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The Regular Meeting of the Mayor and Council of the City of Milton was held on August 10, 2009 at 6:00 PM, Mayor Joe Lockwood presiding.

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

Council Member Absent: Councilmember Karen Thurman absent/excused.

City Clerk Jeanette Marchiafava read the first agenda item.

Presentation by the Milton Bicycle and Pedestrian Trail Committee.

City Clerk Marchiafava

- Public comment is allowed on each agenda item for ten minutes per item and no more than two minutes per person.

Principal Engineer Carter Lucas

- Some of the issues they have been working on are integrating roads into the trail system.
- One component was to reduce the speed limit from 25 mph to 15 mph.
- He needs some feedback on whether or not to reduce the speed limit on Wood Road to 15 mph which would affect any activity the police officers could have there.

Brian Maloney, Chairperson for the Bicycle and Pedestrian Trail Committee

- When they set up the original trail plan, 15 mph was the speed limit they felt would be a comfortable limit when it comes to the concept of sharing the road between cars, horses, bicycles and pedestrians.
- He thinks it is important to pursue this to ensure the safety of the citizens.

Principal Engineer Carter Lucas

- For the 85 percentile speed on Wood Road they are looking like high 20s to the low 30s.
- That is a summer time count.
- They will run more counts after school starts from a volume standpoint and a speed limit.

City Manager Lagerbloom

- There is probably not a lot of enforcement going on, on Wood Road except spot enforcement because there are other roads that really warrant more frequent enforcement.
- This is very different than a paved road that he had given a recommendation on, to not adjust the speed limit at the surmise of the permit.
- Based on the numbers he is ok with adjusting the speed limit for a six month or year trial period.

Mayor Lockwood

- Asked for their specific recommendations.

City Manager Lagerbloom

- He would like to try it.

Councilmember Zahner Bailey

- Asked if they had any petitions or input from citizens.

Brian Maloney, Chairperson for the Bicycle and Pedestrian Trail Committee

- He spoke with a member of the gravel road society and they are fully in favor of it.

Councilmember Zahner Bailey

- Would like to have some public involvement during this trial period.
- She asked about signage.

Principal Engineer Carter Lucas

- There will be signage on the road.
- It could be share the road type signs and Milton trail signs.
- They would probably re-sign Wood Road entirely.

City Clerk Marchiafava read the next Agenda Item.

Discussion on the Historic Preservation Ordinance

Community Development Director Wakefield

- Angela Rambeau was the project manager for this project and she will be presenting the following power point presentation.

Preserving Milton's Historic Resources

Background

A local Historic Preservation Ordinance establishes the criteria and process for how a property and/or district may be designated as historic.

The language and structure of the Ordinance is established by the Georgia Historic Preservation Act and regulated by the Georgia historic Preservation Division.

Once a Preservation Ordinance is adopted, a local Historic Preservation Commission may be created.

The Commission requires a Certificate of Appropriateness prior to any material change in appearance of a structure designated as a landmark or within a Historic District.

According to the Georgia alliance of Preservation Commissions, a preservation ordinance DOES NOT:

- Review color selections or require permission to paint a house.
- Restrict the sale of the property
- Require improvements to the property
- Require approval of interior changes
- Prevent new construction within historic areas
- Restrict the use of a property

According to the Georgia Alliance of Preservation Commissions, a preservation ordinance DOES

- Provide municipal policy for protection of historic properties.
- Establish an objective and democratic process for designating historical properties.
- Protect the integrity of designated properties with design review requirements.
- Protect and enhance property values
- Help to maintain the overall character of an area.

Introduction

1995-1996: Historical survey conducted by the Georgia Department of natural Resources

Since then, many sites have been demolished or have deteriorated in condition. Others have been so dramatically altered from their original state, they may not be eligible to be considered historic.

2007: A passionate group of residents presented to Community Development a draft Ordinance for the creation of a Historic Preservation Commission

Today: The Historic Preservation Committee established by the Mayor and City Council has worked with Staff to develop an ordinance that will preserve Milton's historic resources and spur economic development.

Prior Use Recognition

Purpose: Increase the potential for a historic property in the AG-1 Zoning district that previously had a non-residential use, provided the historic structure was lawful during its prior operation

Benefit: The Prior Use Recognition makes preservation more attractive to owners of a historic property because it provides flexibility and economic opportunities.

The use of this incentive requires the approval of the Historic Preservation Commission and the Mayor and City Council

Eligibility: Prior non-residential use required and lawful when established.

Potential Eligible Properties for Prior Use Designation

Hopewell & Thompson: General Store Original

Arnold Mill Road: Wash Chadwick Store

The Process

1. Historic Preservation Committee Established
2. Committee develops Ordinance
3. Draft Ordinance presented at City Council Work session
4. City Council Adopts Ordinance & establishes the Historic Preservation Commission
5. City Council appoints Historic Preservation Commission (HPC) members
6. Historic Preservation Commission initiates development of Design Guidelines
7. Educate the Public
8. Draft Design Guidelines, Update Survey, and determine boundaries for designated district(s).
9. Hold Public hearing on Design Guidelines
10. City Council adopts Design Guidelines

11. Educate the Public
12. HPC proposes district/properties for designation
13. City Council designates proposed properties
14. Residents Apply for Certificates of Appropriateness before making exterior alterations
15. HPC approves Certificates of Appropriateness
16. Milton Protects Its Resources

Staff Recommendation

1. Direct Staff to Proceed with the process to approve the Ordinance establishing Historic Preservation Commission
2. Establish a Historic Preservation Commission

The new Historic Preservation Ordinance will alter the authority of the existing Design Review Board in the following manner:

1. Apply new historical design guidelines to ALL contributory structures including single-family residential.
2. Place authority to regulate contributory structures under jurisdiction of HPC which will be comprised of experts and enthusiasts.
3. DRB will continue to review plans for non-residential development of non-contributory structures in the Crabapple Crossroads Overlay District.

Timeline

March-July 2009

- Historic Preservation Committee develops and approves draft Ordinance

August 2009

- Draft Ordinance presented to City Council at a workshop
- Draft Ordinance presented to the Planning Commission for consideration

September 2009

- Draft Ordinance presented to City Council for approval
- Historic Preservation Commission (HPC) appointed

October thru December 2009

- HPC develops Historic District Design Guidelines
- Conduct public hearing for comments on the design guidelines
- Council approves Design Guidelines
- Start consideration of nominations & designations

Councilmember Zahner Bailey

- Suggested it would be beneficial to let the Design Review Board take a look at it.

Community Development Director Wakefield

- It would delay the ordinance by at least 30 days and that is not a problem.
- Once the ordinance is approved the Historic Preservation Commission is functioning.
- If there are any changes it would go to the Historic Preservation and not the Design Review Board.

Councilmember Zahner Bailey

- She does not see it as a delay, but rather as a profit that they may provide some valuable input.

Community Development Director Wakefield

- The state is very specific on the requirements for historic preservation.

Councilmember Bill Lusk

- He thinks the ordinance contemplates the diversity and experiences of the board.

Community Development Director Wakefield

- If it is a structure or has a history and has been designated, then it goes to the Historic Preservation Commission.
- It is in the ordinance that it does not always follow the requirements of the overlay because some of the structures are non-conforming and cannot abide by the overlay, so you have to decide if you are going to protect the historic integrity or abide by the overlay.

Councilmember Zahner Bailey

- Maybe they could fix that by having a representation from the Design Review Board.
- She can see some potential opportunity for challenges if there is a structure that could "fall into both of those buckets".

Councilmember D'Aversa

- She thinks the point of the historic preservation ordinance is to make sure we go to a degree of protection.
- She thinks that having someone from the Design Review Board sit in is a good idea.

Community Development Director Wakefield

- That is not a problem.
- If the DRB reviews it then it will come back before Council in October.
- In addition to the Ordinance that will come before them there will also be a Resolution to designate the member of the Historic Preservation Commission.

City Manager Lagerbloom

- If Council is ok with that coming back to them in October rather than September then they can certainly present it to the DRB.

Councilmember Lusk

- He thinks they have delayed this long enough.
- He thinks this is the most time sensitive over the other committees right now.
- We have already lost some structures over the last three years.
- Given the time it has taken them to put the Ordinance together, it is a good Ordinance.
- He would encourage them to go forward with September and tweak it as they go along.
- He thinks it is a good idea to bring in the Chair of the DRB but they need to get things moving.

City Manager Lagerbloom

- We will continue on the time line to bring this forward in September although staff will make efforts to allow the DRB to weigh in on it as best as they can.

City Clerk Marchiafava read the next Agenda Item.

Discussion on City of Milton Committees, responsibilities and roles

City Manager Lagerbloom

- He would like this discussion to provide an avenue for the boards and committees to run more efficiently.
- He does not want the discussion to reflect any non gratitude for the work they have done and are doing.
- It came to a head when one of the committees wanted to inject themselves into a zoning process without the legal authority to do so.
- Matt put together a review of when the committees were formed and what their responsibilities are.
- They tried to establish the longevity of the committees.
- We found we have committees who through the Resolutions put them working toward the same purpose.
- That is great but he wants to make sure they are not working in cross purpose of each other.
- He would like to go through them and learn what Council is expecting as a deliverable from them.
- Matt has done some in depth research to find out where each committee is.
- He and Matt presented the following presentation.

An Analysis of Committees and Boards July, 2009

Overview

- **The City of Milton currently has 16 Boards or Committees, all created or enabled through resolutions adopted in the past three years.**
- **Though most serve in an advisory capacity, there seem to be three broad types of Committees:**

- Permanent – Standing,**
- Function specific, and**
- Advisory**

Milton's Committees Boards/Commissions include:

- **Board of Zoning Appeals**
- **Bicycle and Pedestrian Committee**
- **Construction Board of Adjustments and Appeals**
- **Citizens Advisory Committee for the Comprehensive Plan Update**
- **Design Review Board**
- **Ethics Board**
- **Historic Preservation Committee**
- **Hwy 9 Design Guideline Committee**
- **Intersection Committee**
- **Planning Commission**

- **Milton Grows Green**
- **Milton Disability Awareness Committee**
- **Milton Tree Committee**
- **Parks and Recreation Advisory Board**
- **Stakeholder Advisory Committee for the Transportation Plan**
- **TARA (Solid Waste Management Committee)**

Permanent-Standing Boards/Commissions all fill a specific operational role in the city, such as zoning review. As currently situated, they will fill an ongoing role in the operations of Milton government.

Function Specific Committees are largely an advisory body created to provide citizen input on development of various plans. They should exist until the plan is completed, then be dissolved.

Advisory committees/boards are tasked to a specific interest area, but seem to have a broader mandate than the “function specific” committees. These likely will operate outside the parameters of “citizen input” on a specified plan.

Permanent – Standing Committees

Permanent – Standing Committees

Committee Name	Date Formed	Type	Purpose	Issues
Board of Adjustments and Appeals	15-Feb-07	Standing	Community Development - Construction/Building Administrator	
Board of Zoning Appeals	15-Feb-07	Standing	Community Development Appeals	
Design Review Board	15-Feb-07	Standing	To review the character design standards for the City of Milton.	Potentially duplicative of portions of the various other committees meant to "provide input" into directing Milton's character through development and historic preservation.
Board of Ethics	15-Feb-07	Standing	Ensure the ethical standards of the City government.	
Planning Commission	15-Feb-07	Standing	The Commission shall continuously evaluate and recommend changes to both subdivision regulations, zoning ordinances and official zoning maps as appropriate...[and] shall work to maintain the significance of the Comprehensive plan.	

Function Specific Committees

Committee Name	Date Formed	Type	Purpose	Issues
Bike and Ped Trail Comm.	15-Mar-07	Function Specific	Advisory-To provide citizen involvement in a bike/ped path plan funded by the state and administered by GA Tech.	Potentially Duplicative with Parks/Recs Advisory
Citizens Advisory Committee for the Comprehensive Plan Update	7-Jun-07	Function Specific	Advisory - to provide citizen input on the development/redevelopment of the Comprehensive Plan.	Potentially duplicative of portions of the various other committees meant to "provide input" into directing Milton's character through development and historic preservation.
Historic Preservation Committee	1-Dec-08	Function Specific	"Develop the Historic Preservation Ordinance and related guidelines."	The enabling legis. is unclear as to whether this is an advisory committee, or a policy making body. It contains contradictory clauses....needs to be staff directed.
Hwy. 9 Overlay of the City of Milton Zoning Ordinance	1-Dec-08	Function Specific	"Review and revise the where needed the current Hwy 9 Overlay to incorporate design guidelines."	The enabling legis. is unclear as to whether this is an advisory committee, or a policy making body. It contains contradictory clauses....needs to be staff directed.
Birmingham/Providence and Arnold Mill/New Providence Advisory Committee	15-Dec-09	Function Specific	"Provide Input and Recommendations to the project team in development of concept plans..."	Duplicative purpose with Transportation Plan Advisory Committee.
Stakeholder Advisory Committee for the Transportation Plan	15-Dec-08	Function Specific	Provide input to the project team in the development of the City of Milton Transportation Plan.	Duplicative purpose with the Intersection committee.
TARA (Solid Waste Management Committee)	3-Sep-08	Function Specific	Provide input to the City of Milton in the development of its first Solid waste Management Plan.	The Plan is complete. Does this now dissolve or does it change into another standing committee.
Tree Committee	28-Apr-08	Function Specific	... shall meet at regular intervals to review and revise, where needed, the current Tree Ordinance and Administrative Guidelines.	Enabling legislation does not set a specific endgame, but instead says that it shall meet to review and revise the current ordinance. Is this a perpetual oversight responsibility?

Advisory Committees

Committee Name	Date Formed	Type	Purpose	Issues
Milton Disability Awareness Committee	3-Mar-08	Advisory - Independent?	"To promote the inclusion of persons of all abilities in every aspect of community life through education, advocacy, and influence on public policy."	Appointed volunteers are full MDAC members and <i>the Board</i> disciplines, enforces and appoints new members. No council or staff oversight. This committee is self-perpetuating and even has specific enforcement powers.
Milton Grows Green	6-Oct-08	Advisory-Independent Advocacy	"a citizens committee advocating responsibly managed growth by conserving and protecting resources while preserving Milton's heritage and natural landscape for future generations."	We have multiple different groups who now have a charter that includes "preserving Milton's heritage and natural landscape." This creates conflicting claims on the same issues.
Parks and Recs Advisory Committee	1-Dec-08	Advisory-Standing?	Recommend, review and evaluate parks development and operations.	Advisory (e.g. places staff as the organizer) but recommends policy, expenditures etc. as they relate to parks and recs ops.

Cross-Municipal Comparison

Most other municipalities have some type of Commission – Committee system. A brief survey reveals that, typically though not always, there are a smaller number than in Milton:

- Johns Creek (4)
 Board of Zoning Appeals
 Construction Board of Appeals
- Sandy Springs (3)
 Board of Appeals
 Design Review Board

Planning Commission
Parks and Recs Advisory

Planning Commission

- Roswell (7)
Board of Zoning Appeals
Cultural Arts Board
Historic Preservation Commission
Construction Board of Adjustment and Appeals
Recreation Commission
Planning commission
Design Review Board

- Alpharetta (7)
Planning Commission
Design Review Board
Board of Zoning Appeals
Tree Commission
Recreation Commission
Development Authority
Code Enforcement Board

Direction Needed

- Many Committees exist for specific purposes that are laid out in their charters. Each of these needs to have specific benchmarks that set a timeline for their operations. Their function needs to be specific and focused. Should these benchmarks by Council or staff established?

- Where possible, advisory functions may be handled by the same committee in the future. For example, there are several committees whose purpose includes some form of providing input to preserve Milton's character....this is clearly an important goal of our government, but it also places the several committees at cross purposes. In the future, is Council supportive of consolidation or elimination?

- In the future-where possible-is the Council supportive of the concepts of allowing the standing boards to serve as citizen input for plan development (e.g. the Design Review Board may provide input on the Hwy 9 overlay rather than creating a new committee).

- Is the Council supportive of allowing for more direction from staff (not in creating strategic ideology, but in management of the board/committee and directing the technical process).

Mayor Lockwood

- He thinks the real reason to have the committees is to have input along with staff.
- The Highway 9 committee is a good example of do we keep these committees in place or do we put them on the shelf until we know we have the funding.

City Manager Lagerbloom

- That is part of why he brings this up.

- He does not want the committees to feel they are not wanted but they do not have anything for this committee to do right now.

Councilmember D'Aversa

- That should be communicated to them.

City Manager Lagerbloom

- Maybe the best point of action at this point rather than dissolving the committee is to notify them that when work becomes available we will reactivate them.

Councilmember Zahner Bailey

- Suggested that they could still meet and work on the designs even if they could not implement them until the funding becomes available.

City Manager Lagerbloom

- Asked if he was correct in his understanding that when the Waste Management Plan is adopted that the TARA committee will be resolved and should they do another Resolution to dissolve it.

City Attorney Jarrard

- Recommended it be in writing when the time comes to dissolve it.

Councilmember D'Aversa

- She would like them to take into consideration Council Members being more involved with some of the committees and would also like something more formal in how the committees interact with each other.

City Manager Lagerbloom

- He would like for staff to have more ability to keep the committees on task and hopes the Council can trust staff to do so.

Councilmember Tart

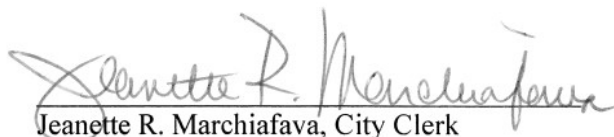
- Asked what kind of support they were giving staff as far as facilitation skills.
- Often they put someone on the committee that has expertise in certain areas but that person may not have the necessary facilitation skills to help the group remain on target.
- Sometimes that can be an issue they need to keep in mind.

City Manager Lagerbloom

- That is a point well taken and he will look into it.

After no further business, the Work Session adjourned at 8:13 p.m.

Date Approved: September 9, 2009


Jeanette R. Marchiafava, City Clerk


Joe Lockwood, Mayor