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The Special Called Meeting of the Mayor and Council of the City of Milton was held on September 28, 2009 at 5:00 PM, Mayor Joe Lockwood presiding.

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 Bill Lusk, Councilmember Burt Hewitt, Councilmember Tina D'Aversa, Councilmember Alan Tart

Council Member Absent: Councilmember Julie Zahner Bailey was absent/excused.

PLEDGE OF ALLEGIANCE

Mayor Lockwood led the Pledge of Allegiance

APPROVAL OF MEETING AGENDA

City Clerk Marchiafava read Agenda Item 09-943, Approval of the Meeting Agenda.

Staff recommended the following change to the meeting agenda:

1. Add Staff Reports.

Motion and Vote: Councilmember Lusk moved to approve Agenda Item 09-943, Approval of the Meeting Agenda with the recommended change. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously 6-0.

PUBLIC COMMENT

There was no public comment.

PUBLIC HEARING

City Clerk Marchiafava read the item.

Approval of an 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.

Finance Director Stacey Inglis

- According to the official Code of Georgia 48-5-32, we were required to hold three public hearings and this is the third and final public hearing.
- This first two were held September 21, 2009 at 5:45 and 6:00 p.m.
- The adoption of the millage rate will take place after this public hearing.
- According to the City Charter, we are required to use the same billing and due date as Fulton County.
- They are still planning on billing on October 15, 2009 with a due date of sixty days later.
- The total tax digest is \$2,131,102,674.
- Total taxes levied will be \$10,082, 247 and of that will be property taxes at 9.5 million and motor vehicle taxes at \$546,000.
- There is a property tax decrease of 2.29% and the millage rate remains the same as it has the past two years at 4.731 mills.

There was no public comment.

UNFINISHED BUSINESS

City Clerk Marchiafava read Agenda Item 09-944.

**Approval of an 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.
Ordinance No. 09-09-52**

Finance Director Inglis

- Staff recommends adoption of a millage rate of 4.731 mills for 2009 taxes.

Motion and Vote: Councilmember Tart moved to approve Agenda Item 09-944, Approval of an 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. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously 6-0.

STAFF REPORTS

City Manger Lagerbloom

- As a matter of formality, there were two emergency purchases to notify Council of which were directly related to the storm and roadways that needed to be reopened as it related to two bridges.
- One bridge on Cogburn Road and the other on Birmingham Road.
- The three items were to provide in place fill material to allow for proper drainage at the bridge approaches.
- Fill material to place to be lower surge stone, compacted in the shoulder to allow for proper drainage and to excavate the failed edge of roadway and place a concrete patch to finish that grade.
- That emergency purchase was made in the amount of \$4,200 and it was completed Friday September 25th.
- On Birmingham Road we had to remove an existing bridge approach, fill and compact a void under the roadway, restore the road service with concrete, remove a section of a wooden wing wall, replace one timber pile, reconstruct a wing wall with three inch oak material, fill and compact the shoulder, grade to allow for proper drainage and seed and straw all of the disturbed areas.
- That was completed over the weekend at a cost of \$18,647.50.
- We are keeping the correct data for FEMA and GEMA in case there is an opportunity for reimbursement.
- We have reached among the city and the county impasse on several issues that relate to the Service Delivery Strategy.
- Some issues we have representing Milton, some other municipalities have within Fulton County, nevertheless we have an October 31, 2009 deadline to agree on the Service Delivery Strategy or as it stands at this point we would come out of compliance with the law.
- Taking them in order to give an idea as to where we stand with the county at this point in our negotiations is there is some disagreement with elections.
- There is some disagreement with roadway repairs.
- There is some disagreement with water as well as waste water and who provides what of those services.
- The election issue is really tabled at this point pending some further information from Fulton County which collectively is the cities.
- The roadway repair largely focuses on Fulton County believing that they can use general fund dollars to fund pass through road repair in unincorporated Fulton County where they are only using the south Fulton tax district to fund repaving of subdivision streets in the unincorporated area of Fulton County.
- As cities we fundamentally believe that is not a good use of general fund dollars.
- Waste water we have somewhat of an issue with and we will be at the table to talk about that.
- Fulton County at this point has suggested that they incorporate into the Service Delivery Strategy, their sewer map.

- The sewer map that has been delivered to us from Fulton County that dates back to 2008 is the one they would like to move into the Service Delivery Strategy.
- He just does not have the authority to go down there and agree to that because that is a document that Council passed and is in direct conflict.
- The way these things get resolved is typically through some type of formal mediation process.
- We tried informal mediation last week and that was not successful to say the least.
- We will go back again this Wednesday and spend a good deal of time trying to hash through the final steps of the Service Delivery Strategy.
- The risk we run is that if we do not come to an agreement on something, for the period of time we are out of compliance at least as it is interpreted today is we lose all opportunity for any state funding as well as the opportunity for any state permits.
- We have compiled a list as to what that means to the City of Milton if we were to lose the ability to apply for permits or the ability to seek state funding.
- Over the next five years that equates to about 5.8 million dollars to the City of Milton so a lot of money hangs in the balance with our city but particularly with the county as a whole.
- One of the things we will discuss this week and one of the things I may bring back in front of you in a coming Council meeting is ask even that you adopt a Resolution that would request a 120 day extension to the Service Delivery Strategy that currently exist.
- There have already been two cities in South Fulton County that have adopted Resolutions opposing an extension so we know at the very least that we do not even have a collective group of 17 people that would say let's roll up our sleeves and sharpen our pencils and get back to the table.
- We have two groups that have already opposed extension and it deals with being identified in the Service Delivery Strategy with the South Fulton Sewer and Water authority and their ability to get a permit for a reservoir.

City Manager Lagerbloom

- The last staff report is more just a planning issue as it relates to the Christmas tree planting.
- I met with staff today and we really might be transplanting that tree too soon based on the weather.
- The arborist said the tree would have a better chance if it were being transplanted sometime in late November, December or January.
- Those trees are typically transplanted in the wintertime and they have a much better success rate.
- We were contemplating two separate events, one being the planting event and one being the lighting event.
- After our discussion with staff today we could facilitate a planting/lighting event all in the same day and more or less turn it into an event that is possible for the city of Milton on more of a bigger scale where it actually gets planted in the morning and then we have all the people staged to light it that evening when it gets dark with the official tree lighting in Milton's first year.
- He focused in on a couple of different dates, the first one which would be the soonest we could do it would be Saturday November 28, 2009.

Councilmember D'Aversa

- She would push it to the first week in December because people are going to be more able to come and participate when they are back from the holidays.

Project Coordinator Linda Blow

- The Christmas in Crabapple is December 5th.

City Manager Lagerbloom

- At this point, we are looking at November 21 or December 12.

Mayor Lockwood

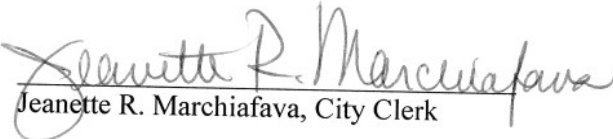
- Suggested talking to the Arborist about the 21st and get a consensus from everyone through e-mail on when they can attend.

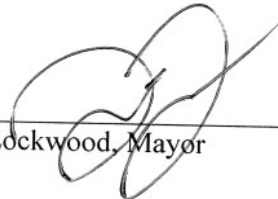
ADJOURNMENT

After no further business, the regular meeting adjourned at 5:29 PM.

Motion and Vote: Councilmember Hewitt moved to adjourn the Special Called meeting. Councilmember Lusk seconded the meeting. There was no Council discussion. The motion passed unanimously 6-0.

Date Approved: October 19, 2009


Jeanette R. Marchiafava, City Clerk


Joe Lockwood, Mayor