



CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

CITY COUNCIL

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

Monday, September 21, 2009

Regular Council Meeting Agenda

*Immediately following the
Special Called meeting*

INVOCATION – Reverend David Benson, Birmingham United Methodist Church

1) CALL TO ORDER

2) ROLL CALL

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

4) APPROVAL OF MEETING AGENDA *(Add or remove items from the agenda)*
(Agenda Item No. 936)

5) PUBLIC COMMENT

6) CONSENT AGENDA

1. Approval of the September 9, 2009 Regular Meeting Minutes.
(Agenda Item No. 09-937)
(Jeanette Marchiafava, City Clerk and Clerk of the Court)
2. Approval of Financial Statements for the period ending August 2009.
(Agenda Item No. 09-938)
(Presented by Stacey Inglis, Finance Manager)

7) REPORTS AND PRESENTATIONS

1. Proclamation Designating October as Crime Prevention Month.
(Presented by Councilmember Tina D'Aversa and Councilmember Alan Tart)

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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.

2. Proclamation to honor Caitlin Davies and Heather Kipniss for their charity work in Support of Camp Kudzu.
(Presented by Councilmember Karen Thurman)
3. Proclamation for the Sportsman Award for the 2009 Dizzy Dean Tournament.
(Presented by Councilmember Tina D'Aversa)

8) PUBLIC HEARINGS

1. Public Hearing on Ordinance to Adopt adjustments to the Fiscal 2009 Budget for each fund of the City of Milton, Georgia.
(First Public Hearing on September 9, 2009.)
2. Public Hearing on Ordinance to Adopt the Fiscal 2010 Budget for each fund of the City of Milton, Georgia.
(First Public Hearing on September 9, 2009.)
3. Public Hearing on Ordinance of the Mayor and Council of the City of Milton, Georgia, to fix the Ad Valorem Tax Rate of the City of Milton for Fiscal Year 2009; and for other purposes. (First Public Hearing on September 21, 2009, 5:45 PM)

ALCOHOL BEVERAGE LICENSE APPLICATIONS

4. Approval of Alcohol Beverage License Application for The Manor Golf & Country Club located at 15952 Manor Club Drive, Milton, Georgia. The applicant is M. Doug Meredith for consumption on the premises of wine/malt beverage/distilled spirits.
(Agenda Item No. 09-939)
(Presented by Stacey Inglis, Finance Director and City Treasurer)
5. Approval of Alcohol Beverage License Application for Vintage Pizzeria – Milton, LLC d/b/a Vintage Pizzeria located at 12540 Broadwell Road, Suite 1103, Milton, Georgia. The applicant is Kara Gonzalez for consumption on the premises of wine/malt beverage/distilled spirits.
(Agenda Item No. 09-940)
(Presented by Stacey Inglis, Finance Director and City Treasurer)

9) FIRST PRESENTATION *(none)*

10) ZONING AGENDA

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) (First Presentation on September 9, 2009.)

(Presented by Tom Wilson, Interim Community Development Director)

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) (First Presentation on September 9, 2009.)

(Presented by Tom Wilson, Interim Community Development Director)

3. **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).

(Agenda Item No. 09-813)

(First Presentation on March 2, 2009.) (Deferred on July 20, 2009.)

(Presented by Tom Wilson, Interim Community Development Director)

11) UNFINISHED BUSINESS

1. 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) (First Presentation on September 9, 2009.)

(Presented by Stacey Inglis, Finance Director and City Treasurer)

2. 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) (First Presentation on September 9, 2009.)

(Presented by Chris Lagerbloom, City Manager)

12) NEW BUSINESS

1. Approval of a Memorandum of Understanding between the City of Milton and City of Alpharetta for SWAT services.

(Agenda Item No. 09-928)

(Presented by Shawn McCarty, Captain, Police Department)

13) MAYOR AND COUNCIL REPORTS

14) STAFF REPORTS

15) EXECUTIVE SESSION *(If needed)*

16) ADJOURNMENT **(Agenda Item No. 09-941)**