fulton County because the City needs to utilize the system to identify flagged properties.

Community Development Manager Tuller reiterated Councilmember Zahner Bailey's comments:

- If the City receives a request for a demolition permit make sure that staff succinctly reviews it.
- Specifically, what does the City do if they find a violation and what are the steps taken to stop it because there has been no enforcement.

City Attorney Scott stated that it is more of a code enforcement issue than it is a legislative issue. He stated that his belief is that Acting Community Development Director Wilson's concern is for demolition pursuant to what we are currently doing inside of City Hall.

Councilmember Zahner Bailey stated that reading the language of a demolition permit does not distinguish between interior and exterior.

Councilmember Mohrig stated that in the future we take a look at what the penalties are if someone does violate the ordinances that we adopted where we are trying to get people to enforce a certain behavior. If someone violates that, we need to visit what the penalties are because many of these violations are deliberate. The penalties are not substantial.

Councilmember Zahner Bailey stated that she would like to have a discussion about demolition enforcement under agenda item 06-120. She stated that the Council believes that they are not at risk and we are doing this as an additional measure. They have adopted the ordinances to be in parallel with Fulton County and this is simply an additional measure in addition to those things we have already adopted as a legally binding jurisdiction and as a Mayor and Council. This is an additional measure to assume that should anyone want to attempt to challenge it gives the City another layer of support to indeed reflect that we have been in compliance and all Fulton County zonings, overlays, master plans, all the newer sewer policies, all the one-acre minimums, are indeed in place. And, she would ask for the City Attorney to confirm his opinion legally that this is simply an additional measure in addition to those things we have adopted.

City Attorney Scott stated that is the only reason they are here.

City Clerk Marchiafava asked if there was any public comment on this item. There was no public comment.

Motion and Vote: Councilmember Mohrig moved to Approve of a Resolution to Impose a Temporary Moratorium from December 1 through 22, 2006. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously.

Approval of an Ordinance Readopting an Ordinance Providing for the Continuation of Ordinance and Law during the Transition Period Legislatively Established for the City of Milton, Georgia, and the Adoption of Ordinance by the City of Milton, Georgia. (Moved from First Presentations by Motion and Vote)
Ordinance No. 06-11-17

City Attorney Scott stated that this is needed because there is the potential that someone could say that the actions we have taken prior to December 1 exceed merely by being a city. In order to make sure this ordinance is valid and it is going to continue and provide us coverage during the transition period, he is suggesting that the City readopt it as an emergency measure so that it needs only one reading today. He does not necessarily believe there is merit to that, but there is just a potential argument that could be made. It is one of the most prudent things we can do to try to avoid possible challenges.

Councilmember Mohrig stated it was for additional protection.

City Clerk Marchiafava asked if there was any public comment on this item. There was no public comment.

Motion and Vote: Councilmember Zahner Bailey moved to Approve of an Ordinance Readopting an Ordinance Providing for the Continuation of Ordinance and Law during the Transition Period Legislatively Established for the

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City of Milton, Georgia, and the Adoption of Ordinance by the City of Milton, Georgia. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously.

MAYOR AND COUNCIL REPORTS

Councilmember D'Aversa Williams asked a question concerning the Parks & Recreation area and how we will be proceeding with strategies and committees and a retreat to have these general discussions. She asked would it be a good thing for the City to go ahead and develop some committees now of people who are coming to the City wanting to be involved and have been involved with Parks & Recreation or other areas prior to January or should we wait.

City Manager Bovos stated that any committee could be developed. What happens through the process is that they need to have a purpose. An ordinance is passed to establish the committee and detail items such as how many members are on the committee, how they are appointed, and what the compensation will be, if any.

Councilmember Thurman stated that Representative Jan Jones wanted to go ahead and begin working with the walking and bike path committee with Georgia Tech.

Councilmember Mohrig stated that the key is to have a fully seated Council so there is representation from each district.

Councilmember Thurman stated that she wanted to go ahead and get that started. They were supposed to be done by the end of December and it has not happened. Her recommendation was when she got the grant, she wanted each Councilmember to appoint someone and she wanted to be able to appoint two at-large.

Councilmember Zahner Bailey stated that her feeling is that the City needed a committee similar to the City of Alpharetta committee that can be doing some ongoing discovery of what the needs are and start to work towards that. There have been several folks that have worked towards these types of things for Parks & Recreation.

City Manager Bovos asked what the purpose would be.

Councilmember D'Aversa-Williams stated the purpose would be for planning and to make recommendations to review from a citizenry perspective what the needs and desires are. There is a tremendous report that the City of Alpharetta did that show participation levels in and around the City of Alpharetta to their parks and who are residents of Alpharetta versus residents of Milton. That would be very valuable to the person who will be overseeing Parks & Recreation from a staff perspective.

Councilmember Thurman stated that initially the committee would be more concerned about finding out the needs and then moving forward with the planning.

Councilmember D'Aversa-Williams stated that she has talked to Jim a couple of times this week about what is going on in Hopewell. If we formalize more, we could have these issues and reports about what the ongoing concerns are and what is happening. There may be other areas we can do this as well, but Parks & Recreation seems to rise up.

The staff is working on a volunteer committee of people that want to be involved with the City. There are a tremendous amount of people who want to be involved. But, there are people who are upset that volunteered for something that they have not now been called upon to do. When people ask about what the City is doing about Parks & Recreation, we should be able to say we have a committee established who is reviewing and assessing what our needs are.

City Manager Bovos stated he prefers to discuss this at the retreat and how we want to use committees overall, the structure of the committee, what their authority is and how they will interface with the Council. What he does not want to do is set up a committee today or tomorrow without an overall plan.

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Councilmember D'Aversa-Williams asked if the City Manager would not agree that it needs to be a part of the overall planning of Parks & Recreation.

Councilmember Thurman stated that this is not really a part of Parks & Recreation. She talked with Dan Moody about the grant and realized they were going down the wrong path with that. It was suppose to be met as strictly a bike and walking path utilizing the dirt roads in the area. One of the reasons she wants to go ahead and get it going is one, the Georgia Tech staff are waiting on us and two, if we decided that we needed additional grant money, we want to make sure Dan Moody asks for it when they go back into session.

Councilmember D'Aversa-Williams stated she believed that it would be a part of the recreation planning, but it is a separate grant that Representative Jones has allowed us to have. The grant was specifically for the research and the opportunity for Georgia Tech to do the research and provide us with the information. Then we take that information and utilize it for its planning. It would tie into other cities potentially.

City Manager Bovos stated that they could create a special purpose type committee and at the retreat you can decide if you would like an overall parks and recreation board, we could do something to incorporate that.

Councilmember Thurman stated that the people who would be on this would not necessarily be on the parks & recreation board. This is strictly just biking and footpaths and not any actual recreation or anything else.

Councilmember Mohrig stated that this is for activity between neighborhood nodes and that was a part of it.

Councilmember Zahner Bailey stated that Representative Jones would have the motive to build this and it is a wonderful idea.

Councilmember Thurman stated that this could be a subcommittee under it and work toward it.

Councilmember Mohrig stated that this could tie into future developments and future neighborhoods. He thinks that is part of it, without looking at the specific grant, having a plan and how to connect as we develop parcels of property.

Councilmember D'Aversa-Williams stated that at the first meeting, they went as far as reviewing the current homeowners' associations that are working towards some of these things. She stated that it is an interesting task at hand to review everything and get all the information from Georgia Tech. It certainly needs to be diverse among the people that represent the entire community.

City Manager Bovos stated that he will work on that and get it on the Council agenda.

Community Development Manager Tuller asked if the trails were designed to be more off-road or on-road facilities.

Councilmember Thurman stated they are designed for both. Her intention was to connect some of the areas using dirt roads and bike paths. It is not really a greenway, but more of walking and biking path project.

Councilmember D'Aversa-Williams stated that we needed to have an overall perspective of what we need so that things are not done redundantly. That is the reason for bringing up the idea for the committee because it will be a process involving a lot of time and attention that will go through the reviewing process.

Councilmember Thurman stated that there are people very excited about being on it.

Councilmember D'Aversa-Williams stated that Representative Jones asked them to put everything on halt for the moment because she wanted a fully seated with the Council appointing people and for herself to be able to appoint people.

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Councilmember Mohrig stated that it does tie into Parks & Recreation although not specific. It does deal with activity and exercise. He asked if the City Manager would be able to help from the staff side to write it up so we make sure we have the scope and powers.

Councilmember D'Aversa-Williams stated that Roswell is doing something similar.

Councilmember Thurman stated that Georgia Tech has done a great job at analyzing the area.

Councilmember D'Aversa-Williams stated that they can pinpoint your house and what is available in your homeowner's area and subdivision area. It is very valuable information.

Councilmember Zahner Bailey stated that Parks & Recreation is absolutely inclusive. Walking and bike paths are a part of an overall plan for the City of Milton. They are not two separate activities. She understands from the funding perspective that we do have a grant for walking and bike paths. It is important, especially with Mike Tuller now on hand, is that there is a Rural Preservation Plan that some time was spent on back in 2001. Both she and Councilmember Thurman were part of that steering committee for over two years. Part of that document identified some goals for what is now the City of Milton, then the Northwest Fulton community. She asked Fulton County at that point to do an overlay to look at church locations and school locations, gravel roads, as well as the developments, that were underway at that time so that we could start to connect those things. The great news is that Georgia Tech has now done a lot of additional details and additional GIS mapping. She thinks it is a continuum of what this community has wanted for a long time. She does think the City would be remiss if we looked at walking and bike paths as a subset without looking at the overall plan of passive and active recreation. She personally sees them as absolutely a collaborative approach for how we are going to evolve. There are a lot of things we need to ensure that we are evaluating, such as what the Atlanta Regional Commission (ARC) has done and looking at our local jurisdictions that are going to be our sister cities and where we can have some activity.

She would urge the Council not to wait for a subcommittee to start to pursue grants. If we believed that Representative Jones had access to funds then as a suggestion to our legislative list, we include funding approaches on it. We do not need to wait for a special purpose committee to say that we do need additional funding. She thinks we should go ahead and look at the timetable for those grants. There may be some grants coming up in January. A walking and bike path committee is not going to be done by January or February and, therefore, we need to go ahead and start identifying what grants we need to pursue anywhere.

City Manager Bovos stated that we have already contracted with a grant writer and the first grant applications will be within the month of December for public safety related events. She has focused her efforts right now on public safety, but there is nothing to say that we cannot expand those efforts to Parks & Recreation or anything citywide. Operational grants are critical to us during our first year.

Councilmember Zahner Bailey stated that because of that there are already some things underway that would be terrific to ensure that we are connecting all of those activities as opposed to having an activity in one location without some coordination. One of our great opportunities as a new city is to ensure that we coordinate across disciplines and she gets concerned when we start having special purpose committees that may or may not have an overall goal for how that activity will work. She supported the comments earlier that we need to have an overall plan for how committees are going to be structured. We do need to give a lot of thought without necessarily a lot of time, on how committees are going to operate. Some questions she has is what decision power will a special purpose committee have that would be separate and distinct. Is the committee to meet with Georgia Tech to get data or will they be authorized to make recommendations or authorized for decision making. We need to make sure we are not setting precedent for committees without giving thought to what we really think those are going to be. About people's desire for being involved, committees do not have to be already established for people to begin to tell us where they would like to have their involvement. We do not want to lose people's energy. We could go ahead and start identifying categories. We do not have to wait for the retreat.

Councilmember D'Aversa-Williams stated that we are already doing that. The volunteer committees are already working and the people that jumped on board to volunteer for Jan Jones's mission.

Councilmember Zahner Bailey stated that of course we need the special purpose committee and Georgia Tech. She is suggesting that we do not want to wait until the conclusion of that special purpose committee to say yes, let's go ahead and ask Representative Jones to pursue some additional funding.

Councilmember Thurman stated that the special purpose committee for right now would be more as assisting Georgia Tech to understand the area. It probably will be up to us at our retreat to decide what else we want this committee to do. Right now, they are just more interested in meeting with people who live in the area and understand the area and making sure they have all of their information together.

Councilmember D'Aversa-Williams stated that it was not focused on bike and walking paths. It was an overall review of our City's greenspace. The greenspace report and information we have is what is going to guide our Parks & Recreation.

Councilmember Thurman stated that the bike and walking pathway will be just a small part of the actual information that we will get out of it even though it was really suppose to be the emphasis. A lot of information is things we can use in the future.

Councilmember D'Aversa-Williams stated that Bill Drummond from Georgia Tech had concern about somebody saying that they were done and hand the report over and no meetings occur unless there is additional funding. So to Councilmember Zahner Bailey's point, Representative Jones should be pursuing that additional funding to keep this alive until we can get organized.

Councilmember Zahner Bailey stated that we recognize that we need funding for a whole host of things. If there are funds available, let us not pause.

Councilmember Thurman stated that we cannot go after all the funds. We have to decide what our priorities are and what funds we want to pursue.

Councilmember Zahner Bailey stated if Representative Jones had access or at least aware of some additional funding mechanisms, she would like to encourage her on our behalf to pursue those. Separate from today, she asked if there will be some additional staff suggestions as it relates to this topic of Georgia Tech.

City Manager Bovos stated that he needed a copy of the grant to understand what the committee needs to do. A resolution will be created to form the committee to facilitate the needs of the grant.

Councilmember Mohrig commented about volunteerism. He stated that we should put out a timeline with expectations. There is nothing worse than getting people to volunteer when it probably will be February before we are ready to implement it. That way they know what to expect when they sign up as we start down different paths such as forming more parks and recreation committees. We do not want people to get disheartened, but we do want to have some substance and form around the way we move forward.

City Manager Bovos stated that maybe we should spend a few minutes talking about the volunteer program so that the Council understands where it is and how it works. There is a mechanism on the website where people can actually submit information to be considered for a volunteer. We have met with the volunteers who were interested. There was an overall meeting and a series of people came.

The discussions were two-fold with respect to the people in attendance. As a member of the community, what is it that you feel like you have expertise in and the City could benefit from your skills and abilities. As a volunteer, do you know short term projects that you would like to do that are beneficial to the organization. From the short term work plan standpoint of the volunteer committee, they are in the process right now of formulating what short term ideas they have. Long term projects are going to be the City's that we formulate. A citizen deputy program is very common throughout North Fulton. They are really deputy code enforcement officers who have the ability while they are in the field to participate through the City and notify us of issues. We have asked for an inventory including

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digital pictures of all historical sites within Milton. There are a slew of ideas at the moment among staff. He is absolutely appreciative about the comment of providing a list of boards and committees that we know we have to have today. There very well may be people interested in those ideas. What has happened in the past is that people who have ran for seats on City Council who were not elected are often times potentially considered for boards and commissions and some of the ongoing authorities by the Councilmembers versus someone who never ran. What he does not want to do is open up this flood gate and then have all the people on the committee frustrated that they did not get nominated to the board. We have been holding back until the discussion takes place on how we want to formulate them and who you all want to nominate before we raise expectations that are flattened.

Councilmember Mohrig stated that it may be a communication item to be discussed in the future. We will be formulating without giving a lot of detail and soliciting. When the time is right, we talk about nominations of people that are interested.

Councilmember Zahner Bailey stated that we have an opportunity to make sure that as we create boards and committees, that they are not boards and committees based on popularity or anything else. They are based on qualifications. She thinks that if it is not done correctly, we have done a tremendous disservice to the citizenry. We need to look for qualifications and what it is that we as a group think that these boards represent. They may represent different things from what they represented in Fulton County because we are now our own city. It is not about who I like. It should be about who is qualified and hopefully we like everybody. The point is about qualifications. She believes that we have to give very careful consideration to what boards we must have, what is the job of that board, how the job of that board is similar from a zoning ordinance perspective, or, how it is dissimilar from how it functioned from the county before. There is an opportunity to look at these things differently and maybe look at other cities in terms of how they operate. She looks forward to being able to look at boards and committees perhaps differently than what we have all experienced with Fulton County.

Councilmember D'Aversa-Williams asked how the volunteer committee meeting went. She received a few phone calls at home asking about more information about it.

City Manager Bovos stated that there is a database that has been formulated from people who have either called or submitted their name on the website. As the meeting was scheduled, there was agenda put together and was communicated out to all others. There has only been one meeting so far. We have received from the time the meeting occurred to today an additional 25 to 30 people who want to volunteer.

Councilmember Zahner Bailey suggested having the meeting after work and or have it locally. People who wanted to go could not attend it in the middle of the day in Sandy Springs. She realized that our facilities will not be available, but strongly urged to have the next meeting within the City of Milton.

Councilmember Mohrig stated that ties into also having evening meetings for Council where citizens can attend if they want to attend. This is a unique situation, but for other meetings as we get going forward, even special called meetings, it makes it friendlier for citizenry.

Councilmember Thurman asked if the next meeting was on December 7 and if so, what time.

City Manager Bovos stated the next meeting is on December 7 and it started at 4:30 pm. The public hearing starts at 5:30.

Councilmember Zahner Bailey asked if there were any zoning items for that agenda.

City Manager Bovos stated there were none.

Councilmember Thurman stated she liked having the information on CD.

Councilmember Mohrig stated that we will be putting up our new signage today. He has a concern about DOT signage and the City of Milton. We officially only have one exit that leads into Milton and that would be Exit 11

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Windwood Parkway. He wanted to know where we were in actually getting a sign up there that would say Milton City Limits.

Councilmember Thurman stated that Representative Jones had requested from DOT for it to say Alpharetta and Milton as the exit. Since all the signs are being redone going up the 400.

Councilmember Mohrig stated they will be all along the GA400 where Alpharetta, Roswell and Cumming have a sign below their city limit that says the hospitality highway. They have their city limit sign on there separate from the exit sign and then it says the hospitality highway committee.

According to an article in AJC, the sponsors of it were the Upworth Convention Bureau and Roswell Convention Bureau. They included the cities of Roswell, Alpharetta, Cumming, Dawsonville, and Dahlonega. We are missing from this. He asked who is the appropriate person to contact or should we contact Janet Rogers to find out what we need to do to participate. Separate from the exit sign, they have a city limit sign with that underneath it.

Councilmember Thurman asked if we had any city limits that touch GA400.

Councilmember Zahner Bailey stated that we would have to have a sign that basically says City of Milton and then how many miles it is west as opposed to being able to say the city limits.

Councilmember Mohrig stated that the only reason we do not have that is because that little carved out piece that touches the exit. From an awareness, we need to put something there appropriate so we are flagging people and making them aware.

Councilmember D'Aversa-Williams stated that was something they needed to do on behalf of their residents.

Councilmember Mohrig stated that he wanted to be proactive on that side instead of reactive. For example, the signs that are being put up today. Day one the signs go up is a great statement and then we follow with the police force rolling. He also asked who was spearheading the change for the post office address.

City Manager Bovos stated that it will be a challenge for us because of our zip code. There will be huge opposition.

Councilmember Thurman stated that it might be easier to get our own post office in some ways. We really need our own post office.

Councilmember Zahner Bailey asked a question about the DOT. She stated that historically on the GA400 back when it was first extended, there were a lot of policies put in place about the buffer along GA400 and about signage and lights. As much as we agree that we want positive communication about Milton, at what point do you start ending up with sign clutter with all the multitude of different signs. When we talk to the DOT, is there a plan to combine signs. She wonders how many multiple signs we will end up with along GA400.

Councilmember D'Aversa-Williams stated that they have done the best they can by combining the signs with the lodging, food, etc.

Councilmember Zahner Bailey stated that signage with regards to roadways, if we could make a notation that as we start to take over public works along our roadways, are there some opportunities even within the City of Milton to combine signs to perhaps change the looks of some of our signs. Anytime that we can look at our own sign ordinance and our overlays and have the signs that we create as a city parallel those standards that we expect from our developers. Historically, when there is a discussion about a new city, everybody was excited about having signs that parallel the overlay. Maybe there are some great ways to combine and still meet Federal standards for roadway signs. There are some cool cities that have some cool city signs.

Councilmember Mohrig stated that once we get more of a reserve we can accomplish this. We need to do it tastefully and continue to accomplish the goals we set out as a Council.

Councilmember Zahner Bailey asked what press is occurring today proactively from the City of Milton to the papers regarding today being the official birthing of the city. She wanted to know if anything was going to the press or if there was anything that we were communicating proactively.

City Manager Bovos stated that nothing was being sent as far as he was aware of, but we could send something.

Councilmember Zahner Bailey stated that it would not be a bad thing to have something to communicate positively about us being the new city because a lot of people will read the Sunday's paper. She stated that we will get some press on Monday.

Councilmember D'Aversa-Williams commented that we never planned a celebration.

Councilmember Zahner Bailey stated that we can communicate that we are working on a party.

Councilmember D'Aversa-Williams stated that Johns Creek has their Founder's day tomorrow. They also have a full page ad.

City Attorney Scott stated that the AJC is starting to change their emphasis from the printed edition to the web addition. They are planning on doing more real time web postings of articles. They are interested in whatever input we can feed them including photos of the meetings. It is the perfect opportunity to take advantage of this publicity.

Councilmember Zahner Bailey asked that photos from the inauguration could be used.

Councilmember D'Aversa-Williams stated that a writer contacted them saying they have been bombarded with stuff from Johns Creek.

Councilmember Zahner Bailey stated that we needed to proactively communicate with the papers.

She stated that she received a call about a fatal accident on Haygood last evening. He was the 26 year son of a teacher from Summit Hill. She wanted to know what the Council and City could do to reach. As a part of the core values, we need to have something that allows us to reach out to our citizens and fellow neighbors as a group.

Councilmember D'Aversa-Williams stated that there is no reason for why we should not be able to have a communication procedure established that anything within our City we know has occurred.

Councilmember Zahner Bailey stated her request to the Public Safety Director to find something in the immediate to make sure those sorts of things came to their attention. She received the call from the school. She reiterated that it is important for us as a group to find a way to reach out to those folks in our community.

Councilmember Mohrig stated that this is a small community and people are pretty well connected.

Councilmember Zahner Bailey stated that we needed to acknowledge people. Her family feels very strongly about planting trees in remembrance of someone because it is long lasting.

Councilmember D'Aversa-Williams stated that would be a neat program to have, the Milton Plant a Tree Program, for anyone to come and recommend or request a tree be planted.

Councilmember Zahner Bailey stated there are lots of ideas, but that one comes to mind. We could have a list of different trees. Different trees have different symbolic meanings for the citizens themselves. We could help to identify the best place to have those planted so they actually have the best chance of being there in thirty years.

Councilmember Mohrig stated that it fine to have a central place, but figure out what the program is. Is it for everyone that passes away and what is the scope.

Councilmember Thurman stated that it is for anyone who wants to contribute the trees and we can provide the place and plaque.

Councilmember Mohrig stated that if you term it that way and just being on the cautious side, you are going to have some people that will say this is using my taxpayers' dollars. Most people will not view it as a negative, but it should be a donation or contribution.

Councilmember Zahner Bailey stated that she would like to see the City have a care committee whether it is reaching out to the elderly or whoever. She stated the Public Safety Director is going to try to get that data.

City Attorney Scott stated that he had a conversation with Commissioner Riley about some input she has received from Forsyth County. The commissioners are reaching out to the City of Milton and would like to have an informal get together so everyone can talk.

Councilmember Zahner Bailey stated that her follow up was through the Chair. She stated that it is important for us to directly reach out. Part of a discussion at a Forsyth Commission meeting was that we want to make sure that we track the activity in coordination with Forsyth before land disturbance permits are issued. There is a 163-acre rezoning. There is a lot that has to be done in terms of evaluating that site, stream locations, buffers, etc. There were some commitments made by those that are part of that development team to her that evening at the urging of Commissioner Conway when he directed them to meet with us.

Councilmember Mohrig stated that this rezoning is at the corner of Bethany Bend and McGinnis.

City Attorney Scott stated that he received a telephone call from John Lavelle, Property Manager from Fulton County, and he wanted to know how we were doing on getting the property issues resolved in terms of getting ready to on the Fulton County properties. We basically are dealing with title issues and getting the research done. Both Johns Creek and Milton is being done at the same time and that is moving forward. Hopefully that will be completed by the end of the year. One of the issues he mentioned that is of concern is that there is a cell tower on this property. That was not meant by Fulton County to be included in the transfer at this point. They were planning on continuing to receive the income.

Councilmember Mohrig asked how does property rights work. He stated that he is hearing from City Attorney Scott that Fulton County is saying they want to hold on to the lease for the cell tower because they signed the lease and want the revenue from it in which the cell tower will be on the property we will acquire.

City Attorney Scott stated that was correct. And we have to lease that to them and their lease turns into a sublease.

Councilmember Thurman asked what account the revenue from the lease goes into.

City Manager Bovos stated that it went into the General Fund.

City Attorney Scott stated the resolution that gave us the deal that we are getting on this property as it is, he does not think it is worth fighting over.

Councilmember Mohrig stated that we should make sure it is a clean transaction and then we clearly detail that we are honoring that lease for this period of time.

City Attorney Scott stated that he told Mr. Mill we just wanted to make sure the property was taken care of.

Councilmember Zahner Bailey asked wanted to know if the property acquisition will take place before January 1.

City Manager Bovos stated that was correct.

City Attorney Scott stated that now it is more a matter of getting the legal work done.

Councilmember Zahner Bailey stated that Jim Cregge called this morning and she wanted to verify that everyone received documentation.

Councilmember Thurman stated that everyone received documentation from him. Also, she stated that Mayor Lockwood did receive a call from Mayor Wood.

City Manager Bovos stated that the conversation was very positive and a meeting is scheduled for Monday.

City Attorney Scott stated that he spoke with Representative Jones yesterday. In order to affect the unofficial drawing of these lines, we may need either joint court permission where we would file something jointly with Roswell, or we may need legislative intervention to deannex what has been double annexed. She is on board with that, but her concern is that we make sure we get the George Baker field.

Councilmember Thurman stated that we can find ways to get it legally worked out once we agree on the parcels. There are two parcels that have not been annexed into one or both cities at this current time. It is the Turner's property and the Castle.

City Attorney Scott stated that on the map there are a couple of white spots. There are properties behind Webstone in which he thought Roswell was going to have. And then there are several other properties off of Cox Road just to the west of Tom Masinna's property.

Councilmember Thurman stated that she believed those property were already in with Roswell. None of the other properties are really contiguous with us.

City Attorney Scott stated that there is nothing he is aware of that he should be recommending the Council to be worrying about other than the Castle and Ted Turner properties.

Councilmember D'Aversa Williams stated that they were not going to make a decision because they did not care.

Councilmember Thurman stated according to her conversation with Fulton County Commissioner Lynn Riley she will request the State legislature to annex them into a city, which ever city they are most contiguous with. Ted Turner is most contiguous to Roswell so either he chooses to come with Milton or he will be put into Roswell next year. The Castle is another story. It is fifty-fifty. Fulton County is going to request it because they want no properties in the unincorporated.

Councilmember Mohrig stated Ms. Young had talked to the caretaker of the property who the Turners are building a home for him on that property and he relayed the same thing as well. They think they can just remain in the incorporated and not make a decision.

Councilmember D'Aversa-Williams stated it was explained very clearly to them that they could not remain in the unincorporated. She will call Bill one more time.

STAFF REPORTS

There were none at this time.

ADJOURNMENT

Motion and Vote: Councilmember Thurman moved to adjourn at 10:32 AM. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously.

Date Approved: January 11, 2007

Jeanette R. Marchiafava, City Clerk

Joe Lockwood, Mayor