



## 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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Wednesday, September 9, 2009

**ACTION MINUTES**

**6:00 PM**

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INVOCATION – Councilmember Bill Lusk

- 1) **CALL TO ORDER**
- 2) **ROLL CALL**
- 3) **PLEDGE OF ALLEGIANCE**
- 4) **APPROVAL OF MEETING AGENDA**  
(Agenda Item No. 09-922)

**Motion and Vote:** Councilmember Hewitt moved to approve Agenda item No. 09-922, Approval of the Meeting Agenda. Councilmember Lusk seconded the motion. The motion passed unanimously 7-0.

- 5) **PUBLIC COMMENT**
- 6) **CONSENT AGENDA**

1. Approval of the August 10, 2009 Work Session Minutes.  
(Agenda Item No. 09-923)
2. Approval of the August 17, 2009 Regular Meeting Minutes.  
(Agenda Item No. 09-924)

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

- 7) **REPORTS AND PRESENTATIONS** *(none)*

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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.***

**8) PUBLIC HEARING**

- 1) Public Hearing on Ordinance to Adopt adjustments to the Fiscal 2009 Budget for each fund of the City of Milton, Georgia.
- 2) Public Hearing on Ordinance to Adopt the Fiscal 2010 Budget for each fund of the City of Milton, Georgia.

**9) FIRST PRESENTATION**

1. **ZM09-02** – West Side of Birmingham Highway (SR 372) Land Lots 1096, 1096, 1098 1135 of the Second District/Second Section - Braeburn Subdivision – By John Wieland Homes and Neighborhoods, Inc. represented by William Woodson Galloway, Dillard & Galloway, LLC. A request to modify the following conditions:
  - 1) To modify condition 1.d, which currently allows up to 54 townhomes at a maximum density of 0.86 dwelling units per acre, to allow up to 38 townhomes at a maximum density of 0.61 dwelling units per acre based on total acreage zoned.
  - 2) To modify 1.e, which currently allows up to 45 single-family residential units at a maximum density of 0.72 dwelling units per acre, to allow up to 61 single-family residential units at a maximum density of 0.98 dwelling units per acre based on total acreage zoned.
  - 3) To modify the required minimum lot size in condition 1.f from 18,900 square feet such that no more than 15 lots shall have a minimum lot size of 10,890 square feet (approximately ¼ acre) or above, at least three (3) lots (Lots 11-13) shall have a minimum lot size of one (1) acre or above, and the remaining lots shall have a minimum lot size of 14,500 square feet (approximately 1/3 of an acre) or above.
  - 4) To modify condition 2.a to replace the revised site plan received by the Fulton County Department of Environment and Community Development on June 7, 2006 with the revised site plan received by the Milton Department of Community Development on July 7, 2009.
  - 5) To modify condition 3.e to reduce the 15-foot building separation to a 10-foot building separation with a 5-foot side yard setback for lots less than one (1) acre.  
**(Agenda Item No. 09-925)**
2. **RZ09-04** – An Ordinance to create Article 13 of the Milton Zoning Ordinance; to establish a historic preservation commission in the City of Milton to provide for the designation of historic properties or historic districts; to provide for issuance of Certificates of Appropriateness; to provide for an appeals procedure; to repeal conflicting ordinances; and for other purposes.  
**(Agenda Item No. 09-926)**
3. Approval of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt Amendments to the Fiscal 2009 Budget for each Fund of the City of Milton, Georgia, Amending the Amounts Shown in Each Budget as Expenditures, Amending the

Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations, and Prohibiting Expenditures to Exceed Actual Funding Available.  
(Agenda Item No. 09-927)

4. Approval of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt the Fiscal 2010 Budget for each Fund of the City of Milton, Georgia, Appropriating the Amounts Shown in Each budget as Expenditures, Adopting the Several items of Revenue Anticipations, Prohibiting Expenditures To Exceed Appropriations, and Prohibiting Expenditures to Exceed Actual Funding Available.  
(Agenda Item No. 09-928)

**Motion and Vote:** Councilmember Tart moved to approve the First Presentation items. Councilmember D’Aversa seconded the motion. The motion passed unanimously 7-0.

## 10) ZONING AGENDA *(none)*

## 11) UNFINISHED BUSINESS

1. Approval of an Ordinance Amending the Rules of Procedure for City Council meetings and Public Hearings for the City of Milton. (First Presentation on August 17, 2009.)  
(Agenda Item No. 09-915)  
**Ordinance No. 09-09-49**

**Motion and Vote:** Councilmember Tart moved to approve Agenda Item No. 09-915, Approval of an Ordinance Amending the Rules of procedure for City Council meetings and Public Hearings for the City of Milton. Councilmember Lusk seconded the motion. The motion passed unanimously 7-0.

## 12) NEW BUSINESS

1. Approval of a Resolution to Authorize the Mayor to sign a Notice of Intent to Terminate the City’s Agreement with CH2M Hill.  
(Agenda Item No. 09-929)  
**Resolution No. 09-09-102**

**Motion and Vote:** Councilmember Tart moved to approve Agenda Item No. 09-929, Approval of a Resolution to Authorize the mayor to sign a Notice of Intent to Terminate the City’s Agreement with CH2M HILL. Councilmember D’Aversa seconded the motion. The motion passed unanimously 7-0.

2. Approval of a Resolution appointing Stacey Inglis as City Treasurer for the City of Milton, Georgia effective September 9, 2009.  
(Agenda Item No. 09-930)  
**Resolution No. 09-09-103**

**Motion and Vote:** Councilmember Hewitt moved to approve Agenda Item No. 09-930, Approval of a Resolution appointing Stacey Inglis as City treasurer for the City of Milton, Georgia effective September 9, 2009. Councilmember Thurman seconded the motion. The motion passed unanimously 7-0.

3. Approval of a Resolution Creating City Positions Identified as Essential to Providing Professional and Efficient Government Services to the Citizens of Milton.

**(Agenda Item No. 09-931)**

**Resolution No. 09-09-104**

**Motion and Vote:** Councilmember Lusk moved to approve Agenda Item No. 09-931, Approval of a Resolution Creating City Positions identified as Essential to Providing Professional and Efficient Government Services to the Citizens of Milton. Councilmember Zahner Bailey seconded the motion. The motion passed unanimously 7-0.

### **13) MAYOR AND COUNCIL REPORTS**

### **14) STAFF REPORTS**

### **15) EXECUTIVE SESSION**

### **16) ADJOURNMENT**

**(Agenda Item No. 09-932)**

**Motion and Vote:** Councilmember D'Aversa moved to adjourn the meeting at 7:18 p.m. Councilmember Lusk seconded the motion. The motion passed unanimously 7-0.