

---

*This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to transcribe proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted and heard by Council, but not quoted. This document includes limited presentation by Council and invited speakers in summary form. This is an official record of the Milton City Council Meeting proceedings. Official Meetings are audio recorded.*

**The Regular Meeting of the Mayor and Council of the City of Milton was held on August 3, 2009 at 6:00 PM, Mayor Joe Lockwood presiding.**

**INVOCATION**

Pastor Michael York from Alpharetta Presbyterian 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.

**City Clerk Marchiafava** read Agenda Item 09-902.

**APPROVAL OF MEETING AGENDA**

**Motion and Vote:** Councilmember Lusk moved to approve Agenda Item 09-902, Approval of the Meeting Agenda. Councilmember D'Aversa seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

**PUBLIC COMMENT**

**Mayor Lockwood**

- 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 Consent Agenda Items.

1. Approval of the July 20, 2009 Regular Meeting Minutes.  
(**Agenda Item No. 09-903**)  
(*Jeanette Marchiafava, City Clerk and Clerk of the Court*)

2. Approval of the following plats:

- |                         |            |  |
|-------------------------|------------|--|
| 1) Curtis Mills         | Minor Plat | Subdivide into 2 lots                          |
| 2) Hayfield Subdivision | Final Plat | Subdivide into 12 lots                         |
| 3) Perkins              | Re-Plat    | Combine 2 lots of a 4 lot subdivision          |
| 4) Braeburn Phase I     | Plat       | Plat only commercial portion on Birmingham Hwy |

**(Agenda Item No. 09-904)**

*(Alice Wakefield, Community Development Director)*

3. Approval of a contract with Gardner's Roof Repair for the reconstruction of the roof for the Bethwell Community House.

*(Matt Marietta, Assistant to the City Manager)*

**(Agenda Item No. 09-905)**

4. Approval of a contract between the City of Milton and Amusement Masters for the Roundup.

*(Linda Blow, Project Coordinator)*

**(Agenda Item No. 09-906)**

**Motion and Vote:** Councilmember Tart moved to approve the Consent Agenda. Councilmember Thurman seconded the motion. The motion passed unanimously 7-0.

## **REPORTS AND PRESENTATIONS**

**City Clerk Marchiafava** read the following presentation item.

### **Recognizing the City of Milton as a "Heart Ready City" by the American Heart Association.**

**Michael Willingham**, American Heart Association, Senior Director of EMS and Senior Director, Mission: Lifeline

- He would like to thank everyone for their commitment to the mission of American Heart.
- They have seen changes in the lives of the citizens of Metro Atlanta through efforts like are being performed here in the City of Milton.
- It has been a pleasure working with Chief Edgar and the officers and members of the fire department.
- Without them they could not have accomplished what was accomplished over the last year.
- On behalf of the American Heart Association they congratulate the City of Milton on being recognized on a heart ready city.
- This is due to training employees in CPR.
- Hosting community CPR events.
- The proliferation of automated external defibrillators for public access in the community and providing life saving public services at the highest level.
- He presented the City of Milton with a 2009/2010 Heart Ready Award.

**City Clerk Marchiafava** read the following presentation item.

### **Presentation of the final report from ADA Consultant.**

**Marie Latta**, ADA Consultant

- It has been a pleasure working with everyone over the last nine months.
- She especially thanked the Mayor and City Council for their involvement.
- She is presenting the final product.

- 
- One of the administration requirements was a transition plan and she is leaving a compliance plan notebook with them.
  - The first section is the evaluation which addresses the administrative requirements.
  - The second section is training and it includes documents they have built along the way.
  - The third section is reports and recommendations.
  - This is truly a workbook.
  - The fourth section is resources.
  - It has copies of documents that are important to the growth.
  - The end result is sort of like a new beginning.
  - She has recommended next steps because there is work to be done.
  - It is not about going back and fixing old problems but an opportunity to build and prevent problems.
  - She wished them well in continuing and she would like to continue the relationship.
  - Commended the Milton Disability Awareness Committee for their hard work and involvement.

**Mayor Lockwood**

- Thanked Marie Latta for all of her hard work.

**City Clerk Marchiafava** read the following presentation item.

**Special recognition and presentation of medal of Valor to Officer Nathan Allen and Officer Andrew Phillips.**

**Mayor Lockwood**

- On May 10, 2009 at 5:11 p.m. Milton Police Officer's Nathan Allan and Andrew Phillips responded to an automobile accident with injuries on Hopewell Road.
- The vehicle was overturned and on fire.
- They removed an unconscious victim from the crash site and transferred him to medical personnel.
- The victim was dangerously close to the burning vehicle and they had to combat smoke and high heat as well as the difficult terrain to rescue him.
- They performed with professionalism and courage in the face of significant personal risk to assist the citizen.
- They are being given the departments first ever Medal of Valor in recognition and appreciation for their fine efforts.

**FIRST PRESENTATION**

**City Clerk Marchiafava** read Agenda Item 09-907.

**Approval of an Ordinance Authorizing the Exchange of Easements on the Crabapple Community Center Property.**

**Motion and Vote:** Councilmember Tart moved to approve the First Presentation Agenda item 09-907, Approval of an ordinance authorizing the Exchange of Easements on the Crabapple Community Center Property. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously 7-0.

**NEW BUSINESS**

**City Clerk Marchiafava** read Agenda Item 09-908.

**Approval of a Resolution approving a grant application to the Department of Homeland Security for the Assistance to Firefighters Station Construction grant program sponsored by FEMA.  
Resolution No. 09-08-99**

**Matt Marietta**, Assistant to the City Manager

- This came in with the Recovery and Reinvestment Act.
- It is a new addition to the program that gave us the SAFER grant and other grants we have put in for the fire department.
- This specifically focuses on either refurbishing a dilapidated fire station or building a new one if we try and expand our service.
- He felt this would best be focused on trying to address the problems we have with the station on Thompson Road.
- This grant would provide the funds to rebuild that station or put a new one there.
- The total grant application was approximately 1.8 million.
- They do not ask for specific percentage contributions on the City's part but they ask what we would be willing to contribute.
- He put in if we are awarded the grant we would be able to contribute whatever we would be funding as a normal part of the upkeep for that fire station.
- A lot of these applications are heavily weighted in favor of severe economic depression associated with layoffs and unemployment rates.

**Councilmember Thurman**

- Asked if there was a set amount of money they had designated for this grant.

**Matt Marietta**, Assistant to the City Manager

- They were talking about receiving around 20,000 applications and funding 200 of them and you can submit up to two applications for 5 million maximum per agency.

**Councilmember Zahner Bailey**

- Asked if there was a deed restriction because that land had been donated.
- In other instances we have some restrictions on whether we can demolish or replace and asked the City Attorney to speak to that.

**City Attorney Jarrard**

- As long as it continues to serve a fire department and a public safety function it will be fine.

**Councilmember D'Aversa**

- Asked if there was a restriction to the grant if we were to change our mind about which station.

**Matt Marietta**, Assistant to the City Manager

- There is the potential when they look at the application to see if it has merit so if something changes in our approach they could address that at that time.

**Motion and Vote:** Councilmember D'Aversa moved to approve Agenda Item 09-908, Approval of a Resolution approving a grant application to the Department of Homeland Security for the Assistance to Firefighters Station construction grant program sponsored by FEMA. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

**City Clerk Marchiafava** read the second item under New Business.

**Discussion on Homeowners Tax Relief Grant funding possibilities.**

**City Manager Lagerbloom**

- He looked at the budget to see if he could find roughly \$260,000.
- He has found a couple of places in the budget that a portion of it could come from.

- 
- The discussion will have to move into whether they have interest in cutting into the Capital budget to make up the difference.
  - There is no way he can get all of the money from the operating budget without going into the capital.
  - There is a little bit of money that could come out of the fuel and gasoline budget.
  - There are a couple of vacant positions that have not been filled and those dollars remain open at this point.
  - There is some money available in the fire department uniform line.
  - Those are the only areas that there is any contemplation of a surplus at this point.
  - That finds us between \$85 and \$100,000.
  - He can get to the \$100,000 mark if Council is willing to freeze their stipend use at this point.
  - That leaves \$160,000 that would have to come out of the capital budget.
  - The two line items that it would have to come from would be pavement and land acquisition for parks.
  - They are the only two line items that are large to enough to be decreased by that much.
  - We are talking roughly \$35 per resident in the City of Milton.
  - There is a portion that the county assesses and they have already indicated that they will not pass that along to the citizens so they will see an increase over last year.
  - He does not think that revenues will be substantially higher next year than they are this year and there may even be a decrease.
  - Even if you were to contemplate doing this in this fiscal year it would be difficult to think it would be possible for the next fiscal year.
  - This would be something we would have to do year to year.

**Mayor Lockwood**

- Even though the dollar amount is small, it is still very important when we talk about taxes to our citizens and cost.

**Councilmember Thurman**

- Asked if he knew what any of the surrounding cities were doing.

**City Manager Lagerbloom**

- Their evaluation of the other North Fulton County cities is there has not been one at this point that has elected to fund this and pass it along.

**Councilmember Thurman**

- It is her understanding that the Georgia Legislature that funds it but we would actually have to do a millage rate rollback in order to account for it.
- It is not really a city funded, but credit we got back from the state who has elected not to.

**City Manger Lagerbloom**

- That is correct.
- We would pass it along and then we would apply to the state for reimbursement.

**Finance Manager Inglis**

- We would probably do a credit but instead of it being called an HTRG we would call it a tax credit.

**Councilmember Thurman**

- It is only for homesteads so we would have to do an additional homestead exemption.

**Councilmember Hewitt**

- Asked if it could be less.

**City Manager Lagerbloom**

- He thinks we could.

**Councilmember D'Aversa**

- On the two items under the Capital budget that he mentioned, those were rolled forward into the new budget.
- They were not spent this year but they would be reallocated.

**City Manager Lagerbloom**

- It will carry forward in the new fiscal year as the same line item that it is in now.
- The only way it could be changed is through an amendment voted by Council.

**Finance Manager Inglis**

- The capital projects fund is typically budgeted on a project length basis and not a fund year or calendar year basis.

**Councilmember D'Aversa**

- If we do not provide this credit, asked what the communication would be outward.
- Asked how we would communicate that these dollars are not being allocated for these reasons to the citizens.

**Finance Manager Inglis**

- We would have to include an additional letter.
- We cannot put anything about it on the tax bill.
- That was written in the legislation.

**Councilmember Thurman**

- She does not know that they can actually legally freeze the stipends.

**Finance Manager Inglis**

- This whole thing would have to be a budget amendment.

**City Manager Lagerbloom**

- The stipend would have to be voluntary for each Council member.

**Councilmember Tart**

- He is a little concerned with projecting on the fuel.
- We have to run a balanced budget.

**City Manager Lagerbloom**

- We budgeted \$182,000 in fuel and we have spent year to date \$75,000 and he recommended that \$40,000 would be available to potentially allocate to this.

**Councilmember Tart**

- Asked if staff has a recommendation because they work with the budget every day.

**City Manager Lagerbloom**

- To be honest, he does not have a recommendation.
- He has given them places in the budget that he thinks he can continue to provide service today at the same level that it will be tomorrow.

- 
- Really the discussion focuses around the benefit to the City in doing something like this and if it is worth \$175,000 in fewer parks or less pavement.
  - That is really more of a policy decision.

**Councilmember Tart**

- Asked if they could pass just the \$85,000 on to the citizens even though it is not fully funding it.

**City Manger Lagerbloom**

- He does not see why not, it would probably equate to about \$10 per resident.

**Councilmember Tart**

- The administrative cost and paper and ink would probably make up that.

**City Manager Lagerbloom**

- Yes, there would be some administrative cost and postage etcetera that went along with it.

**Councilmember Lusk**

- If we were to cover this shortfall we would essentially be bailing out the state in its failure to meet its obligation.

**City Manager Lagerbloom**

- He had a conversation with Representative Jones about this item and she candidly expressed that it was truly something that was initially designed as a gift from the state and the funding dried up.

**Mayor Lockwood**

- He thinks he can speak for the entire Council in that none of them want to have additional cost to the citizens.
- This was a gift from the state that they are no longer able to give.
- He thinks they would be doing what the citizens expect by not cutting the budget so tight.
- It is his opinion they should leave it alone.

**Councilmember Thurman**

- Our Charter specifies that the homestead exemption as set forth by the legislature, asked if that would be a problem for us.
- It was up to the state to fund it.
- She wants to make sure we can do it legally.

**City Attorney Jarrard**

- That is a great point and he will take a look at that.

**Councilmember D'Aversa**

- The communication is very important to let the citizens know what this was in the past so they are not confused.

**MAYOR AND COUNCIL REPORTS**

**Councilmember Lusk**

- He received an e-mail from Jim Bell and they had the first internment at Milton Fields.
- It is a state licensed green cemetery.

**Councilmember D'Aversa**

- John Szabo of Fulton County will be speaking to us at the August 17, 2009 to discuss the process for the new library that is to be in Milton.

**STAFF REPORTS**

**City Manager Lagerbloom**

- The space and needs analysis is coming to an end.
- We are reasonably comfortable with square footage needs.
- The second part was programming and adjacency study and they are working on that.
- It will not be designed for any specific site.
- This study is based on square footage as well as adjacency.

**Councilmember Zahner Bailey**

- Asked if that contemplates office adjacency and adjacency as it relates to police and fire.

**City Manager Lagerbloom**

- Yes, it is more specifically dealing amongst staff members at City Hall, for example who does financing interact with the most, etcetera.
- It is all about using those adjacencies to increase productivity and quality.
- The one thing that is very difficult in a City Hall facility to allow for is the police component.
- There are different standards for building a public safety police facility than there is for building a City Hall facility and it is difficult to build them so they look nice because there are so many things that need to be done to meet the requirements as it relates to storage and property and evidence.
- It should be a document that does not design City Hall, it does not design offices, it just takes the square footage that also contemplates circulation space as well as other things we would not realize we needed.
- There will be a very detailed spread sheet when they are done.

**Councilmember Zahner Bailey**

- When it comes down to the cost, separate from the square footage, looking at land acquisition or lease, and looking at different purchases and adjacency, there are some cost situations that become additional elements of analysis.
- She did not know if this analysis would go down that path.

**City Manager Lagerbloom**

- It will go down that path to the extent they try to use some costing mechanisms to put a cost to the facility itself based on square footage.
- Understanding a site has not been selected, it is difficult to attach cost because we do not know everything that will be required but they are trying to add some cost mechanisms to the building itself based on a cost per square foot basis.
- One thing they learned as they toured the two city hall facilities, one of the biggest headaches one of the City Manager's had was when he had to answer the question of what that city hall cost.
- Everyone has their own ideas as to what that cost means.
- He had to figure out exactly what people were asking.
- When we start to talk about cost we want to make sure we are on the same page.

**Mayor Lockwood**

- Our consultant has done a lot of work for us and the City Manager has done a lot of work and spent a lot of time on this.
- Every city hall is different with a different way they do things so it will take a lot of work and discussion.

**City Manager Lagerbloom**


- We have kicked off the preparations for our fiscal year 2010 budget.
- He and the Finance Manager will be meeting with the department heads over the next few days and he will have more information as they work through the process.
- The discussions with CH2MHill are ongoing and the Mayor is very involved in that process.
- He hopes to be meeting with each Councilmember in the next two weeks to deliver what they have discovered through the process.
- He wanted them to know they have had one emergency purchase in the last week or so.
- The transmission went out in one of the police cars that had to be fixed to keep it on the street.

**ADJOURNMENT**

After no further business, the regular meeting adjourned at 7:04 PM.

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

**Date Approved:** August 17, 2009

  
\_\_\_\_\_  
Jeanette R. Marchiafava, City Clerk

  
\_\_\_\_\_  
Joe Lockwood, Mayor