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Work Session of the Milton City Council held Monday, April 21, 2008 at 6:45 pm. Mayor Joe Lockwood presiding.

Council Members Present: Councilmember Julie Zahner Bailey, Councilmember Bill Lusk, Councilmember Tina D'Aversa, Councilmember Alan Tart, Councilmember Karen Thurman, and Councilmember Burt Hewitt

Mayor Lockwood

- Work sessions are more informal settings to update the Council on business items.
- No votes will be taken.
- We have eight items on the agenda.
- Public comment is allowed that is germane to an agenda item.
- Citizens wishing to speak must fill out a public comment card and turn it into the City Clerk staff.
- Public comment will be allowed for a total of ten minutes per agenda item and no more than two minutes per person.
- Public comment will be heard at the beginning of each item.
- Once the item is called no other public comment cards will be accepted.

Interim City Manager Chris Lagerbloom requested that due to the fact that the first item is expected to be lengthy and in the spirit of engaging citizens that have come to speak on item #2, he would like to discuss item #2 first.

Mayor Lockwood called agenda item #2.

DISCUSSION ON PROPOSED FULTON COUNTY SCHOOL SITE FREEMANVILLE ROAD – CITY OF MILTON SUMMARY OF ENVIRONMENTAL ISSUES

Mayor Lockwood asked Lisa Cauley to present this report.

Lisa Cauley, 14680 Freemanville Road

- Started a group called Protect Milton and she is the Chair of Protect Milton.
- She is officially the only member of Protect Milton.
- Has a following, but no paid members.
- Asked if she could speak on behalf of Protect Milton because she and other residents have contributed and paid for these studies.

City Attorney Ken Jarrard said it was appropriate.

Lisa Cauley

- Protect Milton is a group of residents that came together in May of last year to oppose the building of schools on 116 Freemanville Road by the Milton County Board of Education.
- They are opposing this location due to the detrimental impact it will have on the property and the streams on the property.
- Acquired to date 493 petition signatures of residents opposing this site for the use of schools and have given a copy to Mayor Lockwood.

- The summary provided by Garrigus Engineer is based on the protocol EPD EPA testing done by Register Nelson Engineering.
- The test concluded Chicken Creek at high levels of Ecoli.
- The testing in February 2007 revealed Ecoli levels reading between 750 to 870 colonies per 100 milliliters.
- Chicken Creek cannot handle any bacterial load and is not in good condition physically with heavily. It has eroded banks and a silt ridden creek bed which suffocates and smothers habitat and hinders the habitat to survive.
- Given the current Ecoli levels, it would be hazardous to drink, swim, bathe, fish, allow horses or livestock to drink or use Chicken Creek for human recreational use.
- Construction from the school on or near this property will increase sediment and silt on the creek further degrading its habitat.
- The stream that dissects this property White Columns to Woodville Road, which is un-named, is vital to the health of the property and Chicken Creek.
- If this stream were to be piped or fed anywhere at a later date for the building of schools, it would kill the stream.
- This is a stream that is currently going to be restored by Richard Hornet, the most recent previous owner prior to the Board of Education.
- It would be near impossible to build any schools on this site and not have to pipe into this important stream at some point.
- Of the entire 116 acres of land, we have determined only about 63% of it can be utilized due to the undisturbed buffers, set backs, landscape buffers etcetera which totals approximately 32.7 acres. leaving 73.3 acres left for development use.
- The Fulton County Board of Education should take into strong consideration that the majority of the land in Milton is on septic.
- There are sites within city limits that can be served by existing sewer facilities which open records show that the Board of Education did not consider in their search for sites.
- This property sets precedence for future schools in Milton.
- If the Board of Education builds schools on this site, thus permitted to pollute our waters and damage our environment then they will continue to do so at will anywhere in Milton in the future.
- Is this what we want for our city and our water shed?
- All land is obtainable for the Board of Education given their jurisdiction.
- We should hold the board of Education accountable to the environment and the water in Georgia.
- Protect Milton promotes use of the Old Milton High School site first and foremost instead of this 116 acre property, to be rebuilt for the student population need.
- We are a city of around 22,000 and we have a Milton High School that well serves our student population.
- Please consider appealing the Fulton County Board of Education to search for an alternative location.

Councilmember Zahner Bailey asked as a point of order if that was the presentation or if that was Ms. Cauley's public comment. She said that she did not want to presume that Ms. Cauley did not have more to share.

Lisa Cauley said that was her public comment and Council has a copy of the four page summary.

Councilmember D'Aversa asked Ms. Cauley to make clear what her request of Council is at the end of the public comments.

Brooke Hunter, 14680 Wood Road, Milton GA

- Shared the history of the first attempt to use this land as a school system.
- Worked with the Fulton County planning staff that came to the Board of Commissioners and asked for denial for use of the property.
- The staff agreed that it was not a place for a school.
- They felt they would never be able to get a land disturbance permit for the buffer stream runoff into Chicken creek.
- Realized we were going against the chairman and had been told it was over for us.
- Environmental arguments were not going to work.
- Wanted Council to know that the Fulton County staff asked for denial and it was mainly because of the environmental problems.
- Board of Education had mentioned they would never again put a school on septic.
- They had so many problems with what had happened at Summit Hill.
- We here now a “change of tune”, but back when it first came they had more problems than they could begin to know what to do with.
- All of the data that our Environmental Committee came up with was given to Katie Reeves when we learned that the school was looking at this site.
- It was left with her husband with her understanding that she would take it back to the Board of Education.
- Never heard a word of any of this being discussed with the Board of Education by Katie Reeves.
- Agrees with everything that the Protecting Milton group is asking Council to do.
- Thinks there should be a Resolution that Council would look for a site or ask the Board of Education to look for a site with existing sewer; and place the school where it belongs rather than in the middle of a community where there would be runoff and cause problems with water that is going all the way to Lake Allatoona.

Sharon Mays, 15160 Highgrove Road, Milton GA

- Lived at this address for fifteen years.
- Supports the efforts of the Protect Milton group.
- Opposes this site for the new high school primarily because this site will have severe negative environmental impact on our community.
- There are other sites available that are already on sewer and much more suitable for a new high school.
- There is no reason to push this site on the residents of Milton.
- It is extreme farce by Fulton County Board of Education to grab a lower priced AG-1 land in Milton and then bus students in over which 75% of students will be from Roswell and Alpharetta, yet the Milton taxpayers will have to carry the tax load to support the infrastructure for this new school.
- This site is not appropriate for this school.
- Hopes Council will act accordingly on the issues presented.

Jim Garrigus, 3966 Timberbrook, Marietta, GA 30066

- An engineer and involved in 5,000 acres in development and 12,000 lots and miles and miles of streets.
- Was asked in October to look at the site and mainly the aspect of physical parameters, streams etcetera.
- There is approximately a mile of streams on the site.
- The state has very limited reasons for granting a variance to pipe the stream and hopefully the City of Milton would take a similar stance.
- The site is split into four different areas so every corner is vulnerable with streams.
- When you add in massive parking lots and football fields, the runoff factor and grading factor would be immense.
- The septic is “the big deal”.

- Through the Open Records Act, there was evidence obtained that they really did not look for other sites that were on sewer and were at the edges of Milton.
- When septic is more concentrated in a one acre individual home owner site, there are massive problems.
- The problems could be twenty or thirty years in the making because when you are sticking sewage down into the water table it takes a long time to migrate.
- Counter to the water plan enacted by the state in January.
- In November just before the rains came and the Ecoli and other factors were very low we brought in consultants to sample the stream; up stream and down.
- A lot of sediment in the base of the stream already substantial and impacting any aquatic life in the stream.
- They went back after the sizeable rain and the runoff had flooded it with Ecoli concentration.
- A lot of it was just agriculture runoff.
- It just shows that this stream has very little capacity to absorb pollution.
- The little river was the leading problem of Allatoona Lake according to a study conducted in 1999.
- It was stated in the report a good part of that was high concentration in the septic systems.
- Nobody is coming down on one acre septic systems.
- Does not know how the city can react or not react to the Board of Education.
- Knows they have imminent domain power and therefore they can kind of set themselves down and make their own land use decisions.
- Thinks there is a strong legal basis when they took action without appropriately checking all of the alternatives, which they really did not.
- They could be asked to go back and check the alternatives.
- There is land out there that would fit the bill.
- The “big elephant” is septic.
- The problem is there is nothing before EPD to approve yet.
- There is not a septic system for them to approve or disapprove.
- Maybe the city now has adequate information.
- It appears to be a stream restoration project to meet a core of engineer’s requirement for some other project in some other area.
- Have restored streams on one piece of property to meet mitigation requirements on a whole different piece of property.
- Once you restore a stream you have to report to the core for five years and after that technically you do not report to the core anymore, but that should not be license to just go in and fill in the stream after it has set there for five years.
- This floats in and it does not have the Board of Educations name on it.
- It has White Columns name on it and it is not White Columns property.
- That has been a very confusing piece of activity.
- Has not checked with the core, so it may be some other requirement for some other property.

Councilmember Lusk

- Concerned about the Ecoli levels during the drought period.
- Asked Mr. Garrigus in regards to the investigations up stream if he was able to identify any point source discharges or if he thought they were just agricultural discharges.

Jim Garrigus

- There is residential around there, but not a point source like a pipe.
- The biologist goes upstream about 100 yards or 300 feet then walks down the stream and categorizes how the stream is doing including banks and beds.

- They take samples and look for all types of bugs that signify what is going on with the water.
- This is good base line information.
- Does not think there is anything upstream that is point source.

Councilmember Lusk

- If the levels of Ecoli elevated after or during storms, could it not be possible that the runoff was running off of failed systems, maybe on a surface level.

Jim Garrigus

- It could be.
- In the literature that he reviewed they are requiring cities to have a maintenance program on individual septic systems.
- They only last about fifty years.
- Cannot ignore them for fifty years.

Councilmember Zahner Bailey

- Has this information been given to the State and have they taken any steps to identify this impaired stream?
- Historically it was identified as impaired.

Lisa Cauley

- Thinks it was taken off the impaired list in the 1990's
- Writing the EPD to put Chicken Creek back on the impaired list.
- The cut off for this year was a month ago.
- Appealing to them since it was so close to the cut off date to put it back on the list this year.

Mayor Lockwood

- Stated due to the importance of the issue he would extend the time limit for public comment.

Councilmember D'Aversa

- Asked if this information had been presented formally to the School Board.

Lisa Cauley

- Stated that it had not been presented formally at this point because they were gathering all of the information to make a formal presentation possibly with legal assistance.

Councilmember Tart

- Did a research project in college on the affect of affluent from a sewage treatment on the adjacent rivers.
- Part of the research involved testing where the coliform counts and the fecal coliform counts sky rocketed and we did not know what happened.
- As it turned out there was a large amount of rain that contributed to the organic material in the water.
- Given what he knows about the science involved these numbers going from 38 to 870 and then from 60 to 750 colony forming units of Ecoli per one hundred mills does not really show him anything.
- Some meaningful numbers to take forward would be the thirty day geometric mean values.
- Why was that not done?

Jim Garrigus

- That should be done, but this was just spot testing.

- Not ready for formal submittal to EPD.
- Just trying to get a handle on what is there.
- It is an incomplete list.

Councilmember Tart

- Are there any plans to conduct the thirty day test?

Lisa Cauley

- We initiated the environmental studies to find out what real issues were associated on this property.
- Initiated that based on the information from the group that fought the Christian School going on this piece of property.
- That prompted her to do some initial environmental studies.
- She and private residents have personally paid for those studies.
- Would love to continue and do some more studies given the financial backing.
- Have not continued further studies due to financial reasons.
- Thinks it would be great if the city would contribute.
- It is in the city and it affects the entire creek and the waters down stream.
- It is a city issue.

Councilmember Tart

- There seems to be an assumption that if we have more impervious surfaces it might contribute to the Ecoli contamination in the creek.
- Thinking more in terms of chemical contamination and was wondering if there had been any chemical analysis done to see if the creek is in danger as far as chemical contamination.
- Thinks we could make a good direct correlation between impervious services and increase in chemical contamination.

Jim Garrigus

- Said that before they present the report formally they will have a chemical analysis.

Lisa Cauley

- Said that on the full report she has from Register Nelson, they did do a chemical analysis. We felt that it was not as impaired chemically as it was bacterially.

Jim Garrigus

- Said that the bottom line is that there is a better site for the school than this site.

Councilmember Hewitt

- Asked Ms Cauley what exactly she was expecting Council to do.

Lisa Cauley

- Said she was looking for a Resolution from City Council to appeal this site on environmental reasons. The site is wrong in every way.

Councilmember Thurman

- Fully understands the environmental issues in adding a large septic system to this site and would love to see them find another site.
- What bothers her most is there is not a large septic system on the site now and obviously we have some environmental issues with the stream without currently having a septic system there.

- We may need to look long term at this stream and others in the city to see what is causing these long term problems.

Mayor Lockwood

- Everyone knows that this is a tough situation.
- The City and the Council have no control over the Board of Education.
- Would propose and would appreciate support from the Council that as Ms Cauley moves forward with the report or a more formalized report to have a Resolution and meet with the school board to at least make them aware of these issues.
- The environmental issue is a big issue for this city.
- Granted we do not have control over site location, but the environmental issue is something that we can at least address with the Board of Education.

Councilmember Thurman

- Thinks we need to be careful on how it is worded.
- We need to understand where our authority is and is not.

Mayor Lockwood

- Stated that we are not trying to force them to do anything but we need to make them aware of our concerns with the environmental issues and we can ask them to pursue that further.

Councilmember Thurman

- Stated that she would support that Resolution as long as it was worded in way that we do not come across as trying to tell them how to run their business, but, rather asking them in the interest of the people that we represent, to look at it further.

Councilmember D'Aversa

- Understands it has always been theorized we do not have any control over the school board, however if this were any other developer, we would probably be taking more aggressive action.
- Would like to take it a step further.
- She asked City Attorney Jarrard what our flexibility would be in bringing forth a Resolution and making request of the school board in regards to our rights as a city and protecting our citizens.

City Attorney Jarrard

- The Resolution is the easy part.
- Obviously the Council by way of a Resolution can make a recommendation incorporating the concerns and ask the school board to reconsider.
- Can be as bold as to ask them to reconsider based on what you believe is compelling evidence that there are environmental considerations that had not been contemplated before.
- With respect to the expenditure of funds for additional testing, he would need to think long and hard before saying we have authority to spend money to re-check an environmental analysis on another sovereign entity that has the power of condemnation.

Councilmember Zahner Bailey

- From the funding perspective, we just signed a Memo of Understanding with the Board of Education and in that understanding we are going to require them to do certain things regarding land disturbance permits etcetera.
- It seems that they are required under that Memo to also abide by EPD standards, so in theory we may have the leverage to require the Board of Education to spend those funds before they could proceed.

- On the thirty day mien data as well as the additional chemical data and as well as anything else that the state EPD would require, Jim and others could delineate what those specifics would be, whether it be a Resolution or a letter that could outline what additional studies would be important.
- Wouldn't we want to first outline that, especially if Ms. Cauley is doing a letter to the EPD to speak about the impairment and the fact that it is identified as being impaired again.

Councilmember D'Aversa

- Believes the City has a little more direct line with the EPD.
- We need to be there to support them.
- Mindful that she is missing a meeting tonight at Milton High School with the new Board of Education Superintendent.
- She is extremely different than the former Superintendent and there may be changes "coming down the pipe" and she does not want Council to preclude or make any decisions without being very open minded which is why she asked about flexibility.

City Attorney Jarrard

- That is correct to the extent that the Council will certainly have better access with the State Regulatory bodies and will have some built in credibility where others may not.

Councilmember Thurman

- Going back to her comments earlier, her concern is that if this stream has issues, we need to be looking at all of the streams in the Milton area.

City Attorney Jarrard

- From a funding mechanism it will be an easier sell if we do it as part of a global analysis of storm and stream concerns in the city as opposed to singling out this site.

Councilmember Lusk

- Asked Mr. Garrigus what the criteria that determines the need for an environmental statement is.
- Looking more toward the stand point of this being a public health issue rather than stream impairment.

Jim Garrigus stated he could not answer that

Councilmember Thurman

- Concerned putting the burden on the Board of Education to do all of the testing.
- It is her understanding they are not planning on building anything for two, three, four maybe five years.
- She does not want to wait that long to find out and she does not think they will be willing to do a whole lot until it comes closer to the time to build.
- That is why we should find other alternatives of what the problems are and how they need to be addressed.

Mayor Lockwood

- It sounds like he would have support moving forward with a Resolution.
- There has been a lot of valuable input from the council.
- He is open to all input from Council in drafting the Resolution.
- We can also explore opportunities with staff on what the city can do with our resources.
- Wants to make sure the citizens know that we do hear them and it is a concern for us.
- We are willing to do what we can as a City.

Lisa Cauley

- If the Board of Education had initially done there due diligence and researched the property, we would not be standing here now talking about this property and putting a school on it.
- Does not want to wait until 2015 to figure out whether they are going to do the right thing.

Councilmember Zahner Bailey

- Asked if anything had been submitted to the Health Department.

Lisa Cauley

- Replied no.

Councilmember D'Aversa

- The school board is not mitigating that stream.
- The previous owner has re-purchased that from the school board so they can take care of the stream then supposedly they would sell it back at some point.
- That is an important point.

Mayor Lockwood

- Thanked them for their presentation and concerns. He then introduced Billy Beckett as the new City Manager. He said Mr. Beckett had signed the contract and would start April 30, 2008.

Mayor Lockwood

- Stated we would move on to agenda item #1.

Interim City Manager Lagerbloom

- Asked the Mayor if he would indulge him to move item #7 up to the next item, due to the fact that there are several people in the audience that would like to hear discussion on that item.

Mayor Lockwood read agenda item #7.

DISCUSSION ON BOARD OF ZONING APPEALS PROCESSES.

City Attorney Jarrard

- At the March 10th work session this issue was discussed and during that discussion Council heard various concerns in light of recent zoning action that was combined with variance proceedings.
- They also heard some concerns with respect to the scope of jurisdiction of the Board of Zoning Appeals.
- We also discussed some of the language that controls variances within our zoning code.
- There were some presentations and public comments from some Board of Zoning Appeals members.
- Council directed him to take some items in respect to the codes of Milton.
- There were some generic legal issues of some of the language particularly with the use of the word "harmony" as an independent basis for receipt of a variance.
- Also to remove stream buffer variances from the jurisdiction of the Board of Zoning Appeals.
- Also to release or limit some proposed language that would limit the jurisdiction of the BZA with respects to the acreage amount or the number of units involved in a variance.
- Finally, to provide some recommendations with respect on how to better frame variance considerations generally under the zoning code.
- The BZA was made aware of those issues and in light of some concerns that have been raised with respects to the status of some of the individuals that spoke to the Council, the BZA passed a motion and

requested that City Council stand down from acting further on those issues for approximately sixty days and allow them to formulate some recommendations on those issues.

- Have provided some language with respect to some of the items and how other jurisdictions look at variances.
- Does Council have additional guidance in respect to abstaining further action?

Mayor Lockwood

- Stated he supports the BZA request to give Council more information and recommendations. It does not hurt to have as much information as possible before making important decisions.

Councilmember Hewitt

- Echoed that and said we have all put some time and effort into our appointments for the board and we should value their input.

Councilmember Lusk

- Said that he would agree with that also. Thinks we have appointed some very capable people to the BZA and he would defer to their recommendations before we move forward.

Councilmember Zahner Bailey

- Asked when the BZA was planning to meet and discuss this. She asked the members present if they were prepared to speak and highlight any of those comments at this meeting or if they were looking to provide Council with recommendations at another time.

Sandy Jones, 1125 South Bethany Creek Drive, Milton Georgia

- Requested by all six members of the BZA to present the following statement:
- During the March 25, 2008 Special Called Board of Zoning Appeals meeting the Board unanimously voted on a Resolution to request the City Council to allow the board sixty days to provide input prior to Council making any binding decisions regarding the jurisdiction of the BZA.
- Ask that Council not make any binding decisions until the Board has had a chance to provide input as part of their thorough and due diligence process.
- The BZA has scheduled a Special Called meeting on Wednesday April 23, 2008 at 4:00 p.m. in order to fulfill their commitment to provide meaningful recommendations within this time frame.
- Understand their role as an appointed board and respect Mayor and Council as the ultimate authority.
- Request the opportunity to present their perspective recommendation on or before May 25, 2008.

Councilmember Zahner Bailey

- Asked if they anticipated having recommendations come out of the Special Called meeting for April 23rd.

BZA Member Sandy Jones

- That is the goal. It may take some time to formalize the wording and terminology around it but they will have the content.

Councilmember Thurman

- As someone who had served on the Fulton County Board of Zoning Appeals for twelve years and Chairman for three years, she would hesitate moving to quickly in changing their authority.
- Would like to wait until the May 25th date requested before Council makes any changes.
- The BZA has been serving for a year and she would prefer to wait and see what their recommendations are.

Councilmember Tart

- Mindful that Council did not make those recommendations in a vacuum.
- Mindful of the fact that Council made these recommendations in light of recent cases that came before the BZA and are pending before Council.
- The importance in moving forward with some of these changes has not changed.
- In light of the fact that the BZA is meeting April 23rd and will have recommendations from that meeting, he would hate for this body to wait until June to discuss the recommendations that should be coming from the BZA on April 23rd.
- Asked Ms. Jones if it would be possible to provide Council their recommendations so the item could be put on the May 12th work session and to have an open discussion with the BZA at that time.

BZA Member Sandy Jones

- Said she would like to confer with the rest of the board, but the objective of the board meeting is to do their due diligence on that.

Mayor Lockwood

- Said he would like to have time to get advice from legal council on the recommendations.

Councilmember Zahner Bailey

- Asked if the board could e-mail Council with the recommendations they decide on April 23rd.

BZA Member Sandy Jones

- Said they will do what they can.

Mayor Lockwood thanked Ms. Jones for all of her time and help.

Walt Rekuc, 615 Scarlet Oak Trail, Milton Georgia

- The meeting that is scheduled on the 23rd is only scheduled for 1½ hours.
- Not sure that is enough time to discuss everything.
- One board member shy of a full quorum.
- Thinks it is important to get everyone's input.
- Thinks they need to do their own research so they have a full understanding of what they are looking at.
- Asked Council to give them the sixty days, so they can be thorough.

Mayor Lockwood

- Stated the Council would like as much information as possible as soon as possible, but in respect to the board he would like them to have enough time to give Council a thorough report.

Councilmember Zahner Bailey

- Asked City Attorney Jarrard if he would be at that meeting.

City Attorney Jarrard

- Stated he does not usually attend the meetings unless they specifically ask him to be there.

Councilmember Tart

- Said he thought they had talked about needing an attorney present at the BZA meeting.

City Attorney Jarrard

- Stated if Council wanted him there, he would be happy to be there.

Mayor Lockwood

- Asked City Attorney Jarrard what he recommends.

City Attorney Jarrard

- Said it might be helpful if he attends.

Councilmember Tart

- Said he felt it would benefit the BZA members to have the City Attorney there to have the insight into knowing why the changes we made were made and if recommendations were made without that insight, we may be back here four months from now.

BZA Member Sandy Jones

- Stated that as clarification we have requested from city staff to have legal representation at their meeting.

Councilmember D'Aversa

- Stated there was a specific reason that led Council to make the request they made of City Attorney Jarrard. She asked Community Development Director Wilson if there are any stream buffer variances that are going to come before either body within this time frame.

Community Development Director Wilson

- Said there was nothing at this time but if something does come up he will inform Council. There are no variances requested and no rezoning requested that are also concurrent variances for stream buffers.

Councilmember D'Aversa

- Stated that was one of the reasons we wanted to be mindful that we made this decision quickly and are very open to having all of the input from the board, but she thought there was something we came away with from that particular work session that pushed us to move more quickly than we seem to be moving now.

Councilmember Zahner Bailey

- Stated she thought there were some stream buffer issues coming forward; the Weiland development as well as the Board of Education.
- She asked Community Development Director Wilson if there were any request for multi lot variances because that is another issue discussed with our attorney and those would also be concerns. It is not about the BZA as a body but about policy. None of the discussion has to do with the individuals of the Board of Zoning Appeals and everything to do with establishing policy that is consistent between one board and another.

Community Development Director Wilson

- Said there are some variances that will be going to the BZA. They are variances that were filed before Council contemplated making any changes and they will follow the ordinance that was in place when they were filed.
- There are no new ones that would be affected by the actions of the decision on Council's part regarding this matter. There are no multi lots coming forward at this time.

Mayor Lockwood called the next agenda item.

DISCUSSION OF THE NORTH FULTON CITY MANAGER REPORT ON THE POTENTIAL AMBULANCE SUBSIDY

Interim City Manager Lagerbloom gave Council a draft of the report and stated that he would go through the report page by page.

- Many months ago the Fulton County Commission made the decision to do away with the ambulance subsidy for all areas of Fulton County.
- There are three zones in Fulton County.
- There is a North Zone, a Central Zone and a South Zone.
- We are in the North Zone.
- Milton, Alpharetta, Johns Creek, Roswell and Sandy Springs comprise that zone.
- Members from each city came together to figure out what we were going to do with the subsidy going away at the Fulton County level, when in essence what it did was buy down response time.
- There were different subsidies for each zone and it was based on patient pays.
- Our subsidy was the lowest of the three zones.
- We tried to come up with best and worse case scenarios and multi scenarios.
- There are about five different options, neither of which we can decide on until some of the other cities decide on what they are going to do.
- Will be speaking about the different models that exist or different ways of breaking up a subsidy.
- We all realized we were going to have to absorb some of the subsidies.
- The recommendation from all of the MS Directors as well as the City Managers is that it is not practical for us to make any other decisions.
- Model one is absorbing the subsidy that exist today, so June 30th and July 1st there is the exact same level of service, it just flips over from being county funded to city funded.
- There would be no ambulances added to the system and taking no ambulances away.
- It cost Fulton County about \$630,000.
- Rural metro said that was a loose money figure for them.
- With the rising cost of gas and paramedics, that subsidy is no longer accurate.
- The number we get to instead of the \$630,000.00 is roughly \$924,000.00.

Mayor Lockwood

- Asked if that was a five percent or a fifty percent increase.

Interim City Manager Lagerbloom said what they have indicated they need to do to move forward is have a break even plus five percent.

- They are saying at \$635,000.00 they are not breaking even.
- The question was how we equitably share \$924,000.00 between five cities.
- Model two pretty much says all five cities are on their own, which makes no sense for the City of Milton because we do not have very many patient transports and we would be paying for that ability to respond rather than actual responses.
- Sandy Springs and Alpharetta run ambulances all day so it might be feasible for them.
- It would cost Milton almost one million dollars to put two ambulances in our city.
- Model three is Sandy Spring wants to put more ambulances in the field.
- It is something their Fire Chief and City Manger both approve of and their City Council is willing to pay for.
- Model three is based on adding two twenty four hour ambulances to the system.
- That is a total cost sharing subsidy, if all five cities participate of approximately 1.7 million.
- One concept is per transport and our transports are low compared to the rest of the cities.

- 3.5% of all of the volume in North Fulton County comes from Milton, which is expected because we do not have the density some of the other cities have.
- The figures are based on adding two ambulances to the system.
- One of the mechanisms to maintain performance is response time standard.
- If we are going to hold them to a response time requirement, simply the fact that we are a large area causes them to have to staff differently.
- Even though we only use them 3.5% of the time, they still have to get to us in the time frame we want.
- We also discussed equal cost sharing.
- The one that Sandy Springs Council has already acted on is option number four which is a blend of volume, geography plus a component for revenue, so it will be referred to as a blended model.
- The amount of money Milton and Alpharetta patients pay for service is on average about 25% higher than what they actually recover from a patient in other parts of Fulton County.
- That could be because of the type insurance or indigent transports.
- A transport in Milton pays back more to the ambulance service so we should get credit for that.
- There is a blended cost allocation of a model of a sixty percent weight on the number of transports.
- The group decided the correct blend was sixty percent based on transports and forty percent based on land area or geographic size within a credit for revenues.
- Milton, Johns Creek and Sandy Springs brought to the attention of the ambulance service that our fiscal year is October to September so for a subsidy to kick in July 1st would be difficult to plan for.
- Rural metro has indicated they are willing to front load those cost if to a concession for the cost they would accrue during the current fiscal year but we could defer our payment.
- We talked about generating revenue to reduce the required subsidy and this was met with very unique and opposing position among cities.
- There is some concept that you could grant role metro ambulance and exclusive right franchise, non emergency transports in the city.
- Where they truly generate those services are hospitals, doctors offices, nursing homes, etcetera and we just do not have a lot of those, so if we granted them some type of exclusive right to non emergency transports, there would be revenue generated from non emergency transports plus a whole bunch of ambulances dumped into an already existing system so you would have both in the field and the closest would go to the emergencies.
- The county indigent care support; we questioned the 3.5 million care subsidy.
- Zack Williams the County Administrator indicated with no uncertain terms that subsidy was not going to be included.
- The boards' ruling was there would be no subsidy in North, Central or South zone, so that issue should be alleviated to this point.
- We compared some of the response time requirements and it was discussed that if we just do not do anything, the ambulance has to provide the minimum state response.
- If there is a state minimum required response time, we could not find it.
- Cannot find anything that states rural county ambulance has to be somewhere within a certain amount of time just because they are the zone provider.
- As it exists today there are two Public Safety answering points.
- One in the City of Alpharetta and one in Fulton County.
- Our ambulances are dispatched from Fulton County.
- Roswell, Johns Creek, Sandy Springs and Milton are dispatched form Fulton County.
- Alpharetta has worked out with Rural Metro to dispatch their own ambulances and they have their own PSAP.
- Roswell has their own PSAP, but they do not dispatch their own ambulances and Fulton dispatches the rest.

- There are thing we have to work out that might gain some efficiencies in the system. Right now, if you were to go down to the Fulton County dispatch center, Rural Metro Ambulance has for a portion of the day this person they call their system status manager.
- This person is really the one who controls putting the ambulances on the map.
- They have certain posting plans and when an ambulance level drops down to a certain level they start to shuffle ambulances.
- We have asked Rural Metro to instead of having a part time systems status manager, have that concept be 24 hours a day, seven days a week and have somebody in charge of where these ambulances are posting and where they are ready to deploy from.
- We need to make sure our service provided is still as good if not better than it is now.
- All cities are in the unique position that we are all approaching our Council around the same time with on or around the same information in hopes that the five public safety people that the cities have come to consensus have sold the five city managers who have come to consensus who would each sell their seven person Council to come to consensus, so you can imagine if we are asking each city to have seventeen people agree, it is not always gone seamlessly and that is to be expected.
- Milton's cost is based on our uniqueness in the spreadsheet in the report and our request would be \$220,000.00 for our ambulances and that is partly because ambulances should be staffed with a little bit of a back up factor.
- It is not advantageous for us to go this alone.
- On Monday, we were all in agreement that the regionalized concept was good and we were all going to get in this thing together.
- On Wednesday we were not all on the same page with the regionalized concept being good purely from a financial perspective.
- Recommends that in some capacity we join the four other cities. From a financial perspective, if we were to join with three cities and become the fourth, it is more expensive.
- If we joined with one city that would be the most expensive, so we have dollar figures ranging between \$100,000 and \$336,000.
- Recommends we participate in the subsidy because we do need to have ambulance service for our citizens.
- Recommends we pursue option one with all five cities together.
- Second recommendation would be option three with all five cities together.

Councilmember Thurman

- Said based on some discussion of the numbers it is difficult to tell when a call comes in with zip codes if it is Milton or Alpharetta. She asked if we had gotten any further on that issue.

Interim City Manager Lagerbloom

- We are closer.
- The numbers we started with were flawed.
- The data that we were comparing Fulton's data to was Fulton's data; so of course it looked accurate, but we did not have our own to compare.
- The numbers in the report you have now are more accurate to the extent that as non scientific as it is and with the most stable hand that somebody had with a GIS; they were able to draw boundaries around the individual cities and then put the data back from the ambulance service back on top of that map so it has gone more from zip codes to being as scientific as a hand drawn line around a city, but we are a lot closer then we were and do not know if we have the ability to get a lot closer than that.

Councilmember Zahner Bailey

- Asked if she understood correctly that the model that would allow Milton to align itself with one other city is the most expensive.

Interim City manager Lagerbloom

- Said that was correct.

Councilmember Zahner Bailey

- Thanked Interim City Manager Lagerbloom for the additional data. She asked City Attorney Jarrard if he was aware of any state mandate on response time.

City Attorney Jarrard

- Said he was not aware of any state mandated response time.

Councilmember Hewitt

- Asked Interim City Manager Lagerbloom if he had an opinion on what all five cities were going to do.

Interim City Manager Lagerbloom

- Said he would leave that to Mayor Lockwood to answer.

Mayor Lockwood

- Said it makes more financial since for them to go it alone.

Interim City Manager Lagerbloom

- Said there were two cities that it makes more financial since to go it alone and one city at this point has said that even if it cost a little bit more they embrace the regional concept.

Mayor Lockwood

- In looking at the map part of the reason is for instance if you had two ambulances for each city then that is much more than if you can blend them. For instance, Alpharetta and Roswell versus Milton. They can cover more area with fewer ambulances.

Councilmember Tart

- Asked if there is a difference in the average response time with model one with status quo versus adding two additional twenty four hour ambulances in model three.

Interim City Manager Lagerbloom said maybe.

- If you put two more ambulances in the system that is two more that can get there quicker which works, but without seeing how they would model their posting plan they could put two ambulances in the system and based on our 510 transports those two ambulances might or might not be posted any where near Milton.
- It may show that there is not a deficiency in Milton today.
- The assumption would that by putting more ambulances in the system that it has an influence on response time.
- There is also a concept that one of the things that cures these response time issues is that all of the ambulances should be dispatched from the same center.
- The City of Sandy Springs is pushing seriously ahead with the 911 center jointly with Johns Creek.
- The potential participation with the City of Alpharetta is moving as forward as it can without us having adopted an IGA among the two cities.

- Alpharetta has expressed some interest in being that dispatch center for the entire region, but that does not come without a cost and we do not know what that cost is.

Mayor Lockwood read the next agenda item.

DISCUSSION ON CONSERVATION BURIAL

Community Development Director Tom Wilson

- He would like to make Council aware we have been approached by a company called Conservation Burial Properties to partner with them on a green burial cemetery on Birmingham Highway located at 1150 Birmingham Road which is behind the Boiling Springs Baptist Church.
- This is a new wave type of burial that allows cremated remains and un-embalmed bodies to be put in the ground without caskets.
- They are asking us to partner with them and for doing so they will provide some percentage of the proceeds back to the City of Milton.
- They are marked for the City of Milton to buy either land to preserve or easements to preserve land and perpetuity.
- They feel by partnering with us and giving us some of these proceeds it will help them sell this concept.
- The City Attorney is reviewing this so we will hear back from him on the pros and cons at a later date.
- It is legal and there is a Green Burial Council who has developed guide lines for how all of this is done in a respectful and legal way.

Councilmember Lusk

- Said this is not new to the state of Georgia. The Monastery of the Holy Spirit in Conyers practices green burial.

Councilmember Zahner Bailey

- Said it causes her pause when she thinks about a percentage of revenue coming to us knowing that it would require a certain rezoning. Does that not start to contemplate exactionment?

City Attorney Jarrard

- Said we cannot do an act of zoning for a fee raising mechanism.

Community Development Director Wilson

- It would not come back to the city but to a non profit set up by the city and the charter of that non profit would be for the preservation of this land.
- We will get more details when City Attorney Davis has a chance to review it.
- This is a concept that has been around for a number of years.
- Not only does it preserve the land where the cemetery is but sometimes they plant trees at every grave site or some times they put rocks.
- Does not think they are planning on having tombstones but they do have a memorial wall where names can be placed. They will also make available GPS co-ordinances for the grave sites.
- It is just a way of doing something different without putting all of the unmentionables in the ground.

Mayor Lockwood read the next agenda item

DISCUSSION ON FINANCIAL STATEMENT REPORTING

Councilmember Thurman

- Stated she had been working with staff to come up with something to help us get a better understanding of where we are financially. She passed a copy of a financial statement to Council and said if anyone has questions about the numbers they could e-mail Chris Lagerbloom.
- Will not be discussing the numbers.
- Discussing concepts and formats.
- Financial position and results of operations
- Actual financial results compared with adopted budgets
- Compliance with finance-related laws, rules and regulations
- Efficiency and effectiveness of operations, including comparison with prior year
- Maintenance of government assets

Governmental Accounting Standards Board (GASB)

- On June 30, 1999 the Governmental Accounting Standards Board (GASB) voted unanimously to adopt Governmental Accounting Standards Board Statement No. 34, Basic Financial Statements—and Management’s Discussion and Analysis—for State and Local Governments (GASB 34).
- Introduced new form of reporting – the *government wide* financial statement.
- GASB 34 required that the accounting basis for government wide statements will be full accrual while the government fund perspective will continue to be produced using modified accrual.
- Changes were intended to:
 - Provide more relevant information that will result in greater accountability by state and local governments.
 - Enhance the understandability and usefulness of the annual financial reports to users of the reports to enable them to make more informed economic, social, and political decisions.

	Measurement Focus and Basis of Accounting for Financial Statements		
	Government wide Financial Statements	Economic Resources	Full Accrual
	Government Funds Financial Statements	Current Financial Resources	Modified Accrual
	Proprietary Funds Financial Statements	Economic Resources	Full Accrual
	Fiduciary Funds Financial Statements	Economic Resources	Full Accrual

Modified Accrual Basis

Revenues should be recognized in the accounting period in which they become available and measurable. Expenditures should be recognized in the accounting period in which the fund liability is incurred, if measurable, except un-matured interest on long-term debt, which should be recognized when due.

(Full) Accrual Basis

Revenues should be recognized in the accounting period in which they are earned and expenditures should be recognized in the accounting period in which the liability is incurred.

- Example – Sales tax revenue is recognized when it is earned even though the exact amount may not be known for several months. Sales tax revenue that was earned in September but not available or measurable until November would be included in the audited government-wide statements for the September 30th year end.
- At year-end, the audited **government wide** financial statements for local governments must be reported using the “**full**” **accrual method** of accounting.
- For local governments, monthly **government fund statements** are reflected using the **modified accrual basis** of accounting. Revenue is recognized when it becomes available and measurable.
- Example – sales tax revenue is not recognized until two months after it is earned because it is not measurable or available until that time. Sales tax revenue that is earned in January but not received until March would not be reflected until March on the **government fund** financial statements.
- **Governmental Funds** – those through which most governmental functions are accounted for. (General, special revenue, capital projects, debt service, etc.)
- **Proprietary Funds** – used to account for a government’s ongoing organizations and activities that are similar to those often found in the private sector. (Water and sewer, utilities, etc.)
- **Fiduciary Funds** – used to account for assets held by a government in a trustee capacity or as a agent for individuals, private organizations, or other governmental units. (Pension trust funds, private-purpose trust funds, etc.)

All funds are combined and inter-fund balances eliminated for the government wide financial statements required by GASB 34 at fiscal year end.

- **Government Funds**
 - General Fund
 - Special Revenue Funds
 - Hotel/Motel Tax Fund
 - Operating Grant Fund
 - Capital Funds
 - Capital Projects Fund
 - Capital Grant Fund
- **Proprietary Funds** – none at this time
- **Fiduciary Funds** – none at this time

Design an easy to understand financial report to be prepared monthly that provides a “snapshot” view of revenue and expenditures year to date, compared to prior year to date and to current year budgeted amounts to date. The following is on the diskette provided to Council:

- Financial Reporting Presentation
- Financial Management Program
- Code of Ordinances, Chapter 10 – Taxation (As amended)
- Sources of Revenue Handbook
- Revenue Calendar (reflecting anticipated timing of each revenue)
- Fiscal year 2008 Budget

Councilmember Tart

- Asked if the intent would be when Council approves the monthly we would approve the regular modified accrual statements but that we would also receive this disc so we can better understand what we are looking at and approving.

Councilmember Thurman

- Stated the diskette is a resource disc that gives all of the background information. It does not have any kind of monthly numbers.

Councilmember Tart

- Asked if that was the ultimate goal.

Financial Manager Stacey Inglis

- Stated that the ultimate goal is to provide Council with financial statements that can be better understood. Council will still get the same information, but it will be formatted for better understanding. The financial statements will be presented to Council under the Consent Agenda.

Councilmember Thurman

- Stated the revenue handbook contains information about what things are and what they are based on. It gives information to better understand the numbers and any changes in them.

Councilmember Tart

- Asked if we would be maintaining the modified accrual statements that are required by law and the new format.

Financial Director Inglis

- Said yes the financial statements done during the year are all modified accruals. At the end of the year is when it switches over to full accrual. Any financial reporting is based on modified accrual.

Councilmember Thurman

- Stated at the year end, any revenues over expenditures on the full accrual basis of the audited statement is rolled into fund balance, which in a private company is retained earnings or capitol, but in government it rolls into fund balance.
- The beginning fund balance is based on a full accrual basis and revenues and expenditures for the year are on a modified accrual basis.

Councilmember D'Aversa

- Asked how September reporting gets impacted and accounted for, based on the end of the year being full accrual and that month being modified.

Councilmember Thurman

- Said the September statements would include revenue that may not be collected until November and December, so it was earned in September.
- For the full accrual there will more revenue coming in than what we show on the modified accrual. There may be some additional expenses as well.

Councilmember D'Aversa

- Said so the statement from an accrual to a full are never going to match.

Financial Director Inglis

- Stated that was correct. When the September statements come out that will not be the final numbers because we will still be accruing back October and Novembers revenue.

Councilmember Thurman

- Said that our budget is on full accrual.
- GASB 34 requires everything be combined together and consistent.

Councilmember D'Aversa

- Asked if the understanding of this is the reason our audit is taking longer than we expected.

Financial Manager Inglis said no.

- One of the things holding it up is infrastructure.
- We are required to list infrastructure on our capital assets.
- We did not get any data from Fulton County so we are basically starting from scratch.
- It is time consuming to get all of that information and make sure it is accurate.
- Making sure we have all of the measurements of all the streets and names of all of the streets, curves, gutters, sidewalks, drainage, underground piping, and etcetera is time consuming.

Councilmember Thurman

- Stated that going forward all we will have to do is changes, additions, deletions and that will not be as difficult as getting everything on the books the first time.

Councilmember Zahner Bailey

- If we would have to ask for another extension.

Financial Manager Inglis

- Stated she hopes to have everything done by the middle of June, but we have until September to get it done.

Councilmember Thurman

- It is basically a beginning balance sheet of what we own.
- Another thing that is on this financial resource diskette is a revenue calendar and it is anticipated timing.
- It tells what day and month of revenue we expect.
- It helps us know what is received each month and on a quarterly basis so we can understand better what to expect.
- The 2008 Fiscal Year Budget is also included on it.
- She gave Council a copy of the new formatted statements.
- Tried to cover as many things in a snapshot view as they possible could fit on one sheet of paper to give Council the information needed to make decisions they need to make.
- It starts off with prior year actual amounts.
- These amounts may change slightly once we get our audited financial statements.
- We have not made any budget adjustments so the original and final amounts are the same.
- Expected revenue to date is what we expected to collect to date and that depends on whether something is collected in September or October such as property taxes we do not expect to collect any of to date for this year.
- Sales tax will be two months in arrears.
- Then we have actual revenue collected to date, then variances with the final budget and variances with expected revenue, expenditures to date, and then the percent over or under the expected.
- Expected revenue to date and actual revenue to date tells us where we expected to be and where we actually are.
- Staff is still working with categorizing some of the revenues.
- The amount in the fund balance as beginning is estimated and may change once we get the audited financial statement.

- Not all good political decisions are good financial decisions and not all good financial decision are good political decisions.
- It is up to Council to try and balance the two.

Councilmember Tart

- Thanked Councilmember Thurman and staff for working on the financial statements and said it was a lot easier to understand.

Mayor Lockwood

- Echoed Councilmember Tart's comments in thanking Councilmember Thurman and staff and said this is why it is nice to have a diverse Council with different abilities.

Interim City Manager Lagerbloom

- Stated that staff has already started to look at the mid year budget and will come before Council with request.

Interim City Manager Lagerbloom started the discussion on Tornado Sirens.

- Had a presentation last year during budget time in the first fiscal year and tornado sirens was one of the concepts explored.
- The two step process toward the approach is to initially do some type of study that is not as in depth as that required to actually deploy tornado sirens; but one you can get before you do a RFP (Request for Proposal) or RFQ (Request for Quotes), because there is more than one vendor in the market.
- It becomes a feasibility or anticipation study based solely on land area.
- There is a specific formula that will tell you it takes a number of sirens to cover a land area.
- We might be able to put one on a higher elevation.
- The siren would only routinely cover five square miles and if we put it at a higher elevation it would cover seven.
- There are different things that need to be done in figuring out where to place them.
- On public property or private property.
- All of those questions need to be answered before we actually deploy, but we can get in the ball park with a non scientific study that tells us that a City with our square mileage needs approximately fifteen sirens.
- Before we actually go to the market with a RFP to get some company to expend resources on us we need to make sure that this is something that we likely would fund based on the results.
- Fifteen sirens put us in the ball park of about two hundred thousand dollars.
- Activation is now all computers based and routinely that was done through the dispatch center because they are the ones monitoring the weather.
- It is a difficult challenge to say we are going to sound our tornado sirens every time Fulton County goes under a tornado warning because that tornado might be in Union City and if we sound our sirens based on good sound weather advice and we cry wolf one to many times they loose their value.
- Frankly the Fulton County Dispatch Center was not interested in maintaining those sirens or the control panel for us.
- Probably from a liability perspective it is bad when you sound them and do not need them and even worse when you do not sound them.
- Alpharetta ran into that at one point and suffered a good bit of scrutiny.
- We want to make sure when we put them in we use them as they are designed to be used when they need to be used.
- In regards to grant funding; hazard mitigation grants do exist but they are very difficult to acquire tornado sirens from.

- They do not exist in any place in unincorporated Fulton County at this point. He will update the study that we had done last year prior to the budget year.

Mayor Lockwood

- Asked if it was something we might consider when we receive our SSD money.

Interim City Manager Lagerbloom

- Said that this would qualify as a one time expense so it is something we could spend some of that money on.

Councilmember Zahner Bailey

- Asked what the deadline was for applying for the grant mentioned.

Interim City Manager Lagerbloom

- Said the Hazard Mitigation Grant funds do not fund year to year based on dollars.

Councilmember Zahner Bailey

- Stated it would be great to have that information before we expend one time dollars. Of the fifteen sirens how many would that be reduced by, based on proximity in theory from Alpharetta.

Interim City Manager Lagerbloom

- Said he would wildly guess three to four.

Councilmember Hewitt

- Asked if we would have to do the in depths study before we put out a Request for Proposal.

Interim City Manager Lagerbloom

- Said that would be part of the RFP process. Not all of the warning siren companies implement the same technology.

Councilmember Lusk

- Asked with the different types on the market if there is a range of liability on the different technologies.

Interim City Manager Lagerbloom

- Said that he did not know.

Mayor Lockwood

- Stated that if we move forward later we would get into a lot of specifics. He thanked Interim City Manager Lagerbloom for the report.

Mayor Lockwood read the next agenda item.

DISCUSSION ON THE TREE PRESERVATION ADVISORY COMMITTEE

Community Development Director Wilson

- Asking Council to appoint a seven member committee to review our current Tree Preservation Ordinance.
- Will bring a resolution to Council on May 5, 2008 to set up the committee.
- Council will need to nominate and appoint members at the third meeting in May.

- Will take this on for five months beginning in June, once every two weeks for ten meetings and hopefully that will be enough.
- At the end of the ten meetings the committee will present a draft of a new Tree Preservation Ordinance.
- Hopefully we can get through this in house with staff over the next five months.
- Need to start at the beginning of June.
- Have a number of interns from the University of Cincinnati to work on the draft of the Historic Preservation Ordinance.
- It will be done very quickly.
- Will have three meetings and get enough input in those three meetings to integrate into a Comprehensive Ordinance and then present it to Council.
- Will send a letter to all of the properties that are listed in the Fulton County Historic Preservation index to let them know that we are doing this.
- Thinks we will get a lot of participation.
- This does affect the value of people's property and what they can do with the property.
- It may become a very contentious issue.

Councilmember Zahner Bailey

- Asked if this Historic Preservation Committee is going to have the opportunity to look at any other elements other than the existing draft.

Community Development Director Wilson

- The existing draft was put together by a committee from all of the Ordinances they could find and they took bits and pieces from the ones they liked, so it is not just an Ordinance we are starting with but a combination of all the things they liked in different ordinances.
- Expects a ton of participation in this because we are going to send out a letter and it is going to scare a lot of people, which is why we want to condense this into the narrowest document possible.
- Will take that to the public meetings.
- The letter will be simple and will say the City Council is considering a Historic Preservation Ordinance that may affect their property and we will be holding public meetings on certain dates for their input.
- The letter will also let them know their input is valued and we would like their attendance at the meetings.
- It will not say anything else.
- If people can read between the lines they will know this will affect their property.
- There are several hundred on the list.

Councilmember Zahner Bailey

- Said it might be helpful to contrast and identify the importance around historic preservation.

Community Development Director Wilson

- We could add a paragraph about that.
- We are going to move pretty quickly on it.
- The interns will only be here for two more months so we will do this in May and June.
- Want to do all of the up front work while they are here.
- Planned an Arbor Day Celebration for Friday April 25th.
- Buck Jones and associated nursery has donated a 2 1/2 inch American Elm to be planted in recognition of this day and we propose to plant it at Bell Park.
- May be able to get a landscape company to install it and maintain it.
- Working very quickly on this so we will get some advertisement in the newspaper and on the web site.
-

- At the very least it is a photo opportunity and something we can put in the newspaper saying we observed Arbor Day and have a story about the importance of trees.

Mayor Lockwood read the next agenda item

DISCUSSION ON FOCUS FULTON 2025 FUTURE LAND USE PLAN MAP AMENDMENT, 25888 HOPEWELL ROAD

Community Development Director Wilson gave Council copies of a map and stated the property that was cross patched on Vaughn Drive was left off the land use map as though it was in Alpharetta but it is not in Alpharetta, so we are asking Council to add this to the future land use map at one to two units per acre.

Councilmember Thurman

- Said it looks like it is contiguous with an Alpharetta piece.

Community Development Director Wilson

- Said that was correct and that piece is zoned commercial.

Councilmember Zahner Bailey

- Asked if this property fronts on Hopewell. If we go back in time, any land that fronts on Hopewell Road is to be a one acre minimum.

Community Development Director Wilson

- Said the one acre minimum is more a policy than it is a category on the land use map and he would expect that we would continue that policy if we were to get a zoning case on this property.

Councilmember Zahner Bailey

- If we are absorbing a parcel and we have the opportunity now to reflect it consistent with our policy; would that not be at least something we want to contemplate as opposed to assigning a higher density. Concerned we are rezoning if we apply a one to two because we are saying the category would allow up to two units to the acre.

Councilmember Tart

- Said he would like a legal opinion on it.

City Attorney Jarrard

- Said that Council would retain that discretion.

Councilmember Zahner Bailey

- Said she would want the opportunity to have there be more data than just to presume it should be one to two.

Community Development Director Wilson

- Said he was bringing this forward to try to get a jump before somebody files a zoning application.

Councilmember Zahner Bailey

- Asked Mayor Lockwood if it would be reasonable to ask our City Attorney to look into that.

Mayor Lockwood

- Replied yes.

Interim City Manager Lagerbloom

- There is one more item he needs Council's guidance on before the meeting is adjourned.
- Received an invoice from Marie Garrett for the City Manager search.
- It is just over \$30,000.00 and that would come from the City Manager's budget.
- That dollar figure would routinely rise to a level that we would have required more than one preliminary bid.
- Looking for an avenue that someone could tell him that he could treat this as a sole source vendor so he can remit that payment.

Mayor Lockwood

- Asked if it could be based the same as our legal attorney or; on an hourly basis.

City Attorney Jarrard

- Asked about the latitude under personal services.

Interim City Manager Lagerbloom

- Stated he would like him to review the policy and said the question we could potentially be asked is; are there other people in the field that do the same thing.
- We want to make sure we can treat this as a sole source and that we have the appropriate documentation.

Councilmember Lusk

- Asked if we wrote a contract.

Interim City Manager Lagerbloom

- Replied no.

City Attorney Jarrard

- Stated the sole source could be justified fairly easily. Marie Garrett is sort of a local government figure in this area.
- It would be difficult to find anyone with as many contacts. He said he would like to look at the purchasing policies and make sure we can provide a supportable reason for the expenditure.

Mayor Lockwood

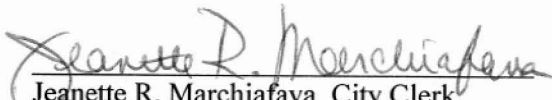
- Said for the record the amount is more than was anticipated. We figured the twenty thousand dollar range.
- He said he felt comfortable with justifying that because if we had used a head hunter firm, we would not have received the same personal service in meeting the needs of our City, and it could easily have been forty or fifty thousand dollars.

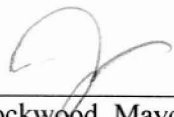
There was no further discussion.

Work Session of the Milton City Council
Monday, April 21, 2008 at 6:45 PM
27 of 27

After no further business, the Work Session adjourned at 9:15 PM.

Date Approved: May 19, 2008


Jeanette R. Marchiafava, City Clerk



Joe Lockwood, Mayor

