



## CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

### CITY COUNCIL

Karen Thurman  
Julie Zahner Bailey  
Bill Lusk  
Burt Hewitt  
Tina D'Aversa  
Alan Tart

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**Monday, April 14, 2008**

**ACTION MINUTES**

**6:00 PM**

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**1) CALL TO ORDER**

**2) ROLL CALL**

Councilmember Alan Tart was absent. He participated via telephone for the Executive Session. Mayor and all other Councilmembers were present.

**3) PLEDGE OF ALLEGIANCE**

**(Agenda Item No. 08-544)**

**4) APPROVAL OF MEETING AGENDA**

Staff recommended the following changes to the meeting agenda:

1. Under New Business, defer the Resolution Appointing Members to the City of Milton Board of Ethics (District 1) to April 28, 2008.
2. Under new Business, defer the Resolution Appointing members to the City of Milton Board of Zoning Appeals (District 6) to April 28, 2008.
3. Add to new Business, A Resolution Appointing Members to the City of Milton Planning Commission for District 1.
4. Add to New Business, Consideration of a Memorandum of Understanding with the Board of Education.
5. Add an Executive Session to discuss pending litigation and personnel.

**Motion and Vote:** Councilmember Thurman moved to approve the Meeting Agenda, as amended. Councilmember D'Aversa seconded the motion. The motion passed unanimously (6-0).

**5) PUBLIC COMMENT**

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Milton City Hall  
City Council Chambers  
13000 Deerfield Parkway, Suite E  
Milton, GA 30004

***Persons needing special accommodations in order to participate in any City meeting should call 678-242-2500.***

**6) CONSENT AGENDA****(Agenda Item No. 08-546)**

1. Approval of the March 10, 2008 Work Session Meeting Minutes.

**(Agenda Item No. 08-547)**

2. Approval of the March 11, 2008 Special Called Meeting Minutes.

**(Agenda Item No. 08-548)**

3. Approval of the March 17, 2008 Regular Meeting Minutes.

**Agenda Item No. 08-549)**

4. Approval of the March 31, 2008 Special Called Meeting Minutes.

**Motion and Vote:** Councilmember Hewitt moved to approve the Consent Agenda. Councilmember Lusk seconded the motion. The motion passed unanimously (6-0).

**7) REPORTS AND PRESENTATIONS**

1. Patriot's Day Proclamation.
2. Proclamation for Arbor Day and Earth Day.
3. Georgia Cities Week Proclamation.

**8) FIRST PRESENTATION**

**Motion and Vote:** Councilmember D'Aversa moved to approve separating the First Presentation agenda items. Councilmember Thurman seconded the motion. The motion passed unanimously (6-0).

**(Agenda Item No. 08-550)**

1. **RZ08-01** – Text Amendment to Article 3.3.12 of the City of Milton Zoning Ordinance to amend the definition of “landscaping business”.

**Motion and Vote:** Councilmember Thurman moved to approve First Presentation Agenda Item No. 08-550, RZ08-01. Councilmember Lusk seconded the motion. The motion passed unanimously (6-0).

**(Agenda Item No. 08-551)**

2. **ZM08-01** – 13941, 13943, 13945 Hwy 9 North - A request to modify condition 2.a. (RZ07-010) to revise the site plan to remove the septic fields and connect to sanitary sewer by Milton Organizers, LLC. (First Milton Bank)

**Motion and Vote:** Councilmember Thurman moved to approve First Presentation Agenda Item No. 08-551. Councilmember Hewitt seconded the motion. The motion passed 5-0-1, with Mayor Lockwood recused.

9) **PUBLIC HEARINGS**  
**ALCOHOL BEVERAGE LICENSE APPLICATION**

**(Agenda Item No. 08-552)**

1. Approval of Alcoholic Beverage License Application for Alpharetta Country Club, LLC d/b/a Alpharetta Athletic Club at 1785 Dinsmore Road, Milton, GA 30004. Applicant is Whitney Crouse for Consumption on the Premises – Wine, Malt Beverage and Distilled Spirits.

**Motion and vote:** Councilmember D’Aversa moved to approve the Alcoholic Beverage License Application for Alpharetta Country Club, LLC d/b/a Alpharetta Athletic Club at 1785 Dinsmore Road, Milton, GA 30004. Applicant is Whitney Crouse for Consumption on the Premises – Wine, Malt Beverage and Distilled Spirits. Councilmember Thurman seconded the motion. The motion passed unanimously (6-0).

**(Agenda Item No. 08-553)**

2. Approval of Alcoholic Beverage License Application for Alpharetta Country Club, LLC d/b/a Alpharetta Athletic Club at 3430 Highway 9 North, Milton, GA 30004. Applicant is Whitney Crouse 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 Alpharetta Country Club, LLC d/b/a Alpharetta Athletic Club at 3430 Highway 9 North, Milton, GA 30004. Applicant is Whitney Crouse for Consumption on the Premises – Wine, Malt Beverage and Distilled Spirits. Councilmember D’Aversa seconded the motion. The motion passed unanimously (6-0).

**(Agenda Item No. 08-554)**

3. Approval of Alcoholic Beverage License Application for Real Spirits, Inc. d/b/a Southern Spirits at 633 North Main Street, Milton, GA 30004. Applicant is Amanda Forrest for Package Retail – Wine, Malt Beverage and Distilled Spirits.

**Motion and Vote:** Councilmember D’Aversa moved to approve the Alcoholic Beverage License Application for Real Spirits, Inc. d/b/a Southern Spirits at 633 North Main Street, Milton, GA 30004. Applicant is Amanda Forrest for Package Retail – Wine, Malt Beverage and Distilled Spirits. Councilmember Hewitt seconded the motion. The motion passed unanimously (6-0).

**END OF PUBLIC HEARINGS**

10) **ZONING AGENDA**

11) **UNFINISHED BUSINESS**

**(Agenda Item No. 08-527)**

1. Approval of a Resolution to approve transmittal of Community Assessment portion of comp Plan to Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA).

**Resolution No. 08-04-28**

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**Motion and Vote:** Councilmember Thurman moved to approve a Resolution to approve transmittal of Community Assessment portion of comp Plan to Atlanta Regional Commission (ARC) and Department of Community Affairs (DCA). Councilmember D'Aversa seconded the motion. The motion passed unanimously (6-0).

## 12) NEW BUSINESS

**(Agenda Item No. 08-539)** *District 2 Appointment deferred by motion and vote.*

1. Approval of a Resolution Amending Resolution No. 08-03-25, a Resolution Appointing Members to the City of Milton Bike & Pedestrian Path Committee (District 2 and District 3).

**Resolution No. 08-04-29**

**Motion and Vote:** Councilmember Thurman moved to approve a Resolution Amending Resolution No. 08-03-25, a Resolution Appointing Members to the City of Milton Bike & Pedestrian Path Committee (District 2 and District 3) by appointing Andy Carr to District 3. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously (6-0).

**(Agenda Item No. 08-555)** *Removed and Deferred by motion and vote.*

2. Approval of a Resolution Amending Resolution No. 08-01-11, A Resolution Appointing Members to the City of Milton Board of Ethics (District 1).

**(Agenda Item No. 08-556)** *Removed and Deferred by motion and vote.*

3. Approval of a Resolution Amending Resolution No. 08-01-03 A Resolution Appointing Members to the City of Milton Board of Zoning Appeals (District 6).

### **ADDED BY MOTION AND VOTE**

Approval of a Resolution Amending Resolution No. 08-01-02, A Resolution Appointing Members to the City of Milton Planning Commission for District 1.

**Resolution No. 08-04-30**

**Motion and Vote:** Councilmember Lusk moved to approve a Resolution Amending Resolution No. 08-01-02, A Resolution Appointing Members to the City of Milton Planning Commission by appointing Joe Craemer for District 1. Councilmember D'Aversa seconded the motion. The motion passed unanimously (6-0).

### **(ADDED BY MOTION AND VOTE)**

Consideration of a Memorandum of Understanding with the Board of Education.

**Motion and Vote:** Councilmember D'Aversa moved to approve a Memorandum of Understanding with the board of Education. Councilmember Lusk seconded the motion. The motion passed unanimously (6-0).

**(Agenda Item No. 08-557)**

4. Approval of the January 2008 invoice for legal fees.

**Motion and Vote:** Councilmember D'Aversa moved to approve the January 2008 invoice for legal fees. Councilmember Thurman seconded the motion. The motion passed unanimously (6-0).

**13) MAYOR AND COUNCIL REPORTS**

**14) STAFF REPORTS**

**(ADDED BY MOTION AND VOTE)**

**15) EXECUTIVE SESSION**

**Councilmember Alan Tart** joined the meeting via telephone at 7:16 p.m.

**Motion and Vote:** Councilmember D'Aversa moved to adjourn into Executive Session at 7:18 p.m. Councilmember Thurman seconded the motion. The motion passed unanimously (7-0).

**RECONVENE**

**Motion and Vote:** Councilmember Lusk moved to reconvene the Regular Meeting at 11:27 p.m. Councilmember D'Aversa seconded the motion. The motion passed unanimously (7-0).

**(Agenda Item No. 08-558)**

**16) ADJOURNMENT**

**Motion and Vote:** Councilmember Lusk moved to adjourn the Regular Meeting at 11:29 p.m. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously (7-0).