



CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

CITY COUNCIL

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

Wednesday, September 3, 2008 ACTION MINUTES 6:00 PM

1) CALL TO ORDER

2) ROLL CALL

3) PLEDGE OF ALLEGIANCE

(Agenda Item No. 08-654)

4) APPROVAL OF MEETING AGENDA

Staff recommended the following changes to the Meeting Agenda:

1. Under New Business, move agenda item 08-666, Approval of a Resolution Appointing an Advisory Committee for the Solid Waste Management Plan (TARA Committee) to after the Consent Agenda.

2. Add an Executive Session to discuss pending litigation and personnel.

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

5) PUBLIC COMMENT

6) CONSENT AGENDA

(Agenda Item No. 08-655)

1. Approval of the August 11, 2008 Special Called Meeting Minutes.

(Agenda Item No. 08-656)

2. Approval of the August 11, 2008 Work Session Minutes.

(Agenda Item No. 08-657)

3. Approval of the August 18, 2008 Regular Meeting Minutes.

Page 1 of 4

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.

(Agenda Item No. 08-658)

4. Approval of the Financial Statements for the period ending July 2008.

(Agenda Item No. 08-659)

5. Approval of a contract between the City of Milton and Safebuilt for Fire Marshal plan review and inspection services.

(Agenda Item No. 08-660)

6. Approval of Land Development Final Plats:
 - 1) Milton Place, Revise street names
 - 2) Clearbrooke - Revise to add Common area easement
 - 3) Pleasant Hollow - Revise property lines
 - 4) Another Day Ranch - Minor plat, 1 additional lot

Motion and Vote: Councilmember Hewitt moved to approve the Consent Agenda. Councilmember Lusk seconded the motion. The motion passed unanimously.

7) REPORTS AND PRESENTATIONS**8) PUBLIC HEARINGS**

- 1) Public Hearing on Ordinance to Adopt adjustments to the Fiscal 2008 Budget for each fund of the City of Milton, Georgia.
- 2) Public Hearing on Ordinance to Adopt the Fiscal 2009 Budget for each fund of the City of Milton, Georgia.

9) FIRST PRESENTATION**(Agenda Item No. 08-661)**

1. Approval of an Ordinance Amending the Rules of Procedure for City Council meetings and Public Hearings for the City of Milton.

(Agenda Item No. 08-662)

2. **RZ08-08/U08-04/VC08-04, 3501, 3499 Bethany Bend Road** - To rezone from AG-1 to TR (Townhouse Residential) and obtain a use permit for senior housing to develop 98 residential units at a density of 19.84 units per acre (Article 19.4.41(2)). The applicant is also requesting a 2 part concurrent variance:
 - 1) To reduce the setback from 100 feet to 10 feet for swimming pools, pool equipment, accessory structures and fencing (Article 19.3.12.3).
 - 2) To increase from 2 stories (30 feet) to 3 stories (40 feet) from average finished grade to bottom of roof eave (Article 12G.4.F.14).

(Agenda Item No. 08-663)

3. **U08-05/VC08-05, 1150 Birmingham Road** - To obtain a use permit to develop a cemetery on approximately 17.313 acres (Article 19.4.9). The applicant is also requesting a concurrent variance:
 - 1) To delete the 75' buffer and 10' impervious setback to 0' along western property lines N 00°32'03" W for 360.96', S 89°27'57" W for 65.23', and N 00°32'03" W, along all eastern property lines, and along the northern property line from northeastern corner to the 50' stream buffer line for a distance of 320' (12H.3.1 Section C.2).

(Agenda Item No. 08-664)

4. Approval of an Ordinance of the Mayor and Council of the City of Milton, Georgia, 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.

(Agenda Item No. 08-665)

5. Approval of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt the Fiscal 2009 Budget for Each Fund of the City of Milton, Georgia Appropriating the Amounts Shown in Each Budget as Expenditures, Adopting the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations, and Prohibiting Expenditures to Exceed Actual Funding Available.

Motion and Vote: Councilmember Thurman moved to approve the First Presentation items. Councilmember D'Aversa seconded the motion. The motion passed unanimously.

10) ZONING AGENDA**11) UNFINISHED BUSINESS****12) NEW BUSINESS****(Agenda Item No. 08-666)**

1. Approval of a Resolution Appointing an Advisory Committee for the Solid Waste Management Plan (TARA Committee).

RESOLUTION NO. 08-09-43

Motion and Vote: Councilmember Tart moved to approve opening the TARA Committee nominations to At-Large for each Councilmember. Councilmember Hewitt seconded the motion. The motion passed unanimously.

Motion and Vote: Councilmember D'Aversa moved to approve a Resolution Appointing an Advisory Committee for the Solid Waste Management Plan (TARA Committee) by appointing Jim Hilley (District 1), Marc Arrington (District 2), Julie L. Pinckney (District 5), Felicia

Houston (District 6), Jim Lozen, Waste Management, Brian Warren, Custom Disposal, Charles Slade, Community Waste Services, and Kathy Reed, Keep North Fulton Beautiful. Councilmember Hewitt seconded the motion. The motion passed unanimously.

13) MAYOR AND COUNCIL REPORTS

14) STAFF REPORTS

15) EXECUTIVE SESSION

Motion and Vote: Councilmember D’Aversa moved to adjourn into Executive Session at 7:49 p.m. Councilmember Tart seconded the motion. The motion passed unanimously.

RECONVENE

Motion and Vote: Councilmember Hewitt moved to reconvene the Regular Meeting at 8:38 p.m. Councilmember Lusk seconded the motion. The motion passed unanimously.

(Agenda Item No. 08-667)

16) ADJOURNMENT

Motion and Vote: Councilmember Lusk moved to adjourn the Regular Meeting at 8:39 p.m. Councilmember Thurman seconded the motion. The motion passed unanimously.