

Milton Charter Commission
March 21, 2012
Minutes/Agenda Summary

1. The Chairman called the meeting to order and recognized a quorum at 4:12 p.m.

The following Charter Commission members were in attendance: David Shannon, Robert Meyers, Ron Wallace, and Gordon Hunter. Others in attendance were City Manager Chris Lagerbloom, City Attorney (and Secretary) Ken Jarrard, and Administrative Assistant Christine Doss.

2. March 7, 2012 minutes. Motion made to approve the March 7, 2012 minutes. Motion and second was made to approve. Motion was approved 4-0, with George Ragsdale absent.
3. Without exception the Chairman announced that district boundaries would be discussed at the next Charter Commission meeting.
4. City Attorney gave a short discussion regarding the legality of the creation of incorporated islands of Alpharetta within the City of Milton.

[Commission member Ragsdale arrived at 4:20 p.m.]

Charter Commission made a motion and second to include the following language in the transmittal letter to the local delegation:

The Milton Charter Commission wishes to express a concern related to the existence of two incorporated islands of the City of Alpharetta completely landlocked within the boundaries of Milton that were created contemporaneous to the establishment of Milton. While the Charter Commission recognizes that the existence of these islands may be lawful, the practical result of this unusual act of incorporation is a confusing and unwieldy jurisdictional mess, that raises significant issues as to service delivery, law enforcement, traffic, regulatory fees, and public safety. The Charter Commission wishes to go on record as expressing its significant concern over these two islands, and further requests that the local delegation review this issue and propose a solution where these islands become part of the City of Milton.

Motion and second made to approve and include in transmittal letter. Motion approved 5-0.

5. No new business or miscellaneous items for discussion.

6. Discussion ensued regarding review, consideration and formal approval of all items previously given preliminary approval. Per the bylaws, final approval requires a 4/5 vote of the entire Charter Commission being present:
 - a. Section 1.12(40)(A) – For all years, the millage rate imposed for ad valorem taxes on real property shall not exceed 4.731 unless a higher limit is recommended by resolution of the city council and approved by a majority of votes cast in an election; provided, however, that for the purposes of compliance with O.C.G.A. 48-8-91, the millage rate may be adjusted upward for the sole purpose of complying with the millage rate rollback provisions set forth therein; **(motion and second made to approve the above language as final recommendation, motion passed 5-0).**
 - b. Section 1.12(40)(C) – If recommended by resolution of the City Council and approved by a majority of votes cast in an election, ad valorem taxes on real property may be levied for the purpose of paying principal and interest on bonded indebtedness. These ad valorem taxes shall not be considered subject to the millage rate cap in subsection (A) above. **(motion and second made to approve the above language as final recommendation that will constitute new section 1.12(40)(c) and delete existing 1.12(40)(C), motion passed 5-0).**
 - c. Section 2.10(c)(1) and (c)(2) - the Commission discussed alternatives for term limits, but was unable to come to a consensus on this issue. Without exception, Commission members Hunter and Meyers were requested to survey other jurisdictions and bring back a recommendation on term limits. Additional discussion will occur at the next Charter Commission meeting.
 - d. Section 3.22(b)(8) – Have the authority to appoint city council committees and appoint council members to oversee and report on the functions of the various departments of the city, subject to confirmation by the city council **(motion and second made to approve the above language as final recommendation, motion passed 5-0).**
 - e. Section 3.25(1) – Have the authority to hire persons to act as department heads or directors and fill other positions designated by ordinance or resolution and appoint and, when the city manager deems it necessary for the good of the city, suspend or remove all city employees and administrative officers, except as provided by law or personnel ordinances adopted pursuant to this Charter. The city manager may authorize any administrative officer who is subject to the city manager’s direction and supervision to exercise these powers with respect to subordinates in that officer’s department, office, or agency. **(motion and second made to approve the above language as final recommendation, motion passed 5-0)**

- f. Section 4.10(e) – The city manager may suspend or terminate directors or department heads, so long as the City Attorney reviews the facts supporting suspension or termination and concurs such action is appropriate before such action is taken. **(motion and second made to approve the above language as final recommendation, motion passed 5-0)**

- g. Section 6.11 – For all years, the millage rate imposed for ad valorem taxes on real property shall not exceed 4.731, unless a higher millage rate is recommended by resolution of the city council and subsequently approved by a majority of votes cast in an election. This millage rate shall apply to the millage rate actually levied and shall not apply to the hypothetical millage rate computed under O.C.G.A. 48-8-91(a), relating to conditions on imposition of the joint county and municipal sales tax **(motion and second made to approve above language as final recommendation, motion passed 5-0)**

- h. Sections 6.24 and 6.28
 - i. Section 6.24 - Operating Budget – On or before a date fixed by city council but not later than 30 days prior to the beginning of each fiscal year, the city manager shall submit to the city council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the city manager containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other comments and information as the city manager may deem pertinent. The operating budget, the capital improvements budget, the budget message and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

 - ii. Section 6.28(a) – Capital Improvements – On or before the date fixed by the city council, but not later than 30 days prior to the beginning of each fiscal year, the city manager shall submit to the city council a proposed capital improvements budget with any recommendations as to the means of financing the improvements proposed for the ensuing year. The city council shall have the power to accept, with or without amendments, or reject the proposed program and proposed means of financing. The city council shall not authorize an expenditure for the construction of any building, structure, work, or improvement, unless the appropriations for such project are including in the capital improvement budget, except to meet a public emergency as provided in section 3.17 [3.18] of this Charter.
(motion and second made to approve above language in sections 6.24 and 6.28 as a final recommendation, motion passed 5-0).

7. Chairman directed that “minor points” from previously reviewed power point be added to the next agenda, as well as district boundaries, committee appointments, term limits, and ordinance adoption.

8. Motion to adjourn. Motion and second made to adjourn. Motion passed 5-0. Meeting adjourned at 5:50 p.m.

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