



## CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

### CITY COUNCIL

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

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Monday, April 27, 2009

Regular Council Meeting Agenda

6:00 PM

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INVOCATION - Rabbi Hirshy Minkowicz, Chabad of North Fulton

**1) CALL TO ORDER**

**2) ROLL CALL**

**3) PLEDGE OF ALLEGIANCE** *(Led by the Mayor)*

**(Agenda Item No. 09-845)**

**4) APPROVAL OF MEETING AGENDA** *(Add or remove items from the agenda)*

**5) PUBLIC COMMENT**

**6) CONSENT AGENDA**

**(Agenda Item No. 09-846)**

1. Approval of the April 13, 2009 Regular Meeting Minutes.  
*(Jeanette Marchiafava, City Clerk and Clerk of the Court)*

**(Agenda Item No. 09-847)**

2. Approval of Financial Statements for the period ending March 2009.  
*(Presented by Stacey Inglis, Finance Manager)*

**7) REPORTS AND PRESENTATIONS** *(None)*

**8) FIRST PRESENTATION** *(None)*

**9) ZONING AGENDA**

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Milton City Hall  
City Council Chambers  
13000 Deerfield Parkway, Suite E  
Milton, GA 30004

***Persons needing special accommodations in order to participate in any City meeting should call 678-242-2500.***

**(Agenda Item No. 09-813)**

1. **U09-01 / VC09-01**, 13120 Arnold Mill Road, by Frank Schaffer, The Landscape Group, Inc. - To obtain a use permit for a landscaping business on 1.74 acres at a density of 3,908.04 square feet per acre (Article 19.4.27). Applicant is also requesting 3-part concurrent variance:
  - 1) To delete the 50' buffer and 10' improvement setback along the west property line from the right-of-way for a distance of 140' (12H.3.1 Section C.1).
  - 2) To delete the 50' buffer and 10' improvement setback along the east property line from the right-of-way for a distance of 140' (12H.3.1 Section C.1).
  - 3) To allow a sign located less than 10' from the right-of-way (Article 33 Section 21.C). (First Presentation on March 2, 2009.)

*(Presented by Alice Wakefield, Community Development Director)*

**(Agenda Item No. 09-836)**

2. **U09-02/VC09-02** - 15150 Birmingham Hwy, Application by Robb Nestor to obtain a use permit for a landscaping business on 3.926 acres at a density of 387.92 square feet per acre (Article 19.4.27). Applicant is also requesting concurrent variance to allow access from a local street (Article 19.4.27.B.1).

*(Presented by Alice Wakefield, Community Development Director)*

**(Agenda Item No. 09-837)**

3. **RZ09-01**- To amend Article 33 “Signs” of the City of Milton Zoning Ordinance to clarify the height restriction of various signs and to amend the “Considerations” for sign variances.

*(Presented by Alice Wakefield, Community Development Director)*

**10) UNFINISHED BUSINESS****(Agenda Item No. 09-838)**

1. Approval of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to allow a waiver of the penalty of the base amount of past due ad valorem taxes on a case by case basis, to allow for payment of past due ad valorem taxes in installments, and for other purposes.

*(Presented by Ken Jarrard, City Attorney)*

**11) NEW BUSINESS****(Agenda Item No. 09-848)**

1. Consent for the Extension of the Consulting Agreement with Latta Enterprises for Six Months and in Accordance with the Established Terms of the Contract.

*(Presented M L Marietta, Assistant to the City Manager)*

**(Agenda Item No. 09-849)**

2. Approval of a Resolution to Revise and Update Speed Zones and Regulations Regarding Vehicular Speeds within the City Limits and to Provide for Enforcement of Those Regulations.

*(Presented by Carter Lucas, Principal Engineer)*

**(Agenda Item No. 09-850)**

3. Amendment of Resolution No. 09-02-79, A Resolution to Create a Committee to Serve as the Historic Preservation Committee for Development of a Historic Preservation Ordinance for the City of Milton by appointing committee members.

*(Presented by Alice Wakefield, Community Development Director)*

**(Agenda Item No. 09-851)**

4. Approval of (a) Stormwater Projects including Contract with Qual-Con Construction Services, Inc. for \$6,338.20; (b) Right of Entry Agreements with Starnes, Rock, and Denness; and (c) Cost Share Agreement between Rock, Denness, and the City of Milton.

*(Presented by Carter Lucas, Principal Engineer)*

**12) MAYOR AND COUNCIL REPORTS****13) STAFF REPORTS****14) EXECUTIVE SESSION****(Agenda Item No. 09-852)**

1. The purpose of the Executive Session is to discuss potential litigation.

*(Ken Jarrard, City Attorney)*

**(Agenda Item No. 09-853)****15) ADJOURNMENT**