
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 November 2, 2009 at 6:00 PM, Mayor Joe Lockwood presiding.

INVOCATION

Bishop Scott Mower, The Church of Jesus Christ of Latter-day Saints, Alpharetta Ward, 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 Bill Lusk, Councilmember Burt Hewitt, Councilmember Tina D'Aversa

Council Members Absent: Councilmember Julie Zahner Bailey/excused and Councilmember Alan Tart/excused

City Clerk Marchiafava read the following statement for Councilmember Zahner Bailey:
Council person Julie Zahner Bailey cannot be here this evening due to a required teaching course she must attend.

City Clerk Marchiafava read the following statement for Councilmember Alan Tart:
Regrettably, I have a mandatory travel to Myrtle Beach South Carolina this week to attend a food safety and defense conference. I wish the Mayor, Council and staff a productive meeting.

PLEDGE OF ALLEGIANCE

The Sons of the American Revolution led the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

Staff recommended the following changes to the meeting agenda.

1. Add an emergency item to New Business, A Resolution Authorizing the Mayor to Execute a Certification for Extension of Existing Service Delivery Strategy; and
2. Add an Executive Session to discuss pending litigation and personnel.

Motion and Vote: Councilmember Hewitt moved to approve the meeting agenda, as amended. Councilmember D'Aversa seconded the motion. There was no Council discussion. The motion passed unanimously.

PUBLIC COMMENT

Mayor Lockwood read the rules for Public Comment.

- Public comment is a time for citizens to share information with the Mayor and City Council and to provide input and opinions on any matter that is not scheduled for its own public hearing during today's meeting.
- There is no discussion on items on the Consent Agenda or the First Presentation from the public or from the Council.
- Each citizen who chooses to participate in public comment must fill out a comment card and submit it to the City Clerk.
- Please remember this is not a time to engage the Mayor or members of the City Council in conversation.

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- When your name is called please step 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 October 12, 2009 Work Session Minutes.
2. Approval of the October 19, 2009 Regular Meeting Minutes.
3. Approval of the execution of the contract with The Kelly Group to provide Parks and Recreation consulting services for the City of Milton.

Motion and Vote: Councilmember Hewitt moved to approve the Consent Agenda. Councilmember Thurman seconded the motion. The motion passed unanimously.

REPORTS AND PRESENTATIONS

City Clerk Marchiafava read the first presentation item.

Veterans Day Proclamation

Councilmember Lusk

- We have with us the Color Guard from the Piedmont Chapter of the Sons of the American Revolution.
- It is significant in that this organization recognizes veterans from the revolutionary war.
- He read a Proclamation commemorating Veteran's Day and presented it to the Color Guard of the Sons of the American Revolution.

Mayor Lockwood

- Thanked the Color Guard and the Scouts for being there.
- He recognized Councilmember Lusk for the white markers that line the street.
- Councilmember Lusk made them, painted them, and put them up to honor the veterans of the area.

City Clerk Marchiafava read presentation item #2.

A Proclamation declaring November 2009 as Family Month.

Mayor Lockwood

- He read the proclamation and presented it to members of The Church of Jesus Christ of Latter-day Saints.

FIRST PRESENTATION

City Clerk Marchiafava read the First Presentation of agenda item 09-967.

Approval of an Ordinance establishing Solid Waste Collection Services within the City of Milton; providing for the scope and nature of the operation, providing for the disposal of garbage, solid waste and refuse; requiring the execution by service providers of a non-exclusive agreement with the City of Milton; providers of a non-exclusive agreement with the City of Milton; providing procedures for the handling of complaints; providing for an infrastructure maintenance fee; requiring indemnity insurance; providing for revocation and amendment; prohibiting assignment and subletting without consent; providing for forfeiture; and for making other provisions.

Motion and Vote: Councilmember Lusk moved to approve the First Presentation of agenda item 09-967, Approval of an Ordinance establishing Solid Waste Collection Services within the City of Milton; providing for the scope and nature of the operation, providing for the disposal of garbage, solid waste and refuse; requiring the execution by service providers of a non-exclusive agreement with the City of Milton; providers of a non-exclusive agreement with the City of Milton; providing procedures for the handling of complaints; providing for an infrastructure maintenance fee; requiring indemnity insurance; providing for revocation and amendment; prohibiting assignment and subletting without consent; providing for forfeiture; and for making other provisions. Councilmember Thurman seconded the motion. The motion passed unanimously.

FIRST PUBLIC HEARING

City Clerk Marchiafava read the item.

Approval of a Resolution Continuing the Wired and Wireless Enhanced 911 Charge, and Establishing a Concurrent Enhanced 911 Charge on VoIP, for all such Communications within the City of Milton.

Matt Marietta, Assistant to the City Manager

- This is an annual renewal for the 911 fee that goes to fund our emergency public safety answering point for police and fire service.
- We also have added on a voice over internet protocol addendum to that so the voice over internet protocol telephone lines are also charged that same fee for residents.

City Manager Lagerbloom

- These funds are used to fund our 911 dispatch center.
- This was the public hearing required by law and you will see it again on an upcoming agenda for approval.

NEW BUSINESS

City Clerk Marchiafava read agenda item 09-968.

Approval of an Amendment of Resolution No. 09-10-106, A Resolution appointing members to the City of Milton Design Review Board by adding Board Member for District 5.

RESOLUTION NO. 09-11-110

Councilmember D'Aversa

- The person that currently sat in that position on District 5 has been unable to make meetings, so we are making a change in that position.
- Morty lives in Crooked Creek Subdivision.
- He has a PhD in information security from Stevenson Institute of Technology and MS in computer information systems and a BS in electronics and communications engineering.
- His governmental experience includes having served on the police professional ethics review board, on Longmont City Council in Colorado as a member in 2003 and 2004 and he served as a board member on the Community Develop Block Grant program board on City Council in 2002 to 2003.
- His goal is to be involved in Milton local government affairs and contribute positively to local issues that impact our communities.
- He currently works with IBM Corporation and among some of his other professional contributions he has been a speaker with the national security agency of the United States, invited speaker on many issues with regard to security and information architecture with regard to computer security.
- He has written and co-authored several books, as well as presented papers on information technology.
- He is a very well equipped to be able to serve on our Design Review Board.
- She introduced Murthy (Morty) Rallapalli and thanked him for volunteering.

Motion and Vote: Councilmember Hewitt moved to approve agenda item 09-968, Approval of an Amendment of Resolution No. 09-10-106, A Resolution appointing members to the City of Milton Design Review Board by adding Murthy (Morty) Rallapalli for District 5. Councilmember Lusk seconded the motion. There was no discussion. The motion passed unanimously.

Oath of Office

Mayor Lockwood administered the oath to Morty Rallapalli for the Design Review Board District 5.

City Clerk Marchiafava read agenda item 09-969.

Approval of an Amendment of Resolution No. 09-10-107, A Resolution to create a Stakeholder Advisory Committee for the City of Milton Transportation Plan by Adding Committee member for District 5.
RESOLUTION NO. 09-11-111

Councilmember D'Aversa

- Introduced Julie Lynn Pinckney as her appointee to the TSAC committee.
- Julie also served on the TARA committee.
- She works with Chartis Insurance a division of the company that was formally named AIG.
- She is currently also a member of Milton Grows Green.
- She is on the local school council at the Alpharetta High School.
- She was also a local school council member at Hopewell Middle School, a member of the PTA, a volunteer with her daughters Girl Scout troop and also a volunteer for the leukemia society.
- In addition to serving on the local school council she has been on Congressman Sanford Bishop's campaign committee.
- She has worked with diversity and ethical leadership through her company and a member of Big Brothers, Big Sisters program and she is also a math tutor.
- She has a degree in finance.
- She has an ethical leadership certification and diversity training.

Motion and Vote: Councilmember Hewitt moved to approve agenda item 09-969, Approval of an Amendment of Resolution No. 09-10-107, A Resolution to create a Stakeholder Advisory Committee for the City of Milton Transportation Plan by adding Julie Pinckney for District 5. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously.

Oath of Office

Mayor Lockwood administered the Oath of Office to Julie Pinckney for the Transportation Stakeholder Advisory Committee for District 5.

City Clerk Marchiafava read agenda item 09-970.

Approval of a Resolution for the Supplemental Lease Agreement with Georgia Municipal Association for Police Vehicle Purchase.
RESOLUTION NO. 09-11-112

Stacey Inglis, Finance Director

- This is a Resolution for the adoption authorizing a supplemental lease agreement in the amount of \$20,500 for the purchase of a ford explorer for the police chief.
- As our fleet ages, vehicles have to go out of service more and more for repairs and maintenance and there is a need to repair vehicles.

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- Right now, we currently have a full staff and there are not any spare vehicles to be had so our police chief has been driving her personal vehicle to and from work and on the job to have a spare vehicle in the police department.
 - This will be done through a capital lease to basically manage our cash flow to make sure we have enough cash flow to maintain our general operations.
 - The rate that we have been quoted by the Georgia Municipal Association is 3.9% and that will have an annual payment of around \$7,200.
 - Staff request approval of this Resolution.

Motion and Vote: Councilmember Thurman moved to approve agenda item 09-970, Approval of a Resolution for the supplemental Lease Agreement with Georgia Municipal Association for Police Vehicle Purchase. Councilmember D'Aversa seconded the motion. There was no Council discussion. The motion passed unanimously.

City Clerk Marchiafava read the next item.

Added by Motion and Vote

A Resolution authorizing the Mayor to execute a certification for extension of existing Service Delivery Strategy.

RESOLUTION NO. 09-11-109

City Manager Lagerbloom

- We need to get this document in.
- This is a formality of the City of Milton requesting an extension.
- We will likely join with several other cities in Fulton County that at least adopt this Resolution to prove that several of us are in agreement with an extension to the deadline which happened to be October 31st.
- He does not think that we will be granted that extension because of the jurisdictions that have already signed Resolutions opposing it but more just in a show of solidarity amongst a majority of cities in Fulton County, we believe it is appropriate to at least be on record saying that we certainly would support an extension if it had been granted or a possibility by the entire county.
- By adopting this Resolution you give me the authority to sign so that we are on that record.

Motion and Vote: Councilmember D'Aversa moved to approve A Resolution authorizing the City Manager to submit to the Georgia Department of Community Affairs a certificate seeking an extension of the existing service delivery strategy act agreement. Councilmember Hewitt seconded the motion. There was no Council discussion. The motion passed unanimously.

STAFF REPORTS

Councilmember D'Aversa

- She asked if he had determined a date for the decorating of the Christmas tree that was planted.

City Manager Lagerbloom

- He is leaning toward the last Saturday in November.

Councilmember D'Aversa

- The Hopewell Middle School chorus has offered their services to sing when we do that lighting.

EXECUTIVE SESSION

Added by Motion and Vote

Executive Session to discuss pending litigation.

Motion and Second: Councilmember Thurman moved to adjourn into executive session to discuss pending litigation. Councilmember D'Aversa seconded the motion.

Discussion on the motion:

Ken Jarrard, City Attorney

- For the record to be very clear, it would be to discuss pending or potential litigation.

Councilmember Thurman

- Asked if they could add land acquisition to that also.

City Attorney Jarrard

- We will need to withdraw the second, redo the motion.

Councilmember D'Aversa

- Withdrew the second.

Motion restated: Councilmember Thurman moved to adjourn into executive session to discuss pending or potential litigation and land acquisition at 6:54 p.m.

Second and Vote: Councilmember D'Aversa seconded the motion. There was no Council discussion. The motion passed unanimously.

RECONVENE

Motion and Vote: Councilmember Lusk moved to reconvene the Regular Meeting at 7:07 p.m. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously.

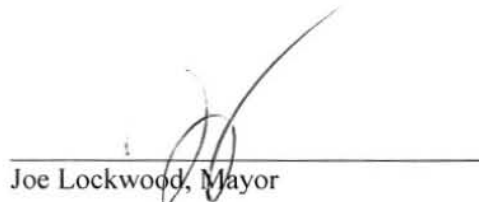
ADJOURNMENT

After no further business, the meeting adjourned at 7:08 p.m.

Motion and Vote: Councilmember D'Aversa moved to adjourn the Regular Meeting. Councilmember Lusk seconded the motion. There was no Council discussion. The motion passed unanimously.

Date Approved: November 16, 2009


Jeanette R. Marchiafava, City Clerk


Joe Lockwood, Mayor