



## 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, July 7, 2008**

**ACTION MINUTES**

**6:00 PM**

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**1) CALL TO ORDER**

**2) ROLL CALL**

Councilmember Tina D'Aversa and Councilmember Burt Hewitt was absent/excused  
Councilmember Julie Zahner Bailey participated in the meeting via telephone.

**3) PLEDGE OF ALLEGIANCE**

**(Agenda Item No. 08-609)**

**4) APPROVAL OF MEETING AGENDA**

Staff recommended the following changes to the Meeting Agenda:

1. Add to the Consent Agenda the following items:
  - a. Acceptance of a citizens' petition regarding speeding on Hopewell Road.
  - b. Acceptance of a citizens' petition regarding a guardrail on Old Cogburn Road.
  - c. Acceptance and approval of the informal vote at the July 3, 2008 Special Called Work Session for the agenda item permitting and authority to proceed for the entire Sembler development on State Route 9 in accord with site development permit.
2. Under First Presentation; Withdraw Item #2, Approval of an Ordinance Adopting Amended Rules and Procedures for the City Council Meetings and Public hearings for the City of Milton, Georgia.

**Motion and Vote:** Councilmember Thurman moved to approve the Meeting Agenda as, amended. Councilmember Lusk seconded the motion. The motion passed unanimously (4-0).

**5) PUBLIC COMMENT**

**6) CONSENT AGENDA**

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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.***

**Motion and Vote:** Councilmember Lusk moved to separate the items under the Consent Agenda. Councilmember Thurman seconded the motion. The motion passed unanimously (4-0).

**(Agenda Item No. 08-610)**

1. Approval of the June 9, 2008 Work Session Meeting Minutes.

**Motion and Vote:** Mayor Lockwood moved to approve the June 9, 2008 Work Session Meeting Minutes. Councilmember Thurman seconded the motion. The motion passed (3-1), with Councilmember Lusk opposed.

**(Agenda Item No. 08-611)**

2. Approval of the June 16, 2008 Regular Meeting Minutes.

**Motion and Vote:** Councilmember Lusk moved to approve the June 16, 2008 Regular Meeting Minutes. Councilmember Tart seconded the motion. The motion passed (3-1), with Councilmember Thurman opposed.

**(Agenda Item No. 08-612)**

3. Approval of the Financial Statements for the period ending May 2008.

**Motion and Vote:** Councilmember Lusk moved to approve the Financial Statements for the period ending May 2008. Councilmember Thurman seconded the motion. The motion passed unanimously (4-0).

**7) REPORTS AND PRESENTATIONS**

**8) FIRST PRESENTATION**

**(Agenda Item No. 08-613)**

1. **U08-03** - 2810, 2820, 2830, 2840, 2850, 2860 Bethany Bend Road, Applicant: Church of Jesus Christ of Latter-Day Saints - To request a use permit for a 16,728 square feet church with 352 seats and storage shed, at a density of 2,320.95 square feet per acre on 7.2074 acres.

**Motion and Vote:** Councilmember Tart moved to approve the First Presentation item. Councilmember Lusk seconded the motion. The motion passed unanimously (4-0).

**(Agenda Item No. 08-614)**

*Removed by Motion and Vote*

2. Approval of an Ordinance Adopting Amended Rules and Procedures for the City Council Meetings and Public Hearings for the City of Milton, Georgia.

**9) PUBLIC HEARING**

**(Agenda Item No. 08-606)**

1. Approval of an Ordinance to Adopt Amendments to the Fiscal 2008 Budget for Each Fund of the City of Milton, Georgia Amending the Amounts Shown in Each Budget as

Expenditures, Amending the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations, and prohibiting Expenditures to Exceed Actual Funding Available.

## 10) ZONING AGENDA

### (Agenda Item No. 08-574)

1. **ZM08-02** – Southside of Cumming Hwy (West of Sunfish Bend); Petitioner: Inland Group by Eric Johansen. Request: To modify condition 2.a. of RZ03-140 to modify the site plan.

(This item was deferred on June 16, 2008 to July 7, 2008.)

**Motion:** Councilmember Lusk moved to approve application No. **ZM08-02** to modify condition 2.a. of RZ03-140 for the purposes of modification of the site plan. The modified site plan which is approved shall be attached to this Motion for the record. All other conditions of the rezoning remain in full force and effect. This approval is subject to the following conditions:

- (1) There is no constitutional authority for Fulton County to provide sewer service to this property at the current time. As such, this approval is contingent upon the future availability of sewer for this property;
- (2) This approval should not be construed as a promise of future sewer service for this property. The developer, applicant, and/or owner of this property should proceed at their own risk with respect to incurring expenses and otherwise pursuing development of this property until such time as the City of Milton authorizes a provision of sewer service for this property.

**Second and Vote:** Councilmember Thurman seconded the motion. The motion passed unanimously (4-0).

## 11) UNFINISHED BUSINESS

### (Agenda Item No. 08-606)

1. Approval of an Ordinance to Adopt Amendments to the Fiscal 2008 Budget for Each Fund of the City of Milton, Georgia Amending the Amounts Shown in Each Budget as Expenditures, Amending the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations, and prohibiting Expenditures to Exceed Actual Funding Available.

(First Presentation on June 16, 2008. This is the Second Reading.)

### **Ordinance 08-07-17**

**Motion and Vote:** Councilmember Thurman moved to approve an Ordinance to Adopt Amendments to the Fiscal 2008 Budget for Each Fund of the City of Milton, Georgia Amending the Amounts Shown in Each Budget as Expenditures, Amending the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations, and prohibiting Expenditures

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to Exceed Actual Funding Available. Councilmember Tart seconded the motion. The motion passed unanimously (4-0).

**12) NEW BUSINESS** (*none*)

**13) MAYOR AND COUNCIL REPORTS**

**14) STAFF REPORTS**

**15) EXECUTIVE SESSION**

**(Agenda Item No. 08-615)**

1. The purpose of the Executive Session is to discuss personnel.

**Motion and Vote:** Councilmember Lusk moved to adjourn into Executive Session at 7:29 p.m. Councilmember Thurman seconded the motion. The motion passed unanimously (4-0).

**RECONVENE**

**Motion and Vote:** Councilmember Thurman moved to reconvene the Regular Meeting at 7:45 p.m. Councilmember Tart seconded the motion. The motion passed unanimously (4-0).

**(Agenda Item No. 08-616)**

**16) ADJOURNMENT**

**Motion and Vote:** Councilmember Lusk moved to adjourn the Regular Meeting at 7:47 p.m. Councilmember Tart seconded the motion. The motion passed unanimously (4-0).