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The Regular Meeting of the Mayor and Council of the City of Milton was held on February 18, 2009 at 6:00 PM, Mayor Joe Lockwood presiding.

INVOCATION

Councilmember Bill Lusk 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

City Clerk Marchiafava read agenda item 09-805.

Approval of a Resolution Appointing Christopher J. Lagerbloom as City Manager.

RESOLUTIN NO. 09-02-81

Motion and Second: Councilmember D'Aversa moved to approve a Resolution along with the Attached Employment Contract appointing Christopher J. Lagerbloom as City Manager. Councilmember Thurman seconded the motion.

Discussion on the motion:

Mayor Lockwood

- Is proud to have Chris as City Manager.
- Has great respect for him and thinks it is the best choice for the city.

Vote: After no further discussion, the motion passed unanimously 7-0.

City Clerk Marchiafava read agenda item 09-792.

APPROVAL OF MEETING AGENDA

Staff recommended the following changes to the Meeting Agenda:

1. Under Unfinished Business, Defer until March 2, 2009, item 1, A Resolution appointing members to the Highway 9 overlay District and item 2, A Resolution appointing members to the Historic Preservation Committee.
2. Under Unfinished Business, move Item No. 3, A Resolution to create a Citizens Advisory Committee for Concept Plans for the Intersections of Birmingham at Providence and Arnold Mill at New Providence and Item No. 4, A Resolution to create the Parks and Recreation Advisory Board adding a Board member from the Hopewell Youth Association to after Reports and Presentations.

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3. Under New Business, move Item No. 3, A Resolution expressing the City's support for the development of Police Academy at Reinhardt College in Partnership with the several municipalities of the North Fulton area to after the committee appointments.
 4. Add an Executive Session to discuss potential land acquisition, litigation and personnel.

Motion and Vote: Councilmember Tart moved to approve the Meeting Agenda, as amended. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

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.

There was no Public Comment.

CONSENT AGENDA

City Clerk Marchiafava read the following Consent Agenda items.

(Agenda Item No. 09-793)

1. Approval of the January 31, 2009 Special Called Work Session Minutes.

(Agenda Item No. 09-794)

2. Approval of the February 2, 2009 Regular Meeting Minutes.

(Agenda Item No. 09-795)

3. Approval of the following task order:
 - a. February 2, 2009 – Task Order 09-SSI-04 from Street Smarts, Inc. for survey staking at Crabapple Community House with a total cost of \$1,758.92.

Motion and Vote: Councilmember Lusk moved to approve the Consent Agenda. Councilmember Tart seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

REPORTS AND PRESENTATIONS

City Clerk Marchiafava read the following item.

Special Recognition of the Milton Grows Green (MGG) committee recipients of the CREATE Community Local Government Innovation Award in the category of Community Building and Involvement from the Atlanta Regional Commission.

Mayor Lockwood

- He had the honor of attending the ceremony where the Milton Grows Green committee received the CREATE award from ARC.
- He asked Councilmember Zahner Bailey to talk about the committee and what they have accomplished.

Councilmember Zahner Bailey

- The committee was an initiative that started in 2007.
- It is a tremendous opportunity for community members to come together for something positive such as the environment and green standards that allows the sustainability for the future of Milton.
- Sustainability speaks to everything from development standards to the environment.
- When a small group of people come together it is amazing what can be accomplished.
- This award is an example of things to come.
- She applauds everyone who stepped up to get engaged with Milton Grows Green.
- It involves our local school system and volunteers of all ages.
- It engages everything from water quality to energy to land to development standards and the list goes on.
- She thanked staff, City Council, and the Mayor for the support.

Mayor Lockwood

- He is honored and proud of what the committee has accomplished.
- It also is a symbol of what citizens can do.
- Thanked the committee.
- This is an outward symbol of the advancements or pay off for having our own city.
- Invited the committee members present to take a picture with Council.

Oath of Office

Mayor Lockwood administered the Oath to Jack Lindon for the Milton Grows Green Committee.

City Clerk Marchiafava read agenda item 09-800.

Moved by Motion and Vote:

Approval of a Resolution Amending Resolution No. 09-02-79, A Resolution to Create a Citizen Advisory Committee for the City of Milton Concept Plans for the Intersections of Birmingham at Providence and Arnold Mill at New Providence by appointing committee members.

RESOLUTION NO. 09-02-82

Councilmember Lusk

- He previously appointed Ronnie Rondem to the committee, but he recently took a temporary assignment out of state and will not be able to serve.
- He introduced Kevin O'Sullivan as his new appointee to the committee.
- Mr. O'Sullivan is a registered professional Electrical Engineer in the state.
- He has been in the Atlanta area for twenty years.
- He holds a bachelors degree in Electrical Engineering from Manhattan College, a Masters Degree from Rensselaer Polytechnic Institute and an MBA from the University of Virginia.

- He and both his sons are Eagle Scouts.
- He is a leader in Troup 841 in the Milton District.

Motion and Vote: Councilmember Tart moved to approve a Resolution Amending Resolution No. 09-02-79, A Resolution to Create a Citizen Advisory Committee for City of Milton Concept Plans for the Intersections of Birmingham at Providence and Arnold Mill at New Providence by appointing Kevin O'Sullivan for District 3. Councilmember Zahner Bailey seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

Motion and Vote: Councilmember Lusk moved to remove Colonel Ronnie Rondem from the Citizen Advisory Committee for the City of Milton Concept Plans for the Intersections of Birmingham at Providence and Arnold Mill at New Providence. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

Oath of Office

Mayor Lockwood administered the oath to Kevin O'Sullivan for Citizen Advisory Committee for the Intersection Concept Plans for the Intersections of Birmingham at Providence and Arnold Mill at New Providence.

City Clerk Marchiafava read agenda item 09-801.

Approval of a Resolution Amending Resolution No. 09-01-72, A Resolution to Create the Milton parks and Recreation Advisory Board and to Adopt the Milton Parks and Recreation Ordinance by Adding a Board member from the Hopewell Youth Association.

CH2M Hill Representative Brad Chambers

- Although this item references adding a member to the board, Chairman Mark Reed is here and would like to speak to that topic.

Parks and Recreation Committee Chairperson Mark Reed, 14240 Phillips Circle, Milton Georgia

- The committee discussed this topic and they felt that it would be best to limit the size of the board to seven.
- By adding an extra board member they felt it would set a bad precedent in adding additional board members in the future of other special interest groups.
- For instance if they had a youth football league or whatever it may be, they could be requested to add additional members to represent those interest and at some point Council would have to say no and who would you turn away.
- They voted unanimously to keep the size of the board at seven.

Mayor Lockwood

- Asked what the boards thoughts were to adding a nonvoting member.

Parks and Recreation Chairperson Reed

- They agreed that would be the appropriate capacity.
- There interest in coming to meetings would only be such that if there was an item on the agenda pertaining to the Hopewell Youth Association then they would attend the meeting.

Councilmember Zahner Bailey

- Asked the City Attorney Jarrard to speak to the issue.

City Attorney Jarrard

- If they nominate and adopt the representative as an exofficio member, they would have the capacity as a regular board member except they would be nonvoting.
- They would have the right to attend the meetings and listen but would not have a vote.

Councilmember Zahner Bailey

- She wanted it clarified because she did not think that was what Mr. Reed stated but that they would welcome the HYA board when there was an HYA specific topic which is different from the term of exofficio board member.

Parks and Recreation Chairperson Reed

- Councilmember Zahner Bailey is right.
- Maybe it should be more in an advisory capacity.

Councilmember Thurman

- Personally she does not believe they need special interest groups being represented on the committee.

Motion and Second: Councilmember Thurman moved to deny agenda item 09-801, approval of a Resolution amending Resolution 09-01-72, a Resolution to create the Milton Parks and Recreation Advisory Board and to adopt the Milton Parks and Recreation Ordinance by adding a board member from the Hopewell Youth Association. Councilmember D'Aversa seconded the motion.

Discussion on the Motion:

Mayor Lockwood

- Asked Parks and Recreation Chairperson Reed if in his opinion if this would be the direction the board would want to go.

Parks and Recreation Chairperson Reed

- Yes

Councilmember D'Aversa

- She thinks it makes perfect sense and with the credentials of the committee, they represent almost every special interest group they could have in the city.
- She commended him and thanked him for bringing it forward.

Vote: After no further discussion, the motion passed unanimously 7-0.

City Clerk Marchiafava read agenda item 09-802.

Moved by Motion and Vote

**Approval of a Resolution expressing the City's support for the development of Police Academy at Reinhardt College in partnership with the several municipalities of the North Fulton area.
RESOLUTION NO. 09-02-84**

City Manager Lagerbloom

- This Resolution does not commit to anything financial.
- It offers the opportunity to think outside the box with Reinhardt College and how we can better enhance the education for police and fire fighters and first responders in North Fulton County.
- The way it exist today is they attend a state mandated academy and they comment over four hundred hours of their life and leave with a certificate that allows them to perform the function but they have not really attained any credit as far as college level credits for any work they have put in although the classes are taught at that level.
- This Resolution is being brought before all five North Fulton County cities.
- Alpharetta has already adopted the Resolution and it will be brought before Roswell, Johns Creek and Sandy Springs.
- He is asking to commit the support of the City of Milton to further explore the concept for Reinhardt College.
- Introduced Peg O'Conner who represents Reinhardt College and is a resident of the City of Milton.
- She is the driving force behind the Public Safety Institute.
- They have seen the conceptual plan for what the institute would need for Fulton County and he asked for support to continue down that road to enhance the education level of the officers and firefighters.

Peg O'Conner, Reinhardt College

- Thanked them on behalf of the Reinhardt College and personally as a resident of the City of Milton.
- She strongly believes in what they will provide for the greater north Fulton area.
- They bring a lot of dedicated people to the table who want to provide the best they can for those people who are first responders.
- The college is now a member of the Homeland Security Educational Consortium.
- That is a nationally recognized group of college and universities who provide the kind of programming necessary to provide for our first responders who contribute so much to our safety and well being.
- She thinks it is a great mission they have.
- Nothing speaks better of a college or university than the students they send out into the community.
- They would be very grateful for the support.

Motion and Vote: Councilmember Lusk moved to approve agenda item 09-802, approval of a Resolution expressing the City's support for the development of Police Academy at Reinhardt College in partnership with the several municipalities of the North Fulton area. Councilmember Zahner Bailey seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

PUBLIC HEARING

City Clerk Marchiafava read the public hearing item.

Public Hearing and Presentation by the Trash and Recycling Advisory (TARA) Committee of the Draft Solid Waste Management Plan.

Public Works Director Drake

- Introduced Mark Arrington as Chairman of the TARA Committee.
- He will present the draft of the Solid Waste Management Plan.

Chairman Mark Arrington, 14535 Creek Club Drive, Milton, Georgia

- Thanked the committee members and Public Works Director Drake for all the hard work.
- Introduced Ed DeTomasso

Ed DeTomasso

- This is the first of two state required public hearings.
- The TARA was in addition to state requirements and as a result he thinks they have come up with a really good plan that represents a lot of the goals of Milton.
- Presented the following Power Point Presentation:



Solid Waste Management Plan

Waste Stream Analysis

- Waste Disposal
 - State of Georgia Average = 6.39 pounds per capita (per person, per day)
 - Average Kitchen Bag = 15 – 20 Pounds
- Milton Waste Composition at Landfills



Material	Average Percentage
Paper	40.0%
Plastic	15.8%
Glass	3.8%
Metal	5.5%
Organics	26.2%
C&D	5.5%
Inorganics	3.2%
TOTAL	100.0%

Solid Waste Management Plan

Waste Reduction

Programs

- Voluntary recycling program
- Drop off locations for recyclables
- Special Materials – Local events



Waste Collection

Programs

- Curbside Collection of Household Waste / Recycling
- Collection of Yard Trimmings / Bulk Items – offered by some haulers (routine / by appointment)
- Commercial Collection – Open Competition



Solid Waste Management Plan

Waste Disposal

Disposal Facilities

- Landfills
 - Pine Bluff Landfill (80%)
 - Eagle Point Landfill (15%)
 - Cobb County Composting Plant (5%)
 - Chadwick Landfill (C&D)

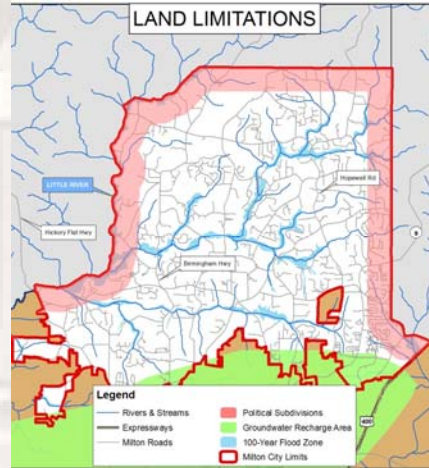
Land Limitations

Environmental Limitations

- Wetlands, Floodplains, River Corridors, etc.

Land Use Limitations

- Zoning Constraints, Airports, Political Subdivisions, Proximity to National Historic Sites, etc.



Solid Waste Management Plan

Implementation Plan

Short Term Work Program

- Brief description of the activity
- Timeframe for undertaking the activity
- Responsible party for implementing the activity
- Estimated cost (if any) of implementing the activity
- Funding sources



Solid Waste Management Plan

Implementation Plan

Waste Reduction

- Mandatory recycling for residents and businesses
- Identify drop off locations for recyclables
- Work with the Milton Schools to establish quarterly waste reduction / recycling competitions
- Coordinate with the City of Roswell Recycling Center to explore opportunities for Milton to utilize this facility

Waste Collection

- Evaluate and revise existing solid waste ordinance to ensure it is adequate and enforceable
- Enforce reporting requirements for haulers
- Conduct regular cleanups in areas with litter and known hot spots for illegal dumping
- Audit haulers in the City to determine if any are operating illegally

Solid Waste Management Plan

Implementation Plan

Waste Disposal

- Identify and confirm Debris Management sites in Milton
- Perform environmental permitting and get applicable land use variances for these sites in accordance with EPD requirements
- Comply with state and federal regulations that deal with facilities and operations

Land Limitations

- Coordinate this plan with the Milton CPAC committee
- Identify any additional limiting factors that the City wishes to consider beyond that which is required by EPD
- Maintain City maps/GIS database with regard to environmental, land use, and zoning limitations for solid waste facilities within the City
- Explore and eliminate any loopholes in the City's zoning code and special use permit requirements that will allow for the siting of unwanted solid waste facilities

Solid Waste Management Plan

Implementation Plan

Public Education & Involvement

- Add information to the City's website to recognize businesses in the community that do a good job of recycling and reducing waste
- Hold an Amnesty Day in the City twice a year
- Establish an email blast to get the word out about public education and involvement opportunities
- Produce an information packet for new residents to educate people about City services as well as waste reduction, recycling, composting, and disposal/drop off locations
- Have the TARA committee speak to various groups about solid waste related topics
- Explore a organics recycling program / facility
- Add links to the City's website for related websites, such as school, Milton Grows Green, Homeowners Associations, etc.

Solid Waste Management Plan

Schedule

	2008					2009					
	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Notice to Proceed											
Public Participation Plan											
Formation of TARA Committee											
Meeting 1: Kick off Meeting											
Meeting 2: Waste Stream Analysis											
Meeting 3: Needs and Issues											
Meeting 4: Goals based on Identified Needs											
Meeting 5: Implementation Program											
Meeting 6: Council Work Session											
Public Information											
Website											
Public Hearings											
Draft Submitted to DCA											
City Adopts Solid Waste Plan											

Councilmember Tart

- Where it talks about requiring Homeowners Associations to contract with one hauler or bring the city into zones and contract with one hauler or contract with one or more haulers to perform waste etcetera, asked if there was a particular reason why that needs to wait until 2010 in the recommendation.
- He would like to see that done ASAP.

Ed DeTomasso

- It is something they can change the date on.
- They said 2010 because by the time the plan finally gets adopted there would be a short time frame in 2009 to begin addressing some of those items.
- It may be something the city wants to put in 2009.

There was no public comment.

Councilmember Zahner Bailey

- Thanked the committee.
- They have put a lot of work into it and once it is approved through the state it will allow us to pursue grants that without it we do not have the opportunity to pursue.
- It goes hand in hand with the Milton Grows Green committee and what they are trying to accomplish in the City of Milton.
- Because of Milton Grows Green, they are already recycling at City Hall.
- They are about to kick off a recycling program at Bell Memorial Park.
- They are trying to initiate a program to help initiate recycling at the schools.
- It is great evidence where different committees come together and what can be accomplished by people working together.
- Asked for an update on when we will know if we are meeting the ordinances that are in place in regards to haulers providing recycling.

Public Works Director Drake

- There is a TARA subcommittee that is looking at that specifically and working with staff to evaluate where we are in that regard.

Councilmember D'Aversa

- One of the challenges with all of the haulers is the closeness of the streets and there is no time frame that is off limits for them to pick up.
- She thinks there is a tremendous safety issue.
- Asked if there had been any safety concerns or issues reported.
- It can really be a challenge with the children in the morning at the bus stop and all the way through the end of the day at the bus stop with haulers coming through.
- Asked if there was a way to police that.

City Manger Lagerbloom

- Short of changing what they have to selecting a particular hauler or the zones as had been described he is not sure of what mechanism they have in place that would do that.
- There was discussion about some type of a sticker program or inspection program so that at quick glance the officers would know who was and who was not authorized.
- If Council desired to limit haulers or create zones, the best time to do that would be in November when the Solid Waste Management Plan is up for renewal.

City Attorney Jarrard

- At the present time, they do not have the legal means to do it but they can change that.

Councilmember D'Aversa

- She thinks the safety hazard is greater than they realize.
- It is not a matter of identifying them but children are all over the place and there is no time frame to even limit or make parents aware of when they are going to be there.
- There are a lot of other safety concerns with drivers also.

City Manager Lagerbloom

- As they move closer to November they will put in on a work session agenda to be discussed.
- If they were to select a hauler for the City of Milton, right now they have twelve haulers and we go to one then they have put eleven out of business so there will be that issue to contend with as well.

Councilmember D'Aversa

- She would never suggest just one because there are different parts of the city that need different types of service.
- She thinks maybe a campaign from the committee to reach out to them and let them know to be mindful of the safety risk that are posed and put them on notice to be prudent.

City Manager Lagerbloom

- For discussion purposes we will notate it for the August Work Session.
- It would also be an excellent topic for the Mayor and Council retreat.

Ed DeTomasso

- They have 3 haulers on the committee, so they are aware.
- There has been a lot of discussion and there are a lot of pit falls with just having one hauler.

Councilmember Tart

- One hauler may be a bit extreme, but not only is it a safety issue to have so many haulers in the city, the number of trucks we have on the road destroy our streets and that is tax payer money.

Councilmember Thurman

- Asked if the subdivisions decide to have only one or two if it is voted on and approved by the homeowners.

Councilmember Tart

- That is a good point.
- Avensong did approve one waste hauler and they were quickly told that because there were twelve in the City of Milton, the members could choose who they wanted.

Ed DeTomasso

- We did a survey of the existing haulers and the table in the document breaks down the percentage of customer they make up in the City of Milton.
- There was a perceived problem that there might be people operating that were not on the list.

Councilmember Thurman

- Asked if it were possible to amend the Ordinance such that if a Homeowners Association show a specific hauler or two then everyone in the association would have to use it.

City Attorney Jarrard

- The difficulty is that the subdivisions are on public streets and to be able to tell a business they cannot travel down the public street.
- The HOAs have a lot more power because they can site their owners but you cannot tell a truck it cannot go down a public street.

Councilmember Tart

- The HOA cannot cite homeowners when there is a web site for the City of Milton that says there are 12 companies that are approved to haul waste.

City Attorney Jarrard

- What you are talking about are city regulations and covenants and there is tension there.

Councilmember Thurman

- She knows we cannot keep them off the public streets but can we keep them from collecting the fees.

City Attorney Jarrard

- That would be something to talk about in August when the City Manager talked about restructuring this plan.
- There are some legal requirements we would have to be mindful of.
- Gwinnett just went through some serious challenges on this and he wants to make sure he is able to fully address those types of issues with this Council.

Councilmember Zahner Bailey

- It may be that some of those providers may or may not be meeting the Ordinance requirements.
- Asked Public Works Director Drake if they would have some results from the audit process sooner than August.
- Asked if we are collecting the 5% fees from the haulers.

Public Works Director Drake

- According to the audit they did, the fees are being collected and those fees are going toward the capitol fund.

PUBLIC HEARING

City Clerk Marchiafava read agenda item 09-796.

Approval of Alcohol Beverage License Application for YPL, Inc. d/b/a Xian China Bistro located at 5316-A Windward Pkwy, Milton, Georgia. The applicant is Yen Po Lin (new owner) for Consumption on Premises – Wine/Malt Beverage/Distilled Spirits.

Finance Manager Stacey Inglis

- This is a transfer of ownership.

- The location is the same and nothing has changed other than the transfer of ownership.
- Staff recommends approval.

There was no public comment on this item.

Motion and Vote: Councilmember Tart moved to approve agenda item 09-796, Approval of Alcohol Beverage License Application for YPL, Inc. d/b/a Xian China Bistro located at 5316-A Windward Pkwy, Milton, Georgia. The applicant is Yen Po Lin (new owner) for Consumption on Premises – Wine/Malt Beverage/Distilled Spirits. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously 6-0-1. (Councilmember Thurman was not present for the vote.)

City Clerk Marchiafava read agenda item 09-797.

Approval of Alcohol Beverage License Application for MJG Enterprises, LLC d/b/a Michael's 57 Grille located at 2955 Bethany Bend, Milton, Georgia. The applicant is Michael Allen for Consumption on Premises – Wine/Malt Beverage.

Finance Manager Inglis

- This location was Foster's Grille in front of Publics on the corner of Bethany and Highway 9.
- This is a new applicant and owner for the same location and staff recommends approval.

There was no public comment on this item.

Motion and Vote: Councilmember Hewitt moved to approve Alcohol Beverage License Application for MJG Enterprises, LLC d/b/a Michael's 57 Grille located at 2955 Bethany Bend, Milton, Georgia. The applicant is Michael Allen for Consumption on Premises – Wine/Malt Beverage. Councilmember Tart seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

NEW BUSINESS

City Clerk Marchiafava read agenda item 09-789

Approval of a Crooked Creek Amenity Area Right-of-Way Exchange.

Public Works Director Drake

- The Crooked Creek Homeowners Association is asking for approval of the amenity area.
- As part of the amenity package they request a change of right-of-way on Cherington Way.
- We would give them 4,000 square feet of our cul-de-sac and they would build an addition for a total of 10,700 square feet.
- The state requirement authorizes cities to enter agreements with private persons for exchange of real property such that two requirements are met.
- The first is that is in the best interest of the public and two that the right-of-way acquired is shown by appraisal to equal or exceed the value and the right-of-way to be alienated by the city.
- They have an appraisal at \$3.00 a square foot for both properties for an exchange of \$30,000 versus \$12,000 to the exchange does meet the requirement.
- Asked Council to state that this exchange is for the best interest of the public as part of the Resolution.

Councilmember Zahner Bailey

- Asked Public Works Director Drake if this was relative to any public roads and because it looks like it extends it in one direction that might get closer to a public road and if there are any buffers are an issue.
- Also what the impact would be for neighbors within Crooked Creek and/or other driving by.

Public Works Director Drake

- The President of the HOA can answer questions about the adjacent property owner.
- There was discussion as to whether this road would be in a landscape buffer, but because it is right-of-way that buffer does not apply because it is a public right-of-way.

Councilmember Zahner Bailey

- In terms of the extension toward Highway 9 and knowing that we are looking at buffers and those types of things, asked if that had been a discussion.
- She does not know if this is just a road or if some amenities will shift closer to Highway 9 and asked if the DRB had looked at that.

Public Works Director Drake

- This has gone through a courtesy review with the DRB and needs to go back to them in March.
- As far as things being shifted toward Highway 9, there is some parking that is closer to Highway 9 but has gone through the BZA and the DRB.

City Manager Lagerbloom

- The amenity package and the variance requested went before the BZA and are scheduled to go to the DRB next week.

Councilmember Zahner Bailey

- When you see that parking coming toward Highway 9 and you see the road, we want to make sure that we are consistent that we as a body have talked about that being buffered so as we extend that we are not ignoring the need to buffer parking.

Public Works Director Drake

- There is a steep grade and an eight foot wall that is being put there so as far as buffering, he does not think that is an issue.

Councilmember Zahner Bailey

- Asked if that was something that would be reviewed at the Design Review Board.

City Manager Lagerbloom

- The DRB has looked at the amenity area request and without speaking for the Crooked Creek neighborhood, if the amenity package were not to proceed there would be no reason to extend this cul-de-sac.

Councilmember Zahner Bailey

- Her comment for the record would be that when it goes there to consider those things in terms of buffering because that is extending closer to Highway 9 and that between Crooked Crook HOA that the DRB be sensitive to the need to think about those buffers.

Councilmember Lusk

- Asked if he could assume that GDOT would prevent any tie in from Cherington Way and Highway 9 in effect of creating a new entrance.

Public Works Director Drake

- We would prevent it before GDOT would prevent it, but yes.

Councilmember D'Aversa

- Asked if they had confirmed the Hines resident had approved.

Bob Crystal, 3350 Compass Way, Milton Georgia
President of the Crooked Creed Homeowners Association

- He has not personally spoken with them, but other have and he was informed they have no objection.

Councilmember D'Aversa

- She may be overly cautious, but she would want that in writing because she walked the area and it seems like that it is a big difference to them.

Public Works Director Drake

- Ms. Hines is the chair of the pool committee and she is very excited about the project and they are very well aware of where the cul-de-sac is going.

Councilmember D'Aversa

- The city is offering a right-of-way exchange and there is a resident that is impacted so she just suggests they have something in writing.

Bob Crystal, Crooked Creed Homeowners Association

- They can take care of that.

Councilmember Zahner Bailey

- Asked if the decision this evening be predicated under the presumption that before it precedes that we have that in writing.
- It protects the HOA as well as the city.

City Attorney Jarrard

- If the Council moves to approve this agreement, they could add as a component or condition precedence to it becoming effective that we receive something in writing from that homeowner that they are comfortable with the request.

Mayor Lockwood

- Based on the discussion that does sound reasonable.

Councilmember Tart

- Asked if this affects the proposed Milton Trail.

Public Works Director Drake

- It does not because it is on the opposite of Creek Club Drive.

Motion and Second: Councilmember Thurman moved to approve agenda item 09-789, approval of a Crooked Creek Amenity Area Right of Way Exchange conditioned upon acceptance by Mr. and Ms Zachery Hines in support of the approval as reflected on the updated maps. Councilmember Lusk seconded the motion.

Discussion on the Motion:

Councilmember Zahner Bailey

- As part of the motion if we could clarify specifically or identify it specifically.
- Asked if there was a number on this.

Councilmember Thurman

- She said maps because there are four maps that are all part of it.

Councilmember Zahner Bailey

- So we do not have any confusion later as a matter of record.

Public Works Director Drake

- To clarify that exhibit is A, B, and D and the new ones are being replaced with the ones you have tonight.

City Attorney Jarrard

- It was stated as updated maps so that covers it.

Vote: After no further Council discussion, the motion passed unanimously 7-0.

City Clerk Marchiafava read agenda item 09-784.

Approval of a Resolution Adopting the Local Emergency Operations Plan for the City of Milton.

RESOLUTION NO. 09-02-83

Lieutenant Matt Marietta

- This document represents the basic boiler plate document of which our emergency operations would be based in the City of Milton.
- It specifically addresses a catastrophic emergency that goes beyond the scope of fire and police response and things that fire fighters and police typically handle.

- It addresses broader catastrophic issue that would draw in other departments in the city, necessitate action from the Atlanta Fulton County Emergency Management Agency, GEMA and in the worst case scenario FEMA
- This provides the foundation around which we can start crafting more specific and detailed responses.
- It provides the ground work around which to frame rest of those actions as it relates to our emergency operations plan.

Councilmember Tart

- Asked if one of those more detailed plans be an evacuation plan for instance.

Lieutenant Matt Marietta

- That would be one thing to pool our knowledge on with Public Works or the emerging parks department that we have and the school system etcetera.

Councilmember Lusk

- Asked if that implies that they are no longer in the hands of a Public Safety Director.

City Manager Lagerbloom

- He has scheduled pending the action of this Council to bring forward at March 9th work session a strategic plan for both the police and fire departments moving forward.
- He thinks they will be intrigued and he hopes they will support his recommendation.

Councilmember Lusk

- Each of the different departments are to designate a representative to this plan and they shall provide an alternate coordinator from each department.
- Given the size of some of these departments, asked if we have enough capabilities in the different departments to appoint someone.

City Manager Lagerbloom

- The short answer is yes.
- We adopt this so that we have a plan in the event of an emergency we have something to go to.
- We also adopt it because we are the recipient of federal funded grant dollars and there are a lot of those programs require we adopt a program to manage these events.

Councilmember Lusk

- Asked if the coordinators from each department will have the same type of training.

City Manager Lagerbloom

- There is different training for different people.
- Lieutenant Marietta has put together a matrix that is easy to follow.

Councilmember Lusk

- Asked if there would be a program that goes along with this training.

City Manager Lagerbloom

- Yes, there will be continuous training on a regional basis and sometimes a local level.
- They are participating in exercises that relates to a pandemic situation that deals with a strategic national stock pile and how we would respond in an event we need to immunize a lot of people very quickly.
- The training is ongoing.

Lieutenant Matt Marietta

- The pro-active stance that public works has taken and they are starting to sit down with the various departments to start discussing the various capabilities and requirements that each has in the event of an emergency.
- Moving forward they will need to get together and start the very basic planning process between the different stakeholders from the municipal departments.
- Once they get comfortable with the process and their roles and expectations then it will move forward and have some kind of exercise that incorporates us.
- They work closely with Alpharetta and they have a fairly aggressive program.

Councilmember Lusk

- There is one section that addresses private participation identifying private resources in the community and heavy equipment comes to mind in case there are tornados and roads need to be cleared and asked what kind of effort will be promoted in that direction.

City Manager Lagerbloom

- We have already started in a different initiative when we had to collect who had heavy equipment for our large animal rescue so we have that list firmly under way.
- As soon as we get to the point of needing heavy equipment is when we will engage at a regional rather than a local level because if we do not have almost immediate access to the resource.
- We have put a lot of thought into this.
- He wants to put some comfort in the fact that we have a good representative on behalf of Milton to manage our emergency management and asked Lieutenant to explain his background in emergency management is and where he is certified.

Lieutenant Matt Marietta

- He has been a police officer for eleven years and he is also certified as a firefighter/fire inspector.
- Last year he received his certification through the international association of emergency managers as an associate emergency manager and finally as part of his graduate course work, disaster management is one of his concentrations.
- He is planning a dissertation along those lines.

Councilmember Lusk

- As one last question they make mention of a mobile command post or some other manner of portable incident command post and asked how we would satisfy that.

Lieutenant Matt Marietta

- We have the trailer that we acquired and we have cooperative agreements with the surrounding municipalities and other jurisdictions that would provide something if we need it plus the Atlanta Fulton County Emergency Management Agency has access to that type of thing.
- Also, if it is big enough GEMA is very well equipped.

Mayor Lockwood

- Would like to reiterate how fortunate the City of Milton is to have such quality people to keep us safe.

Councilmember Zahner Bailey

- To confirm, as an example the haulers and that process as it relates to TARA she thinks that Mr. Arrington and that group has been in touch and it is her understanding that would become an addendum and as an example in the case of a tornado we would have not just twelve but we would know of those haulers who we would call in the case of an emergency.
- Asked if that was correct that we would have an addendum.

City Manager Lagerbloom

- The disaster that she speaks about would be one we would manage along with the Atlanta Fulton County Emergency Management Center because they are the entity that is responsible for emergency management in the county.
- In the event of an emergency of that level we would drive downtown and start their EOC and we would be just one participate so we would not only have access to our twelve haulers but also to Alpharetta's and Roswell's haulers.
- The region comes together in a disaster and we do not have to fend for ourselves.

Councilmember Zahner Bailey

- Asked if emergency drills had been contemplated on a large scale.

Lieutenant Matt Marietta

- As defined we do not have any critical infrastructure such as a nuclear power plant or a dam.
- Prudence would require we have discussions with the school systems.
- That would possibly serve as one of the best locations for housing so they would be prominently in our plan.

Councilmember Zahner Bailey

- She was reminded of her interest in tornado warnings for Milton and she could hear Cherokees this evening but she knows a lot of people that does not have that benefit so she would like us to consider how that might eventually come about.

City Manager Lagerbloom

- There has been several requests and we have had some City Managers that liked the idea and some that thought we should have a better weather radio campaign but if that is something Council collectively wants us to move forward with or at least to explore, that is a great item to have on our retreat agenda.

Mayor Lockwood

- Thanked Lieutenant Marietta for all of his work and stated it was an honor to have him working for the City of Milton.

Motion and Vote: Councilmember Hewitt moved to approve a Resolution Adopting the Local emergency Operations Plan for the City of Milton. Councilmember Zahner Bailey seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

City Clerk Marchiafava read agenda item 09-803

Approval of a contract from AT&T providing high speed data and Internet connection between Milton City Hall and Alpharetta Dispatch Center.

IT Manager Kelley Christy

- This is a simple AT&T contract.
- We are required to have two services and one is called a T-1 internet connection for this building and one is called a Metro Ethernet connection.
- It will give us a point to point connection from this building to the Alpharetta dispatch center.
- This is required for the record managements SunGard OSSI software that we are currently beginning to implement for the Public Safety Department.
- We will be passing data from the Alpharetta Dispatch Center into City Hall for computers that will housed here at City Hall so officers as well as administrative staff can access records and those types of things.
- Also the officers in the field entering incident data etcetera.
- Staff recommends approval.

Councilmember Tart

- He noticed it says we would be enrolling in plan A 12 to 36 months for 12 months so it is a 12 month contract and if we were to move to a different location during that time what would happen.

IT Manager Christy

- There is a fee involved with moving the circuits and that would roughly cost \$2,700.

City Manager Lagerbloom

- This is budgeted as part of the Police Records Management system.

Councilmember Zahner Bailey

- Thinks it would be prudent to address the questions that the City Attorney highlighted and whether or not the answer to those would mean we need to modify this contract before we approve it.

City Attorney Jarrard

- The concerns we had are the kinds they normally have with contracts with these 800 pound gorillas like AT&T and Bell South or some of the companies that simply do not modify their contracts that much so he is just telling Council what they are sort of saying live with it or not.

- It is a year contract which makes him comfortable and we can get out of it with thirty days notice which also makes him comfortable.
- He is comfortable recommending approval of the contract just noting those concerns.
- There are little other options in these situations.

Councilmember Thurman

- Would like to make one change to it, under the customer location and address she would like it to say Milton Georgia rather than Alpharetta.

IT Manager Christy

- We can certainly handle that.

Motion and Vote: Councilmember Lusk moved to approve agenda item 09-803, a contract from AT&T providing high speed data and Internet connection between Milton City Hall and Alpharetta Dispatch Center. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

MAYOR AND COUNCIL REPORTS

Mayor Lockwood

- He and his wife are building a new home and they agreed to donate it for the Roswell Women's Club to have their show house to raise money for charities in North Fulton.
- March 7, 2009 they will have a preview party there and they are giving this Council tickets.
- He wanted to bring that up in a public meeting because if there is going to be a quorum they will need to advertise it.

STAFF REPORTS

City Manager Lagerbloom

- Last week there was some indication that staff needed to look at the sign being erected at the Birmingham United Methodist Church.
- We have done that and the City Attorney also looked at it and we believe that sign is allowable as it is being built.
- We may need some changes in the future in that particular zoning district but as the law exists today he believes they have correctly issued that sign permit.

EXECUTIVE SESSION

Motion and Vote: Councilmember Thurman moved to adjourn into Executive Session to discuss potential land acquisition, litigation, and personnel at 7:51 p.m. Councilmember Tart seconded the motion. There was no Council discussion. The motion passed unanimously 7-0

RECONVENE

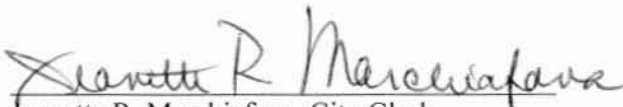
Motion and Vote: Councilmember Tart moved to reconvene the Regular Meeting at 8:24 p.m. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

ADJOURNMENT

After no further business, the meeting adjourned at 8:26 p.m.

Motion and Vote: Councilmember Lusk moved to adjourn the Regular Meeting. Councilmember Tart seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

Date Approved: March 2, 2009



Jeanette R. Marchiafava, City Clerk



Joe Lockwood, Mayor