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The Regular Meeting of the Mayor and Council of the City of Milton was held on September 3, 2008 at 6:00 PM, Mayor Joe Lockwood presiding.

INVOCATION

Scott Seeke, Pastor, River Lutheran Church led the invocation.

CALL TO ORDER

Mayor Lockwood called the meeting to order.

ROLL CALL

City Clerk Marchiafava called the roll and made general announcements.

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

PLEDGE OF ALLEGIANCE

Mayor Lockwood led the Pledge of Allegiance.

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. There was no Council discussion. The motion passed unanimously.

PUBLIC COMMENT

Mayor Lockwood read the rules for Public Comment.

- Public comment is a time for citizens to share information with the Mayor and City Council.
- To provide input and opinions for any matter that is not scheduled for its own Public Hearing for today's meeting.
- There is no discussion on items on the Consent Agenda or First Presentation or from Council.
- Each citizen who chooses to participate in Public Comment must complete a comment card and submit it to the City Clerk.
- This is not a time to engage the Mayor or Council in discussion.
- When your name is called please come forward and speak into the microphone stating your name and address for the record.
- You will have five minutes for remarks.

Bill Schellhorn, 225 Orchard Bend Trail, Milton Georgia

- Would like to ask Council to continue to support the no sewer policy.
- Stand firm against any sewer extension.
- There may be a hand full of parcels that may be entitled to sewer.
- Fairly address those lots and take the appropriate action.
- Do not use this as an excuse to extend sewer into Milton.

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- The new map from Lynne Riley is introducing 50 parcels of land approaching 2000 acres within the Etowah River Basin.
 - If his math is correct, it equates to over 8% of all the land in Milton which is significant sewer extension.
 - The vast majority of citizens supported an effort to envoke a City Council that would represent the people.
 - 62% voted and elected Burt Hewitt, Alan Tart, and Julie Bailey.
 - The single most important issue on their platform was the stead fast promise to keep sewer extension out of Milton.
 - If extension is allowed on those 2000 acres in the Etowah River Basin; you are setting legal precedent.
 - Every developer will argue that you gave them sewer so why can't they also have sewer.
 - They would have the legal right because it was given to others.
 - We will become a foot stool for unwanted and uncontrolled development.
 - Believes we have and awesome Mayor and Council.
 - Spend your time working on progressing the City instead of spending time defending the City from unwanted development.
 - The way to do that is by once and for all making a clear statement that sewer will not be extended in any form or for any reason.

Laura Bentley, 2500 Bethany Church Road, Milton Georgia

- This is a follow up to the August 4, 2008 Work Session that involved the 2008 Fulton County IGA map.
- It seemed productive in that it revealed many discrepancies and uncertainties that were contained in the proposed 2008 IGA agreement with Fulton County.
- In her opinion, the map did represent sewer extension.
- The discussion proved to her that there was much work to be done to reconcile the map and any agreement that might result.
- Council was told to direct questions via e-mail to City staff in order to move forward to getting the details hammered for this agreement.
- She heard that the City Manager felt these request was a waste of his time and frivolous.
- This attitude about the issue of sewer extension is not a good fit.
- She considers the 2008 IGA map submitted by Fulton County to represent sewer extension.
- She expects a revised version of that map which reflects the 2006 No Inter Basin Transfer Policy with only the land lots identified in that policy as exceptions.
- She strongly requests that Council allocate the funds needed to provide the necessary support to get Council's questions answered.
- The detailed work that will only need to be done once will lay the foundation for this agreement.
- There is nothing more critical to Milton than to get this agreement done right.
- This will take hard work and a shared vision by Council and staff.

Mayor Lockwood

- He normally would not comment, but he certainly does not think that our City Manager would think that the questions were not important to answer and that they are frivolous.

Cary Schlenke, 490 The Hermitage Drive, Milton Georgia

- Concerned about the City being a vulnerable position to unwanted sewer expansion.
- She has gone through the maps and has a lot of the same questions that were brought up at the work session.
- She invites Council to contact her individually to discuss her concerns on the maps.
- She would like to get to a comfort level as a citizen on how to rectify.
- She trusts Council to come to a decision that the City can be proud of.

David T-G, 15835 Westbrook Road, Milton Georgia

- He is very worried about the idea of sewer expansion.
- The possibility of that sort of change to his home and area makes him quake.
- Encourages Council to take the time to really dig into the matter and make sure we are sticking with the Inter Basin Plan from 2006 rather than an extended sewer plan of 2008.
- He had the interesting experience of seeing our own police force unable to communicate with each other due to radio reception problems.
- We have some issue regarding that.

Phoebe Loughrey, 14735 Wood Road, Milton Georgia

- Here to reiterate her concerns about extending sewer.
- Concerned citizens went to Bob Fulton many years ago and he set up the no sewer policy and that was Fulton County.
- Why Fulton County at the midnight hour before we are about to take over and become our own City do they suddenly want to extend sewer.
- It looked like there is sewer extension in the plan.
- One of the reasons we wanted to become a City is because of no sewer extension.
- It is the one thing we can do to control the growth of our City.
- We recognize we will have to have some growth along Route 9 and places like that but no sewer extension policy.
- There were over 50 lots that did not have sewer before that now Fulton County want to sneak in.
- Appreciates all that Council does, but we do not want any sewer extension.

There was no other Public comment.

CONSENT AGENDA

City Clerk Marchiafava read the following Consent Agenda items.

1. **(Agenda Item No. 08-655)**
Approval of the August 11, 2008 Special Called Meeting Minutes.
2. **(Agenda Item No. 08-656)**
Approval of the August 11, 2008 Work Session Minutes.
3. **(Agenda Item No. 08-657)**
Approval of the August 18, 2008 Regular Meeting Minutes.
4. **(Agenda Item No. 08-658)**
Approval of the Financial Statements for the period ending July 2008.
5. **(Agenda Item No. 08-659)**
Approval of a contract between the City of Milton and Safebuilt for Fire Marshal plan review and inspection services.
6. **(Agenda Item No. 08-660)**
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 items. Councilmember Lusk seconded the motion. The motion passed unanimously.

City Clerk Marchiafava read agenda item 08-666

(Moved by Motion and Vote)

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

Resolution No. 08-09-43

Public Works Director Dan Drake

- This is a Resolution appointing the 11 members committee for the Solid Waste Management Plan.
- Four of the members were appointed by staff and the consultant.
- Jim Lozen of Waste Management, Brian Warren of Custom Disposal, Charles Slade with Community Waste Services and Kathy Reed for Keep North Fulton Beautiful.
- Jim Lozen and Kathy Reed are present and ready to be sworn in.

Mayor Lockwood

- It has come to his attention that some of the Council Members were having a hard time finding someone in their district.
- In all of the committees of the past we have always appointed someone in our district.
- He would like to know if it is the will of Council to appoint members outside our districts or follow the previous procedures by appointing from within everyone's own district.

Councilmember Hewitt

- Would like to open it.

Councilmember Zahner Bailey

- Supports opening it.
- From the perspective that this committee has a specific interest, we need to find the people that can bring the most value to that issue.

Councilmember Thurman

- In the future, we need to know this.
- She may have considered other people if she had known she would be allowed to have someone outside of her district.

Councilmember Lusk

- He is ok with it.

Councilmember Tart

- He is ok with it.
- Asked if they need to make a motion.

City Attorney Jarrard

- He would prefer it because it would give formality to it.

Motion and Vote: Councilmember Tart moved to approve opening the TARA Committee nominations to At-Large for each Councilmember. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously.

Public Works Director Drake

- Wanted to clarify on the record that none of their four appointees were from the City of Milton.

Councilmember Thurman

- Introduced Jim Hilley who lives in the Waterside subdivision.
- He is not in attendance.

Councilmember Zahner Bailey

- Introduced Mark Arrington who professed an interest in this area.
- He comes from the University of North Carolina and has a graduate degree in engineering.
- He has 12 years of employment with Duke Engineers, McGuire Nuclear Station, 7 years as a small business technical consultant and 17 years participating in Charlotte North Carolinas recycling program.

Councilmember D'Aversa

- Introduced Julie Pinckney.
- Julie voiced interest in some of the committees and helping to move our City forward.
- She works for AIG as an executive.
- Thrilled to have her with us.

Councilmember Tart

- Introduced Felicia Houston.
- She received her Bachelor Degree in Economics from University of Tennessee.
- She did her Masters Thesis on recycling.
- Thanked her for her service to the community.

Mayor Lockwood

- Thanked everyone for volunteering.

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. There was no Council discussion. The motion passed unanimously.

Oath of Office

Mayor Lockwood administered the Oath for the TARA Committee to Marc Arrington, Felicia Houston, Julie Pinckney, Kathy Reed, and Jim Lozen.

PUBLIC HEARING

Public Hearing on an Ordinance to Adopt adjustments to the Fiscal 2008 Budget for each fund of the City of Milton, Georgia.

Finance Manager Stacey Inglis

- \$4,000 in Community Development for training and education for the Planning and Zoning Commission, Board of Zoning Appeals and the Design Review Board.
- The amendment is for unforeseen expenses or revenues from the original budget passed by Council on September 20, 2007 and amended for the first time July 7, 2008.
- In the General Fund there is a revenue and expenditure appropriation increase of \$4,478,173.00.
- The largest amendments in revenue are the \$4,176,896.00 that we received in the Special Service District Fund from Fulton County.
- We have to recognize it as revenue and as an expenditure as going into the fund balance.
- The first revenue amendment is the prior year property taxes for real property.
- We have collected more than we anticipated in the 2007 property taxes.
- We contracted with DTSI (Delinquent Tax Solution Incorporated) to help us collect delinquent taxes.
- They sent one letter and we got a huge response from that.
- We are about to start filing liens on the few that we have left.
- We are doing very well for the first year of filling property taxes.
- We propose a minimum of \$91,886.00 over and above what we anticipated.
- We expect to collect \$77,000.00 more in Motor Vehicle Tax than anticipated.
- We expect to collect \$200,000.00 more in Franchise Fees than anticipated.
- Fines and Forfeitures are continuing to trend lower than anticipated so there is a proposed decrease of \$90,000.00.
- The expenditures are separated into the proper departments.
- Recommending a decrease of \$20,258.00 for the vacant Executive Aid position.
- Do not expect to fill that position by the end of the fiscal year.
- We recommend a decrease of \$26,500.00 from the City Manager's Budget into a special fund for special events.
- Operations and Finance; we still have not filled the Treasures position so we recommend a decrease of \$57,631.00.
- Legal fees are higher than anticipated so we recommend an increase of \$120,000.00 bringing it to \$300,000.00.
- In Public Safety Administration, we were booking the offset to insurance proceeds and claims that we received as a contra revenue, but our auditors would like to see those expenditures in the expenditure accounts and not in the revenue as a negative, so we are taking all of those budgets out of the negative revenues and putting them in the expenditures.
- In Public Safety Administration, there is an increase of \$13,655.00 and if you look in revenues there is an offset for that so we are just moving it where it needs to go.
- In Public Safety Police Department, we are asking for a \$20,000.00 increase in overtime to cover the cost of providing court room and Council meeting security as well as personnel for safety check points.
- We are transferring expenses that have been booked in the Capital Projects fund that should not be there.

- Capital Projects are anything over \$50,000.00 that is an improvement or acquisition of a Capital Asset and has a useful life for more than three years.
- There are things moving in and out of the Capital Projects Fund and being put where they should be.
- We are moving the computer software from the General Fund to the Capital Projects Fund.
- Overall we are recommending a decrease in the Public Safety Police Department of \$54,894.00.
- Fire Department; we received a late invoice for last years services that should have fallen in fiscal year 2007 but we did not receive the invoice until late so the increase is to cover the 2007 expenses.
- Machinery: Increase of \$3,133.00 for a hydraulic cutter that had to be replaced from the contra and there is revenue to offset that from the insurance company.
- Public Works; there are two projects moved from the Capital Projects fund into the General Fund; signs and signal maintenance of \$49,448.00 and pothole repairs \$82,541.00
- Parks and Recreation; Asking for an increase of \$3,000.00 to cover the cost of portable toilets while the rest rooms were being renovated.
- Community Development; this is an additional \$4,000.00 for some training opportunities.
- Debt Service Fund: asking for decrease of \$4,094.00 to match the actual expenditures.
- Other financing uses; this is where we have the offset for the SSD funds from Fulton County and we are putting that in the fund balance in the operating reserves; \$4,176,896.00.
- We have an overage of revenues over expenditures; \$371,353.00 is going into the operating reserves.
- Asking for another increase of \$26,500.00 which is transferring the special events budget into its own special events fund.
- There is operating transfer out the Capital Grants Fund, there were some projects in the Capital Projects Fund that are partially funded by grant money so they will be put into Capital Grant Fund.
- Transferring the non Capital Projects out of the Capital Projects Fund a decrease of \$711,395.00.
- We are moving projects in the budget where they need to be based on how they are classified.
- You will see bringing money into the Capital Projects Fund which is the Police Records Management software and the Fire Records software.
- There is a decrease of the Landrum Road bridge repairs due to reflect the cost; we initially budgeted \$350,000.00 and we are expecting to spend around \$320,000.00.
- Pavement management: we have split that out and trying to get fiscal year 2008 straight so we can match it to 2009 when we get to that budget.
- \$988,541.00 was budgeted initially in the pavement management line item and we are splitting it into resurfacing and patching of arterials and collectors of \$300,000.00, resurfacing local roads of \$335,000.00, re-striping \$50,000.00 and gravel roads maintenance of \$201,000.00.
- We are transferring pothole repair to the General Fund; \$82,541.00 and the Landrum Road bridge design is already included in the \$320,000.00 line item.
- The Operating Grant Fund is basically for those items that are partially funded by grants but are not Capital in nature and they are appropriated on an annual basis.
- We are anticipating a decrease of \$117,800.00 because we did not start the SAFER Grant program until the latter part of June.
- Hotel/Motel Tax Fund is money collected from the one Motel we have in the city.
- It is a 3% excise tax on the revenues they bring in and there are a lot of stipulations that go along with that.

- State law mandates we should use those funds for tourism so we have to have a separate fund to account for the money we collect.
- We created a special events fund to show that money is going towards tourism.
- The special events budget of \$26,500.00 that we moved from the General fund into the special events fund is all being funded by the Hotel/Motel Tax Fund.
- The excess we have over that is being moved into the General Fund and basically going toward web site improvements, the e-blast that we have; it is already lumped into the CH contract so we are allocating those monies for that in particular.
- Again, this is basically moving things where they need to go and getting it all tidy for the auditors and matching the actual expenditures and revenues that we are anticipating to collect and spend by the end of this fiscal year.

Councilmember Lusk

- The allocations for the two intersection improvement projects - is that allocation towards our matching funds?

Finance Manager Inglis

- We will not see any matching funds this fiscal year but we will in fiscal year 2009.

Public Works Director Drake

- In fiscal year 2008, we will start spending those dollars and at that point we will be needing the match.

There was no public comment.

City Clerk Marchiafava read the second Public Hearing item.

Public hearing on an Ordinance to Adopt the fiscal 2009 Budget for each fund of the City of Milton, Georgia.

City Manager Billy Beckett

- We started the process in June and the budget document reflects a lot of numbers and some narrative.
- Council will need time to go through it and we anticipate there will be plenty of questions for staff by the next work session.
- We encourage Council to give us as many questions in advance as possible.
- Each Department Head developed specific goals and objective for the coming year.
- Goals were broadly stated and objectives were measurable.
- We asked the department heads to prioritize their expenditures.
- For example; Public Safety and Public Works exceeded the amount of available funds that we had to distribute so we had to do some prioritization and some negotiation.
- A lot of work went into it.

Finance Manager Inglis

- This is a very detailed budget book.
- The first thing in the document is the summary.
- Some graphs were added for easier viewing.

- The numbers may change based on any new information.
- We have a General Fund, Special Events, Confiscated Assets Fund and we will go into a lot more detail next week at the work session.
- There is a little more detail for each line item.
- It starts with revenues and goes through each department and each different fund.
- After that there is the maintenance and operating initiatives that were submitted and what the City Manager is recommending we approve.
- After that there is more detailed information about each one of the operating initiatives.
- We are giving you a lot of information.
- Under the revenue tab is a general overall revenue; summarizing what each line item we are anticipating to collect.
- The amended budgets include the second amendment we discussed earlier.
- Behind the revenues there is a little more detail as to charting out what we receive each month for the different revenues.
- Behind that is detail for each and every single department.
- The goals and objectives are first and behind that is the general overall view of the budget for each department and behind that is more detail.
- The same thing with all of the funds.
- There is a lot of information in it.

City Manager Beckett

- A great deal of thanks and appreciation should be extended to staff.
- The department heads did a wonderful job in recognizing the parameters they had to operate in.
- Finance Manager Inglis is excellent and carried the load in terms of crunching numbers and going back and forth and debating the validity of the request and so forth.
- It is also important to note that the staff, the police, the firefighters and the CH employees were very cooperative as well and understood the difficult process that we were going through.
- This budget as required by the Charter and law is balanced.
- The total amount of the budget which includes the 4.1 million plus SSD funds is \$22,873,000.00 which is a substantial amount of money.
- The SSD funds were reserved for one time non recurring capital expenses.
- The challenge of producing sufficient was exacerbated by a number of things; the Governor's decision to freeze the homeowner's tax relief grant this year had a substantial impact.
- When you see the term bucket, he set aside a bucket anticipating the revenue we ordinarily would receive from that source that we may not receive, but in the event the legislature overrides the Governor or the Governor relents on his decision then there are some things in the bucket you would be able to fund.
- Included in the bucket is a general detective for the Police Department, sufficient funding for additional police personnel beyond what was provided in the normal budget and an ongoing evaluation of a tanker pumper.
- Purchasing such a piece of equipment would enable you even with automatic aid to respond more effectively and improve the ISO rating which will result in an overall reduction in insurance premiums that are paid by the citizens of Milton.
- The final thing in the bucket is the possibility of enhancing the HR software.
- The second challenge was we learned late that we must comply with economic development abatements granted by Fulton County.

- There are five or six properties that are affected.
- The largest single issue we had to contend with on the basis of revenue is a legal situation relative to tax appeals that are going on.
- One thing about the SSD funds, he is meeting with Zach Williams to have an ongoing discussion about the additional million dollars that Fulton County owes us.
- Discretionary funding; you are obligated by contract for five years with CH2M Hill to provide out source services.
- There is a base amount established and there is an escalation clause in the agreement that is predicated on two indexes; one is the Consumer Price Index and the other is the Employment Cost Index.
- Those create a factor and you multiply your base amount by that factor and that is the additional amount for the contract that you owe.
- It works out to about 7 million dollars.
- In addition to that there are some other tasks that are above and beyond the scope and as he has said the scope needs to be re-worked and in the contract there is a provision for the scope to be tweaked on an annual basis.
- Bob Munro is in the process of providing you with a balance score card approach to performance measurement and management.
- That, plus things like the NPDES which is mandatory, a parks and recreation director on a part time basis and some other services that CH could provide would bring that total to about 7.6 million dollars.
- The lease on this building exceeds 4 million dollars of the total amount available.
- Then when you factor in your police and fire salaries with no increase whatsoever that is 5.7 million dollars.
- Then normal repairs and maintenance.
- We started out working with about 2.2 million dollars before the HTRG Grant got involved and the other items that he previously mentioned whittled that down to even less discretionary money to work with.
- Now some of the major features in this budget.
- First of all you set a goal of setting your reserve funded for 2 months.
- Two months worth of operating funds and we have met that objective.
- Out of the SDS funds we have set aside 1.2 million dollars for acquisition of property for parks or green space.
- That may not sound like a lot of money but if you arrange your financing properly that would go a long way and there are a number of programs that you can use to extend that.
- All of your SSD funds are used for Capital items and they will be enumerated in this document.
- We set aside \$124,000.00 for possible renovation of these chambers.
- There are increasing problems associated with having your court in this room.
- Your seating arrangement where your staff has to have their backs to the audience is problematic.
- There are some issues with transporting prisoners in and out and access of those prisoners to the general public who are seated in the court room.
- We have a preliminary estimate that those cost may be in the \$100,000.00.
- It may not be worth it if you decide you want to proceed toward having your own City Hall but those funds are in there if you want to make this room more user friendly and if you want to provide a more appropriate court room facility that provides for adequate security and protection.

- Unfortunately when you least expect it court problems can break out so it is important that issue be attended to in his judgment.
- Your goal has been one of providing transparency of government and funding is provided for the granicus system which provides streaming video, live and archived of these and other meetings.
- You can also do public service announcements.
- We also included money to improve the audio visual capability of this room with adding additional screens so the public can better see documents and improving the microphones so we do not have these big things sticking in our face and they are consistently recording.
- Funding for basic infrastructure like road improvements, more money for gravel roads, mowing schedules, sidewalks and appurtenances of that have been increased in funding.
- He put \$50,000.00 for ADA services and it is broken into two categories; \$25,000 each.
- The Justice Department is modifying the ADA regulations.
- One of the proposed regulations is Mayor Lockwood is currently our ADA coordinator and he will in future be personally liable for our non compliance with our Americans with Disabilities Act.
- Provided additional funding in this budget to add one additional Police Officer per shift plus a supervisor as an emphasis on public safety.
- Money has been provided to have a Sergeant promoted so we will have a clear cut chain of command and no question about dividing up who is responsible for what on a particular night; there will be a Sergeant assigned to each shift.
- Provided funding for an additional Narcotics Officers who will work on a regional basis.
- They tend to be revenue generators because they work in conjunction with the Drug Enforcement Administration and local law enforcement agencies and seize assets and capital.
- We also have a general detective in the bucket.
- We are having difficulty in courts in terms of some administrative difficulty in ensuring proper compliance with all of the regulation associated with conveying criminal information to the state.
- We have some lapses and it is no ones fault but most places have a records clerk and that clerk is not a function of the City Clerk or even the Court Clerk but is a function of the Police Department because of security issues and access to NCIC, GCIC and linkages to the state.
- After listening to the debates he did provide funding for that critical position because you do not want to make a mistake and have the kinds of problems that can be generated by lapses in information flowing to and from the state.
- We also have additional equipment and vehicles for the additional Police Officers, however, he recommended financing them through a local funding source or the state pool program.
- We also enhanced the software for the law enforcement and public safety.
- He also supports establishing funding for a mobile cascade system for the fire department.
- There are also some fun things.
- He set aside some funding as an add to the CH contract to engage on a part time basis a recreation specialist whose charge would be to work with the parks and recreation commission.
- They would work on a limited basis for some park improvements and who would work with the Hopewell Youth Association on a regular or as needed basis and would help to begin the park planning process on a limited scope.
- We have also provided funding for some improvements at Bell Park.
- Watering was an issue so we set aside funding to drill a well and hope we hit water.

- We provided money to improve the parking lot and there are some more fundamental problems associated with erosion and sediment control that need to be addressed so we put money there for that.
- We need to do something to stimulate interest in parks and recreation and to show that we are sincere so he set aside some money to start doing something.
- Kaboom is a source of grant funds for play grounds.
- He says this with an apology; he provided 2 ½ percent increases for the employees and he apologizes for this reason; he has not surveyed all of the jurisdictions but it looks like the average is going to be 3.8% nation wide and there are other jurisdictions that provide performance increases as well.
- Marietta provided 3.18 to 9% increases for their employees.
- Our insurance premiums; the increase in health insurance premiums are going to erode almost all of the 2.5% increase for most of the employees.
- There is a mind set that we are in tough times and we should not be giving any kind of an increase at all but the fact is; one, they are probably going to be dipping into their own pockets to pay for these premiums; two, you are in a competitive environment with the new cities from a public safety stand point.
- Great police officers such as the ones we have here are hard to find and are in demand and you need to keep up with the competition.
- Same thing with firefighters.
- That is why he says he apologizes we could only tweak out 2.5% for them.
- That is the \$22,873,000.00 budget.
- He looks forward to getting into detail at the next week work shop budget.
- Council may want to tweak the budget and there may be some things you disagree with but that is the budget from his perspective after talking with people internally and evaluating the needs that they articulated to him and that he believes serves the best interest of the public.

There was no public comment.

Councilmember D'Aversa

- We had discussed an update on Public Safety and where we stand on expenditures.
- We had a meeting in February and we were going to have updates from Director Lagerbloom and possibly the City Manger and form the CH2M Hill team.
- Where do we stand on things?
- How much are we expending?
- A lot of her questions are going to stem around those two areas.

City Manager Beckett

- Generally aware of some of those things and that is why he was pushing toward performance measures with CH2M Hill.
- Encouraged Bob Munro to use some of the ICMA standard measure in his balance score card approach.
- ICMA has good valid standards for fire, rescue, and police.

Councilmember D'Aversa

- Those standards will be great and it will be helpful to have that comparison but she is more interested in looking at how did we do, and what did we plan to do when we first became a City; what was the budget meant to be used for and how did we do relative to that budget.
- It is hard in her opinion to approve a budget almost blindly not knowing a lot of that information.
- One example is parks and recreation. We have an item where we are going to hire a part time director and then we are going to have a portion of that managed by our public works department.
- We are lumping everything into this one contract and she would like to see more of a break out of where everything goes at this point.

City Manager Beckett

- If you had started out with deliverables and negotiated those up front in the agreement and the scope then you would have some basis to proceed on but you started in November of 2006 and the scope is pretty open ended in a lot of areas.
- If you are here on a day to day basis, you see what is being done and there are some things that you can see being done and they can be tracked and reported but you do not know how you have done relative to that bar.
- We have done some comparative cost through the University of Georgia and through DCA, but absent that information over the first year that you were a City and then not having it even today in terms of measuring deliverables there are some things that you can address that really not in a valid way.
- Until you start this process, you are not going to know.
- You work with them in a partnership which is what you entered into on the front end or you put them on notice that you are not going to use them and you start transitioning things in or you do it in whole or part.
- In the partnership if he had stayed, Rick Hirsekorn would have sat down and talked about the scope and we would have tried to pull that scope in together and manage it in a way that makes since with those performance objectives.
- We also would have looked at the long term and decided what makes since and what does not make since because there is probably a blend in the system that does make since.
- It is a rhetorical question; does it make since for them to rent us bodies in a couple of departments which is basically what they do in some cases.
- It is not a criticism.
- You negotiate as partners would in a positive way and try to bring closure to those things.
- The reality is the City could not do what it has done to this point and cannot do for the short term without CH2M Hill and he thinks that partnership is critical.

Councilmember D'Aversa

- She is not making a statement about CH.
- She is asking for information so she can make an informed decision.
- We can all come and look and see the City is running pretty well and we have to give credit to CH and our great staff but there are issues where we have had budget increases and changes.
- The detail is what we need in order to make long term decisions for the City.
- It is important to have the information of where we have been the last two years and what has worked and what has not.

City Manager Beckett

- They are trying to get it.
- He has found them to be very open and willing to sit down and talk with Council about things they want and need.

Councilmember D'Aversa

- Thinks they just need an update and evaluation of our status based on that original meeting in February which is when we went down the path of looking at performance measures that had not been put in place.
- They were asked for in the contract and they were always supposed to be there.
- It is very hard to make budget decisions of this magnitude without having some of the data to back it up.

Councilmember Zahner Bailey

- In line with that discussion of the contract and the options we may or may not have, do we have the option within our existing contract to look creatively at where there are some opportunities to reduce those costs and/or to have some of those services internally.
- For example parks and recreation, is that something we would want to out source to CH or would we want to at least consider as part of this budget cycle an opportunity to start to have more of a blended approach.
- She wants to understand what their parameters are over the next couple weeks, as they move toward the final budget.

City Manager Beckett

- The short answer to if you have the opportunity to do that is yes.
- The issue that would concern him among a number of issues about going outside and managing separate contracts on your own is one of the challenges that many local governments have is the fragmentation of services that result.
- The more contracts that you have that are outside the scope of CH the more difficult it is to monitor.
- He would think a more appropriate approach would be to negotiate fairly and toughly with CH.
- Identify the services that you want and use this year as a period of establishing the standards that you want, get the measures in place that you as a Council really want to see, and make sure that CH has the proper dialogue that you want and move forward.

Councilmember Zahner Bailey

- She agrees they do not want to be fragmented, but she is wondering that some of those services they could have as a direct employee.
- The other component of that is whether or not within the contract she understands that there is that index as a base, but as part of that will CH2M Hill be with us on Monday and then subsequent public budget meetings where we can have some of those dialogues.

City Manager Beckett

- He is sure they would meet with Council and discuss whatever they want to discuss.
- He has found them to be nothing but cooperative.

Councilmember D'Aversa

- Asked Program Director Tami Hanlin if they could have an update from the February meeting that she and Rick Hirsekorn presented to them.

Program Director Tami Hanlin

- The approach they took during February meeting is they took a section of the contract, specifically the scope, and went through it clause by clause and talked about how they had satisfied that section of the contract.
- They are more than happy to do that again.

Mayor Lockwood stated the Public Hearing was closed.

FIRST PRESENTATION

City Clerk Marchiafava read the first presentation items.

(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.

MAYOR AND COUNCIL REPORTS

Councilmember Tart

- He sent an e-mail prior to this meeting discussing the upcoming sewer meeting with Fulton County.
- He proposed in that e-mail an action plan for them to develop their own sewer service area map and to work together to do that.
- He wanted to get their thoughts on that.

Councilmember D'Aversa

- Looked at it briefly and she supports it.
- Anything they can do to be more thorough in the way they review this process is right on.
- It would be challenging to accept the map that they have not thoroughly reviewed and developed.
- She thinks it would be well worth the effort.

Councilmember Tart

- He would appreciate if everyone would review it and let him know how they feel about it.
- He felt that when they first discussed this issue that they were going to have a series of work sessions where they would look at all of the data, look at the legal analysis, look at the maps that staff and/or Fulton County provided, and roll up our sleeves and get to work.
- However, they have been presented with a directive from Commissioner Riley that they need to have a sewer service area map approved on the 15th for consideration by Fulton County a couple of day thereafter.
- It is incumbent upon them as Elected Officials to sit down and go through the data and the land lots in question in a methodical and respectful manner so they can come to a resolution on this.
- He hopes they can reach consensus on this issue, and it does not have to be a divisive vote.

Councilmember Zahner Bailey

- Will be committed to reviewing what he put forward.
- Concurs that they owe it to themselves and the citizens and the future of Milton to make sure they get it right.
- We are really the elected body that needs to be evaluating the best approach.
- She would agree that if they sit together with their sleeves rolled up and work through it and evaluate those red dots that they have an opportunity to come to a consensus to represent the best long term decision.
- To jump to conclusion without adequate time would be a disservice to each of us and the community.

City Attorney Jarrard

- Community Development Director Wakefield and he are going to get together and demonstrate a map that would basically take what he believes will be Fulton's map and carve away the areas that otherwise encompassed by the 2006 Ordinance that otherwise developed that otherwise is not controversial and try to show where there is land susceptible to develop to at least give Council an idea of what the Fulton map is actually talking about.
- Whether it is a true as built map or whether there is new ground actually made available for new sewer additions.

City Manager Beckett

- He understood that Commissioner Riley had her staff put together a map predicated by conversation with our City Attorney and Community Development Director Wakefield.
- He was conveyed with a message the maps were prepared and would he be at a meeting Friday morning and he said he would not be a meeting Friday morning but he believes she is going to convey those maps to Alice and he was going to ask Alice to take those two maps and reproduce them so each one of you would have a map.
- Some things have been happening that he has not been in the loop on.

City Attorney Jarrard

- To Mr. Beckett's point, Commissioner Riley and he discussed it and he was advised there would be a new map coming.

Mayor Lockwood

- Asked City Attorney Jarrard if he could clarify that he would meet with staff on those maps legally.

City Attorney Jarrard

- He wants to see what Fulton County gives us and then tweak it to come up with something different.

Councilmember Zahner Bailey

- She is looking at the budget book and they were asked to try and make sure that they are prepared for 22 million plus dollars by Monday and then again the following Monday the 15th.
- We also have zoning agenda September 15th and she is also hearing we are also going to have another map that needs to be developed. Her request would be not to automatically put the Fulton County IGA on the September 15th agenda when we already have a full agenda and our focus is on the budget.

Councilmember D'Aversa

- Wanted to mention when they were working on the facility use agreement with Hopewell Youth Association for Bell Memorial Park. Our City Attorney had put together a very rough draft of a Parks and Rec commission and she has forwarded that to all of Council to look at.

EXECUTIVE SESSION

Motion and Vote: Councilmember D'Aversa moved to adjourn into Executive Session at 7:49 p.m. Councilmember Tart seconded the motion. There was no Council discussion. The motion passed unanimously.

RECONVENE

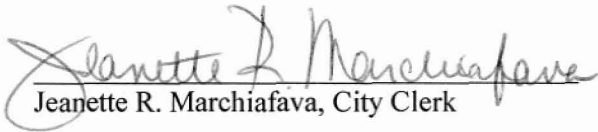
Motion and Vote: Councilmember Hewitt moved to reconvene the Regular Meeting at 8:38 p.m. Councilmember Lusk seconded the motion. There was no Council discussion. The motion passed unanimously.

ADJOURNMENT

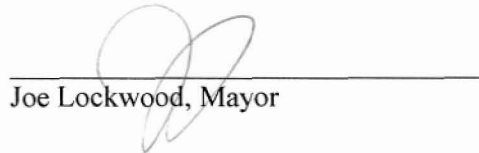
After no further business, the regular meeting adjourned at 8:39 p.m.

Motion and Vote: Councilmember Lusk moved to adjourn the Regular Meeting. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously.

Date Approved: September 15, 2008



Jeanette R. Marchiafava, City Clerk



Joe Lockwood, Mayor