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## CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

### CITY COUNCIL

Karen Thurman  
Julie Zahner Bailey  
Bill Lusk  
Neal O'Brien  
Tina D'Aversa-Williams  
Rick Mohrig

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Thursday, August 2, 2007

ACTION MINUTES

7:00 PM

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- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **PLEDGE OF ALLEGIANCE**
- (Agenda Item No. 07-304)
- 4) **APPROVAL OF MEETING AGENDA**

**Motion:** Councilmember Thurman moved to approve the Meeting Agenda as amended.

1. Postpone the April 26<sup>th</sup>, 2007 work session minutes on the Consent Agenda until August the 16<sup>th</sup>.
2. Remove Agenda Item 07-312, Approval of an Ordinance and Policy for the Management and Maintenance of Storm Water Systems from First Presentation.
3. Change Agenda Item 07-319 under New Business to read: A Resolution Amending Resolution No. 07-02-016, A Resolution Appointing Members to the City of Milton Board of Ethics by appointing Board Member John McCrory for District 6.
4. Add to the Executive Session to discuss litigation.
5. Remove from Staff Reports, the Report on the Mayoral Council.

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MILTON CITY HALL  
CITY COUNCIL CHAMBERS  
13000 DEERFIELD PARKWAY, BUILDING 100  
MILTON, GA 30004

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**Second and Vote:** Councilmember Lusk seconded the motion. The motion passed unanimously.

5) **PUBLIC COMMENT**

6) **REPORTS AND PRESENTATIONS**

7) **CONSENT AGENDA**

1. **(Agenda Item No. 07-305)**

Approval of the April 26, 2007 Special Called Meeting Minutes  
*(Postponed by motion and vote)*

**(Agenda Item No. 07-306)**

2. Approval of the April 26, 2007 Work Session Meeting Minutes.

**(Agenda Item No. 07-307)**

3. Approval of the May 3, 2007 Regular Meeting Minutes.

**(Agenda Item No. 07-308)**

4. Approval of the May 10, 2007 Work Session Minutes.

**(Agenda Item No. 07-309)**

5. Approval of the May 17, 2007 Regular Meeting Minutes.

**Motion and Vote:** Councilmember Mohrig moved to approve the Consent Agenda as amended. Councilmember D'Aversa seconded the motion. The motion passed unanimously.

8) **ZONING AGENDA**

9) **FIRST PRESENTATION**

**(Agenda item No. 07310)**

1. Approval of an Ordinance granting a Non-Exclusive Agreement with Bell South Telecommunications, Inc. doing business as AT & T Georgia concerning the providing of Internet Protocol Enabled Video Services.

**(Agenda item No. 07-311)**

2. Approval of an Ordinance Adopting Chapter 18, Assemblages in Public Places of the City of Milton Code of Ordinances.

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**(Agenda Item No. 07-312)**

3. Approval of an Ordinance and Policy for the Management and Maintenance of Storm Water Systems. *(Removed by motion and vote)*

**(Agenda Item No. 07-313)**

4. **RZ07-005 / VC07-002** - 855 Mayfield Road to rezone from AG-1 to MIX to develop a total of 15,000 sq. ft of medical office; 3,500 sq. ft of commercial; and 9 residential units. Request to reduce the 75-foot buffer and 10-foot improvement setback to a 15-foot landscape strip adjacent to AG-1 by Milton Medical Holdings, LLC c/o Jay Davis.

**(Agenda Item No. 07-314)**

5. **RZ07-008** – 15260 Hopewell Road to rezone from AG-1 to C-1 the existing 1.179 square foot structure by mark King. (Staff notes MIX was the inappropriate district to request and the request has been amended to C-1 and a concurrent variance is needed).

**(Agenda Item No. 07-315)**

6. **RZ07-009 /UP007-002 / VC07-006** – 3455 Morris Road to rezone from Ag-1 to A Staff notes that the site is currently zoned A pursuant to Z06-124 and therefore the rezoning petition RZ07-009 portion of the request is not needed to develop a 9,500 square foot Montessori School and a concurrent variance to decrease the 20-foot landscape strip to 10 feet along Webb Road.

7. **(Agenda Item No. 07-316)**

**UP07-001 /VC07-004** - 15386 Birmingham Highway (SR 372) to request a use permit for landscaping business (Article 19.4.27) to use an existing 1,200 sq. foot home and a 500 sq. ft. barn and develop a 3,750 sq. ft. barn. The applicant is also requesting a concurrent variance to reduce the 50-foot buffer and 10-foot improvement setback to a 25 foot buffer and 10-foot improvement setback along the east and west property lines (Article 12H.3.5.C.1).

8. **(Agenda Item No. 07-317)**

**ZM07-002** – 295 Crooked Stick Drive (Lot 11) to modify zoning conditions 1.d and 1.e to allow a pool house to encroach into required rear and side property lines.

**Motion and Vote:** Councilmember Thurman moved to approve the First Presentation for items 1 through 8. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously.

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**10) UNFINISHED BUSINESS**

**(Agenda item No. 07-293)**

1. Approval of an Ordinance for the City Council to Authorize Fulton County to Conduct an Election. **Ordinance No. 07-08-34**

**Motion and Vote:** Councilmember Mohrig moved to approve an Ordinance of the City Council to authorize Fulton County to Conduct Elections. Councilmember Thurman seconded the motion. The motion passed unanimously.

**11) NEW BUSINESS**

**PUBLIC HEARING**

**(Agenda Item No. 07-318)**

1. Approval of Alcoholic Beverage License Application for Bay House Seafood, Inc., D/B/A Blue Ocean Seafood located at 5310-D Windward Parkway, Milton, Georgia 30004. Applicant is Tony Karimi and Bob Mohkami for Consumption on the Premises – Wine, Malt Beverage and Distilled Spirits.

**Motion and Vote:** Councilmember Zahner Bailey moved to approve the Alcoholic Beverage License application for Bay House Seafood, Inc., D/B/A Blue Ocean Seafood located at 5310-D Windward Parkway, Milton, Georgia 30004. Applicant is Tony Karimi and Bob Mohkami for consumption on the premises – Wine, Malt Beverage and Distilled Spirits. Councilmember D’Aversa seconded the motion. The motion passed unanimously.

**(Agenda Item No. 07-319)**

2. Approving a Resolution amending Resolution No. 07-02-016, A Resolution Appointing Members to the City of Milton Board of Ethics by appointing Board Member John McCrory for District 6. *(Changed by motion and vote)*  
**Resolution No. 07-08-50**

**Motion and Vote:** Councilmember Thurman moved to approve a Resolution amending Resolution No. 07-02-016, A Resolution Appointing Members to the City of Milton Board of Ethics by appointing Board Member John McCrory for District 6. Councilmember Lusk seconded the motion. The motion passed unanimously.

**12) MAYOR AND COUNCIL REPORTS**

1. City of Milton Sponsorship with the North Metro Miracle League.

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- 13) **STAFF REPORTS**  
Fulton County Mayoral Council  
*(Removed by motion and vote)*

- (Agenda Item No. 07-324)  
14) **EXECUTIVE SESSION**  
To discuss personnel and *discuss litigation (added by motion and vote)*

**Motion and Vote:** Councilmember D'Aversa moved to adjourn to Executive Session to discuss personnel and pending litigation. Councilmember Mohrig seconded the motion. The motion passed unanimously.

- (Agenda Item No. 07-325)  
15) **EXECUTIVE SESSION ADJOURNMENT**

**Motion and Vote:** Councilmember Mohrig moved to adjourn the Executive Session at 10:04 pm. Councilmember Thurman seconded the motion. The motion passed unanimously.

- (Agenda Item No. 07-326)  
16) **MEETING RECONVENED**

**Motion and Vote:** Councilmember D'Aversa moved to reconvene the meeting at 12:25 am. Councilmember Thurman seconded the motion. The motion passed unanimously.

- (Agenda Item No. 07-297)  
17) **ADJOURNMENT**

**Motion and Vote:** Councilmember Thurman moved to adjourn the regularly scheduled meeting at 12:26 am, August 3<sup>rd</sup>, 2007. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously.