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The Work Session of the Mayor and Council of the City of Milton was held on March 9, 2009 at 6:00 PM, Mayor Joe Lockwood presiding.

Council Members Present: Councilmember Karen Thurman, Councilmember Julie Zahner Bailey, Councilmember Bill Lusk, Councilmember Burt Hewitt, Councilmember Tina D'Aversa, Councilmember Alan Tart

Mayor Lockwood

- Welcomed all in attendance.
- Work sessions are a more informal setting to update Council on business items.
- No votes will be taken.
- Item number two on the agenda, Update on the performance measurement program has been removed.
- Public comment is allowed that is germane to an agenda item.
- Speakers are required to fill out public comment card and turn it into City Clerk staff.
- Public comment is allowed for ten minutes per agenda item and no more than two minutes per person.
- Public comment will be heard at the beginning of each item.
- Once the item is called no other cards will be accepted.

City Clerk Marchiafava read agenda item #1.

Discussion for establishing a positive awareness campaign for the Crabapple Crossroads Community.

Mayor Lockwood

- He met with Buck Bell and Tim Brian to discuss the Crabapple Community area and a way to get more visibility in that area.
- He asked Buck Bell to give presentation.

Buck Bell, 13228 Bethany Road, Milton, Georgia

- They have been talking about Crabapple for a long time.
- When they established the Crabapple plan they saw it as being a destination type space.
- A place where people would come inside Milton to be a part of Crabapple.
- They would like to get that going.
- Crabapple is in the thick of the economic disaster and has been put on hold by a lot of people.
- People are struggling and businesses are closing
- Would like to look to the positive in the future and not get caught in the downward spiral.
- Their concept is to unite everyone in Crabapple in the mission to make it everything it can be.
- They would like to start with some banners to line the street with.
- A flag to put by some businesses and residences that show solidarity through a visual cohesiveness.
- People will start asking what it is about.
- They are trying to show things that show the belief, vision and passion that might be happening in Crabapple.
- There are words like blossom, live, love, play, laugh and smile and those types of things.
- He thinks it is time to stand up and go forward with this.
- They asked for a Mayoral movement to start identifying Crabapple as a destination area where we may find City Hall.
- They would love to find a new library and all types of things that could be in Crabapple that would make it a place where people would want to be versus trying to avoid it.
- They are looking for the City to embrace the idea and say yes we are behind you 100%.

- We would like to see if there is any capitalization to help fund the poles, signs and banners.
- The things that would be in front of businesses and in front of businesses and residences would be at the expense of the people that decide to adorn their properties with those instruments.
- After they establish the visual, the idea is to rally the businesses and residences together to create more events and find things that will go on at the concept and promotion of each individual businesses or coagulation of businesses together to make Crabapple work for us.

Mayor Lockwood

- There is a lot of history with Crabapple.
- He is proud of what has been done at Crabapple and the area is on its way to developing into a very nice area that we should all be proud of.
- He would support the City working together with the Crabapple merchants.

Councilmember Tart

- He is in support of promoting businesses within the City of Milton.
- Asked if Mr. Bell could make it clear what type of financial support he is talking about from the City.

Buck Bell

- They have not done all of the homework on that yet so he cannot give a hard cost.
- They are not looking for staff to run the number or figure it out but they would like the City to meet them in Crabapple and identify some targeted places for it and what areas the City might like to sponsor.
- From there they would go forward and determine the numbers it would take to do that.

Councilmember Tart

- Rather than looking for specific cost he wants to know what type of themes like poles, banners.

Buck Bell

- The banners on the street post on the yard arms are modular.
- There may be a spring, fall or a holiday theme so it would be a library of banners that the City would own and they would look to public works to help hang the banners.
- They would arrange having the banners made and work with public works to have them installed.
- They are looking for the City to own their part of the campaign which would be on public things like utility poles and the historic light poles and everything else would fall on the residents and business owners.

Councilmember Tart

- If we are going to spend tax dollars for one particular area of the city, he would want to know why they aren't spending tax dollars to promote business on Highway 9.
- There are strip centers that are vacant so could they expand this to promote business in all of Milton and not just the Crabapple area.

Buck Bell

- They certainly have the skills and talent and brain power if you want to expand this to be something greater than it is, they do not mind helping all of Milton be great.

Mayor Lockwood

- This is one of those things where the people of Crabapple are willing to put forth the effort and the expense and the does not think we would exclude other areas of the local community but if there are other areas that are willing to do that too then we would look at those.

Councilmember Tart

- He is hearing a large part of this initiative would be taken on by the residents and business owners in the area but tax dollars are paid from all areas of Milton and he would like to consider expanding it to all commercial areas of Milton.

Buck Bell

- They may have to identify some counterparts that want to spear head and make the contacts.

Councilmember D'Aversa

- There is a Milton's Business Owners Association that is predominantly comprised so far of Highway 9 business owners so maybe they could come together with them.
- Asked if there were any plans to talk to the citizens about this.

Buck Bell

- They would have to but they are trying to take baby steps and they think the first step is to get the city to sign on by saying it is a good idea.
- If need be they will raise their own money and put the flags up and run their own banners if the city will help them hang them.

Councilmember D'Aversa

- She would like to see a lot of synergy throughout the City of Milton.
- She thinks this is a wonderful idea and would like to see an umbrella campaign that is the City of Milton is what she would like to see.
- She wants to make sure people know they have entered Milton and not have an eclectic city which is what we have now.

Buck Bell

- He is talking about identifying areas the same we identify commercial nodes but what Councilmember D'Aversa is talking about is a PR campaign of how you promote the goodness of what is going in the whole city.

Councilmember D'Aversa

- It is the uniqueness of Milton and just because Crabapple is one unique area she wants to make sure they do not lose the umbrella of this being the City of Milton as we design banners and those types of things.

Mayor Lockwood

- This is not totally about cost of the city participating with cost but it is more of a concept.
- He does not think the Crabapple people need the onus of doing the entire city.
- He suggest that Council Members from each district and if they have some ideas and want to move forward then the city could support them in the same way but as was said they are different areas and would have different themes.

Buck Bell

- They are looking at Crabapple right now and they see that as being something they can put a handle on.
- He met continually with people asking him what is going on with Crabapple and why are the businesses closing.
- In the last three weeks they have lost four businesses in Crabapple and out of the group that is a pretty big impact.
- What they are trying to do here is look at themselves and it is a great point that if you are going to spend money here then why aren't you spending it with us.

Councilmember Tart

- He sees and hears the same thing with the Highway 9 area.
- Strip malls are vacant and going out of business all the time.
- If it were to agree in concept to the idea and it were 100% funded by the businesses and citizens in that particular area would be one thing but you are talking about city money being used to fund a particular initiative in a particular area of town and that is the part he is having a problem with.

Buck Bell

- That may have to go away.

Mayor Lockwood

- He does not necessarily see this as the city spending tax money just in Crabapple.
- He does not think the onus should be put on these people to do it city wide.
- Whatever consideration they would give to Crabapple they would need to give to the rest of Milton.
- Right now the discussion is just the concept.
- It is not a dollar amount and we are not making a decision.
- If the city were to put any financial resources to it then it would have to come back to Council for discussion.
- Maybe the other areas would get the idea and the city would support them also.

Councilmember Thurman

- We are an area that is made up of different communities and has been that way for hundreds of years.
- As far as spending money which is not really the issue here, but we do spend money on certain areas at times depending on what the need is.
- We are spending money on a Highway 9 design standards because it was a need for the area.
- She thinks each area needs to keep its own identity.
- She would love to see this say historic Crabapple and the City of Milton and that way it ties us together but yet Crabapple could keep its own identity.
- Asked Community Development Director Wakefield where we stand on the Crabapple Master Plan and where does CPAC stand on Crabapple itself since we did that initial visioning.

Community Development Director Wakefield

- There was the initial visioning but there has not been a lot of movement on the Crabapple area since then.
- CPAC has been focusing on getting the financial model done so they can move forward with the comprehensive plan, the community agenda.
- After the community agenda, the next step would be to update the Crabapple Master Plan.

Councilmember Thurman

- Asked if the CPAC be updating the master plan or if we would have another committee to do that.

Community Development Director Wakefield

- It will probably be another committee.

Councilmember Thurman

- Will CPAC be looking at sites for libraries or city hall and things like that as part of what they are doing to give us guidelines?

Community Development Director Wakefield

- They will probably make some recommendation of where they think is most feasible for those things, they have just not had that detailed of a discussion yet.
- It will probably be late spring, May or June before they have that discussion.

Councilmember Thurman

- We want to go through the necessary steps but we want to make sure there is still something left in Crabapple by the time we around to updating the design standards and everything else.

Mayor Lockwood

- Wants to reiterate the fact they have some businesses that want to better their community and of course they will start in their area and he would like to see the city support and help them help themselves.
- If other areas of town would like to do something like that they would support that also

Councilmember Hewitt

- Thanked them for being pro-active and trying to help their area
- He hopes this would be a catalyst for other areas.
- He supports the concept and agrees that there should be some continuity with it but he thinks it is a great thing and supports it.

Councilmember Zahner Bailey

- She agrees that each of the areas is unique and different and what may be applicable in one area may not be in another.
- It is her understanding from the presentation that this is a concept that would engage the broader community in order to get citizen input.
- She would hope it would engage the Design Review Board and the CPAC committee as well.
- When we think about signage that needs to be reviewed in the context of the sign ordinance.
- She thinks the community and the DRB and those other groups, such as CPAC, would need to weigh in.
- She thinks we need to be thoughtful about the approach to use because of the sign ordinance and the fact that the sign ordinance as currently written deals with all of Milton. Perhaps one approach would be to see how this could be contemplated within the Crabapple Master Plan area only.
- Either way, staff and legal need to review the request in the context of current policies to determine possible solutions.

Mayor Lockwood

- This is not a meeting to discuss specifics but more to ask Council for support to have staff meet with these individuals and go through and see what does work within our ordinances and then come back to us and make a presentation.

Councilmember Zahner Bailey

- Maybe at the next CPAC meeting they could be asked how they perceive the time line in terms of looking at city centers and libraries.
- She thinks getting that committees input would be valuable.

Mayor Lockwood

- Would like to see if Council has the desire to have staff meet with them and see what would work within our existing ordinances and then bring something back to Council they can discuss with a little more detail.

Buck Bell

- From his standpoint but he sees this as a community art project than as signage or advertising or these other types of persona.
- He thinks it is a way to dress up an area to make something visually recognizable to show solidarity.
- He does not think it is signage.
- They are not promoting Milton's Restaurant.
- They are promoting the city and anything we can do to bring us in the lime light we should do.
- Crabapple has always been pointed at promised to be a destination point and every great city has a great place within it that everybody recognizes as it.
- We are trying to identify a resource that we have in the city which is Crabapple.
- He thinks it has always been there and always looked at.
- As far as community participation, they came to Council first because they do know there is some sign ordinance issues and they want Council to embrace it because it is financially and fiscally responsible for the city to say, we will help you do this instead of saying you go ahead and do your own thing and we will enjoy the benefits of it.
- They are looking for support and a belief in what they are trying to do.
- They want to do this for spring.
- All it is doing is helping the city.
- It will help businesses.
- It will help bolster awareness and make people want to be a part of Crabapple.
- They are talking about the events that will monopolize Crabapple and done by Crabapples merchants.
- They do not want to get mired down in too much delay.
- They will try to fit the City of Milton in there but we do not want the banner to become over complex so that it loses its message.

Mayor Lockwood

- He is hearing support for a concept and would like for staff to get with Mr. Bell and the business owners and see about the specifics or the hurdles and then have staff bring a presentation to Council.
- Asked for a nod from Council if they agree with that.
- Asked for public comment on the item.

John Adams, 15690 Hopewell Road, Milton, Georgia

- Wanted to update everyone on his part of Crabapple.
- The ice cream shop opens in late April.
- There will be a bagel shop there.
- He will put the history guild there.
- We have a replica of the liberty bell.
- We have a lot of exhibits like that.
- They are doing the world premiere of the B17 Bomber documentary that local PBS and the History Channel are buying and that will be at the cirque history guild.
- He would like to make it the permanent home for free for the Historic Society for the City of Milton.
- That along with the Federalist Tavern and the Founders Club will open.
- There is a lot of activity there.
- So things are going well there and he wanted Council to know they are working hard to make it a destination.
- The landscaping will be twice as expansive as it is now.
- He also has the daughter of the last surviving liberty tree.
- It was genetically propagated from the one that fell down in 1989 during Hurricane Floyd.
- It was a 650 year old Tulip Poplar and they have a little sapling and it is the last surviving liberty tree.

- He would like Mayor and Council do the ceremonial planting when they are ready.
- He fully supports the concept brought forward.
- He also recommends they have an expedited process for some of the things they are proposing.

Councilmember Thurman

- For any area to be successful you have to have the right mix and asked Community Development Director Wakefield if that would be looked at for Crabapple when they do the update to the master plan.

Community Development Director Wakefield

- Yes.

Councilmember D'Aversa

- While we are talking about historical areas, she would love to see the city have an area so promote businesses on the web site.
- As this unfolds they will have a way to reach more people.
- There are a lot of people visiting the web site and it would be an excellent way of promoting the businesses.

Mayor Lockwood

- We have Council support for our staff and the City Manager to meet with the Crabapple people and come up with something they can present to Council.

City Clerk Marchiafava read agenda item #2.

Discussion on a Notice to the Public of Nondiscrimination Policy Based on Disability.

ADA Coordinator Marie B. Latta

- This is one more of the documents required of the Disability Act.
- It is a statement to the public that we do not discriminate based on disability.
- We wanted it to be a positive statement that wraps around the City's mission and vision.
- It provides evidence of good faith and complies with ADA and the Disability Act.
- It is one more step in completing the administrative requirements.
- This is the type of document to be placed on the web site and the public service announcements to let the public know that we are nondiscrimination.

Councilmember D'Aversa

- Asked if the language was the proper language for the disability act.

City Attorney Jarrard

- It is out of the statute so it is correct.

Councilmember Tart

- In the last paragraph, be it further resolved that this notice will be made available to the public through print and electronic media and will be made available to individuals in alternative formats (large print, Braille) upon request, he wants to make sure that is available.

ADA Coordinator Latta

- Thanks to Councilmember D'Aversa and her student they will have the documents produced in Braille.
- She thinks we do have those things available.

Councilmember D'Aversa

- She thinks the “upon request” covers us.

ADA Coordinator Latta

- In our previous discussion on the grievance procedure Council asked if we were ready for the communication.
- Chief Harrell and she went to the 911 center and their capability for communicating with people is phenomenal.
- She feels really good about that and they will be checking the call center also has the capability.
- We are getting there.

City Attorney Jarrard

- The next step would to bring this forward for adoption and he asked for permission to get with Marie Latta to make a modification.
- Everything is proper but there are a couple of places where the word reasonably might be well added to make sure we are not setting the bar so high that we cannot jump over it.

Mayor Lockwood

- Nothing wrong with more legal, it is easier to correct a mistake when it is on paper.

(Item #3, Update on the performance measurement program, was removed from the agenda.)

City Clerk Marchiafava read agenda item #4.

Discussion of collection of delinquent taxes in light of current economic conditions.

Finance Manager Stacey Inglis

- There are a couple of different methods we have to collect the delinquent taxes.
- Some statistics on where we are in our collections.
- For 2007, real property we are at 99.1% collections.
- Outstanding is \$73,000.
- For 2007 personal property we are at 98% collection so there is \$3,400 outstanding.
- For 2008 is where the economy comes into play.
- We are at 94% collections with \$508,000 outstanding for real property.
- For personal property we are at 89% collection with \$21,000 outstanding.
- Total outstanding is \$607,000.
- We sent a letter in November saying property taxes are delinquent, come in and pay.
- In December we sent a second letter notifying owners that if they do not pay after 30 days of the date of the notice a lien will be filed.
- We filed liens at the end of February.
- Last year we filed 226 liens and this year it was 673 liens.
- We have had some come in and pay but there are 647 liens outstanding so the total amount of liens outstanding is \$515,000.
- On the list provided Council the ones highlighted are developers.
- 67% of the list is developers which is about 437 properties with a total of \$261,000.
- She brought that up because she does not know how aggressive Council wants her to be in collecting property taxes and if you want to treat developers differently or do we treat them all the same.
- We are using a company called DTSI and they help send out the letters and walk us through the process of collecting property taxes and taking it all the way to tax sale for us if we choose.
- Another way is using a company called Vesta Holdings.

- They purchase the liens and we get 100% collections for everything owed on the properties.
- It is base tax, penalties and interest etcetera.
- Initially this company said they would look at the list and see which ones they can actually collect on and they would offer to purchase those liens from us.
- The way they make their money is they get the 1% interest per month.
- She did some research on them and talked to Fulton County who is happy with them.
- She also talked with the Department of Revenue and they said in the past they had someone who had dealt with Vesta Holding and their dealings were not that favorable.
- They had some problems getting Vesta to call them back and their attorney was charged with getting a pay off on the loan that was outstanding.
- She talked with Alpharetta who used to use them and they seemed happy with them.
- She talked with Gwinnett County and they were happy with them.
- The suggestion from Department of Revenue was if we are going to sell the liens to the company is to force them to buy all of the liens 100% or none.
- The reason she brings it up is because it is away to go ahead and get the money now instead of waiting six months down the road to sell the property.

Mayor Lockwood

- We have an obligation to be fiscally responsible and collect this money but we also have a lot of people hurting and he personally does not want to put undue stress on people.
- He would like the City Attorney's opinion on what he sees the other cities and counties do.

City Attorney Jarrard

- The only instances he has seen are news reports of Sheriffs unwilling to issue the five phase or do the actual tax foreclosures.
- He has not experienced many jurisdictions not steadfastly moving forward and taking the necessary action to collect the taxes.
- He would get together with Stacey and look at the fine print before they brought forward the formal proposal.
- To the Mayor's point they will be dogmatic in collecting that money so any discretion we would have would be lost because they will collect their money.

Mayor Lockwood

- He wonders if there are any options such as a tax amnesty type of thing where we might say we will give them one more shot.
- Maybe we could figure that versus the cost of going through cost of going through companies like this and the percentage we collect.

Finance Manager Inglis

- We could send another letter letting them know if they do not pay within sixty days their lien will be transferred to a private company.
- The company would have to notify the property owners within sixty days of them actually buying the liens.
- They do have some legal restrictions and they cannot charge any more than 1% interest.

Councilmember Thurman

- She personally believes that most of the people are not paying just because they do not want to pay but because they really do not have the cash to pay.
- If they knew the property was going to be sold in the next six months then that would be an ideal situation but we have no idea how it will be sold or when or if it will be sold.

- If they are sold for less than the mortgages and taxes and the lien the lien still has to be released is that correct.

Finance Manager Inglis

- The property cannot sell for less than the taxes owed.
- We have first priority over banks and everything else.

Councilmember Thurman

- Everybody is going through such tough times, she hates to put too much pressure on them even though she know we need the money.

Mayor Lockwood

- Maybe we can communicate with them in a positive way and say this is what will happen in sixty days and it is not something we want to do and we are not trying to threaten them with it but at some point this has to happen but portray it in a less negative way.
- Maybe they could work out a plan to pay half and charge a fee and give six months to pay the other or something.
- Obviously it might hurt the city short term but long term it may help.

Councilmember Hewitt

- Perhaps they could wave a penalty and then after the amount of time is up, all bets are off.

Finance Manager Inglis

- We could do some sort of tax amnesty as the Mayor mentioned.

Councilmember Thurman

- She would be in favor of waving the penalty and keeping the interest.

Mayor Lockwood

- There will probably still be people that cannot pay and we will have to move forward legally.

Councilmember D'Aversa

- She would agree to the penalty.
- She understands how everyone is in this position with the hard times but the rest of the city has paid their taxes.

Councilmember Thurman

- She suggested penalties because they are not deductible where interest is.

Councilmember D'Aversa

- Penalties are not money they would be realized and interest is.

Mayor Lockwood

- We would need a date to say we are willing to wave the penalty until this point and some will take advantage and some cannot but at least from the public perspective we are not just trying to ram it down their throat but trying to work with them.
- Let staff come up with a reasonable window and let people know in the interest of the times and working with our citizens we would be willing to wave the penalty until x date.
- After that we will have to move forward but at least explain to people so they do not get a letter from a strange company saying they own the property and have a lien on the property.

Councilmember Tart

- He thinks it is a good idea to wave the penalty until a certain date.
- Regarding all of this outstanding debt asked if we are having to expend any money and if the penalty and/or interest paying for us to do anything in terms of legal or collections or something to where if we wave this penalty we will be in the negative because we expended money out of our general revenue to try and collect this money.

Finance Manager Inglis

- She thinks we are covered on the expenses.
- We have had to send letters and spend time putting everything together and we had to front the filing fee so we cannot wave that.
- If we wave one or the other we will be covered.

Councilmember Tart

- Asked if anyone had asked about entering a payment plan with the city.
- He is all for that if we can afford it and legally do it.
- A payment plan shows they have been proactive and addressing the issue.

Councilmember Thurman

- We could continue charging them interest that way but not charge further penalty.
- That way we have the money coming in and they know we are trying to work with them and help them through this tough situation.

Councilmember D'Aversa

- Asked if any of them had come in to discuss things.

Finance Manager Inglis

- Some have come in to get building permits which they can do on specific lots as long as the property tax is not owed on that specific lot.
- We cannot make them pay for every single outstanding tax they owe if it does not pertain to that lot.

Mayor Lockwood

- We have to realize the city tax is a smaller number than their county tax.

Councilmember Thurman

- If we play the nice guy card they may be willing to go ahead and pay this because it is smaller than the county.

Mayor Lockwood

- The problem with that thinking is if they owe the county \$10,000 and the city \$3,000 they may not pay the lesser amount knows that the county will collect also but at least we will have stepped forward trying to offer our citizens and property owners a little bit of help.
- We will still have to get serious at some point.

City Manager Lagerbloom

- Whatever we decide to do will require passing a Resolution allowing that to occur.
- He thinks he heard that we might enter into a period of time where we would waive the penalty and keep the interest and that we have a window that closes at some point so he recommends crafting the Resolution with the City Attorneys assistance to say both of those things and place a sixty day window on that.

- He realizes time is of the essence and again we run into the problem with the seven day requirement to get something on the agenda and he hopes they can talk about that at a later date.
- We really need to have this on the agenda a week from tonight so we can move forward with the collection of revenue.

Mayor Lockwood

- He would agree with that and to add to that we want to be specific to our citizens and what we are allowing them but also explain the process after it goes past the sixty day window.

City Manager Lagerbloom

- Will have to speak with the City Attorney about the payment plan and whether the gratuity clause kicks in there.

Mayor Lockwood

- He thinks if you bring up a payment plan then immediately people are not going to pay.

Councilmember Lusk

- Asked if registered letters had been sent out.

Finance Manager Inglis

- The letters sent out were not registered.

Councilmember Thurman

- She would like to have certified letters to those that owe greater than a special amount including the development community that may have fifteen or twenty.

Finance Manager Inglis

- Staff can do that and add the certified letter charge to the tax account.

Councilmember Zahner Bailey

- Asked if after the time period noted would we go with the third party or would be an additional element of review at that juncture.

City Manager Lagerbloom

- Thinks they need to explore it a little farther and bring back some more definitive answers.

City Clerk Marchiafava read agenda item #5.

Discussion and update on the Police Department's performance and organizational structure.

City Manager Lagerbloom

- He would like to handle items 5 and 6 together since one a product of the other and vice versa.
- Would like to accomplish a couple of things and the first is to talk about department performance.
- He would like for the two department heads lay out the foundation for where we see the departments going.
- Our request and hope is Council will support doing away with the position he held for some organization efficiency and for some cost savings.
- This has a cost savings of more than \$100,000.

Deputy Chief of Police Deborah Harrell

- She has been here since February 2007 and she was fortunate to help with some of the start up of the Police Department.
- She has lived in Cobb, Bartow, Cherokee or Forsyth and she just moved seven miles from here.
- Her husband is a Major at the Johns Creek Police Department.
- She has a bachelor's in psychology and a master's in public administration.
- She worked for the Cherokee County Sheriff's Office from 1994 to 2007.
- She worked in investigations, patrol, internal affairs, policy and grant writing.
- She has also been an active national assessor for the accreditation of the Commission on Accreditation for Law Enforcement Agencies.
- She has traveled all over the county assessing other police departments.
- She does the same thing at the state level for state certification through the Georgia Chief's Association.
- She attended a Georgia Law Enforcement Professional Management program through Columbus State.
- A brief summary of what the police department did in 2008.
- We did about 42,000 business checks and 31,000 subdivision checks.
- We wrote 353 accident reports and made 300 into arrest.
- We wrote 3,700 traffic citations and 1,500 warnings.
- We started a citizen's police academy which is currently in its second run.
- We acquired a second canine.
- Initiated traffic safety check points and worked in cooperation with the Woodstock Police Department.
- They helped us with man power and we helped them with man power.
- We increased the supervisor coverage on each shift with the addition at the sergeant level.
- Currently we have 20 patrol officers and that includes the sergeants and lieutenants.
- We do have 2 conditional job offers out for 2 openings.
- We have 2 detectives one of which is the lieutenant who supervises.
- We have 1 deputy chief.
- We have 1 administrative assistant which she shares with the fire department.
- We also have 1 records clerk that is shared with fire.
- We have 1 part time crossing guard.
- If anyone has any questions about turnover she can supply that information at a later date.
- She does not think we have a large turnover, we have a good agency.
- We want to divide the police department into two divisions and that will require taking two lieutenants and promoting them to Captain.
- We would have an administrative services captain and an operations captain.
- She gave them a list of things the captain would do or they would supervise the person doing it.
- The administrative services captain would handle our internal affairs investigations.
- They would also supervise criminal investigations, the crime prevention and community relations officer, fleet maintenance, they could act as the school liaison.
- They would supervise the person that handles training and then that person would be available to do crime analysis either on a monthly, quarterly, yearly basis or as special projects or topics come up.
- The operations captain would be in charge of patrol, the field training program, and citizen's police academy.
- They would act as a special events coordinator.
- They would handle public information, traffic enforcement and they would supervise the crossing guard.
- A lot of these tasks are things she currently handles but she does not really have time to be proactive and to be visionary to do a lot of quality assurance checks.
- The loss of Chris Lagerbloom is very painful but this will give us two people to pull off the road and help.

- The new organizational chart shows instead of her supervising five lieutenants, she will then supervise two captains who will then supervise the lieutenants on down.
- Her vision for administrative services officer under the admin captain is not answering 911 calls and not taking reports but full time interfacing with the community.
- That is the place where the public feels like they have their “in” to the police department.
- She feels like that is a position they have needed since the beginning.

Councilmember D’Aversa

- When she was on the steering committee she would hear Chris talk about the public safety department where fire and police were under the Public Safety Director and everyone was working together in concert.
- Asked how that vision has changed.

City Manager Lagerbloom

- There are a lot of concepts about the public safety model that he still likes.
- The biggest of that is the relationship forming between the officers and the fire fighters.
- From an organizational perspective they learned that there are years of tradition in both the police and fire service and no matter how hard they work to try and force those traditions together, they were almost forcing too hard and they were met with trying to make the two disciplines be the same and it just did not work from a moral perspective.
- He has learned the two different cultures and where they provide needed functions for a city.
- The public safety model was a benefit when it came to budget time because we would submit one budget request.
- Even by going in this direction we really have not changed the reporting structure in the public safety department and the city.
- We are still on the same team working together as the same team.
- They just did not see the same results he had hoped they would have seen.
- He thinks the agencies will function better by having their own traditions and history to rely upon.

Mayor Lockwood

- Commended City Manager Lagerbloom for trying something new that he thought would work well but he double commends him for stepping back and saying it is not working and giving us another direction to go.
- That is part of the reason we wanted him to be the City Manager.
- Public Safety did not lose him and the beauty of it is the chiefs can still go to him and he is part of the team.

Councilmember Lusk

- Asked how this will affect the presence on the road.

Chief Harrell

- There was a lieutenant on each shift and now there will be two lieutenants that will cover two shifts.
- She told them their first priority is man power coverage on the road.
- We are fortunate in that those two lieutenants you could not keep off the road if you tried so this works.
- They will still be active and on the streets.
- This will be a slow change.

City Manager Lagerbloom

- Introduced Chief Bob Edgar.

- We had a change in the fire leadership a while ago and he spent more time making sure we made the right pick.
- We have an agency at this point that is stable and they are very confident in the leadership.

Deputy Chief of Fire Robert Edgar

- Appreciates the opportunity to address Council and hopes he has many more opportunities to brag about the fire department.
- It is one of the most professional and best trained departments that he has seen in a long time and he is very proud to be a part of the team.
- He has been here since October 2008.
- He started his career in the City of Fort Lauderdale.
- He spent 29 years there and worked his way from a fire fighter to the assistant chief position.
- The areas of his responsibility were fire operations, elms, fire training of scanners and fire prevention.
- He is a Florida certified fire fighter as well as a state of Georgia certified fire fighter.
- He is and EMT paramedic.
- He has a bachelor degree in fire safety engineering technology.
- He is certified in NIMS.
- He is certified in advanced incident command and he has also attended the University of Maryland National Fire Service Staff and Command course.
- The total department positions including the deputy chief is 53.
- We have one captain on each shift that runs the operations of the shift.
- We have one captain that is responsible for training and health and safety and that is more of an administrative position.
- We have 12 fire lieutenants and 36 fire fighters.
- In 2008 Milton responded to 31 structure fires, 23 brush fires, 7 vehicle fires and 560 EMS calls.
- We participated in 171 community events.
- We conducted 41 building inspections and also conducted pre fire planning of those buildings.
- We have inspected over 1,300 fire hydrants which includes flow testing.
- Also we are entering as GPS co ordinance into our new firehouse software so we will have that at our fingertips at all times.
- The way we would like to see the fire department is the fire chief's position which is organizing and managing the activities of the fire department.
- They would like to add the battalion chief's position which is basically reclassifying the captains to battalion chief which is more of a tradition within the fire service when you have that chain of command.
- The battalion chief will be responsible for the operational duties that they are doing now as a captain but they will also have additional administrative responsibilities.
- Within that will be special details, fire prevention activities, school events and public education things.
- It will be better organized than with one person handling it.
- We will still maintain our captain of fire training and health and safety.
- One of our most critical positions is the training officer and health and safety officer.
- They make sure we are trained and meet all of our certifications.
- Our front line supervisor is the lieutenant.
- They are in charge of the fire apparatus.
- This is the first person the community will see and interact with.
- We have 12 lieutenants and we want to reclassify and solidify our driver's position.
- Right now we do not have a specified position for driver engineer or fire apparatus operator.
- That is another critical position within the department.
- That person will make sure our equipment is working properly and is ready to go at any time.

-
- Our fire fighters are the last person that makes up that team and the important thing is that we all work together as a team.
 - His goal is to continue what we are doing in the community.
 - The Milton Firefighters are out there all of the time and he is very impressed with the community activities they are doing and how they represent the department.
 - It does great things for the department and the community.
 - Another thing he is excited about is the public access AED program.
 - We have been given five AEDs through the American Heart Association.
 - The goal is to place those in public buildings such as City Hall.
 - Once we place those we will put in a community CPR program.
 - We will train all city employees then branch out utilizing the fire fighters that are certified instructors to teach CPR to the community.
 - We are always involved in helping charitable events so we will be out there holding the booth and collecting money for organizations.
 - Our fire fighters will be climbing the fifty stories in Climb Atlanta and he will be out there as well.

Councilmember Lusk

- There are 12 driver engineers listed and he asked if they are the only ones qualified to drive the equipment.

Deputy Fire Chief Edgar

- He wants to make that more of an official and tested position.
- They just completed driver apparatus or fire apparatus operator training and we put the whole department through that but he wants to have a competitive process where everyone can compete for the position.
- They will choose 12 based on that and everyone else who went through the process will be people that back fill when the others are off.
- There will be a constant mentoring program going on.

Councilmember Tart

- He knows we need to tabulate the number of community events, building inspections and pre-fire, asked if there are time frames that we accomplish the customer service type business to make it outcome base versus output base in terms of getting that done within a certain time frame and what that means to our overall safety as a city versus output.

City Manager Lagerbloom

- The one thing he has learned about the fire service is that they are very systematic and programmed to the extent that they have certain duties around the fire station every day.
- They have touched every fire hydrant in the City of Milton and do that every year.
- As far as outcome based there are certain things that happen every year.

Councilmember Tart

- Asked how many of the positions had gone through three hundred, four hundred level ICS training.

Fire Deputy Chief Edgar

- All of our supervisors have received up through the four hundred series.
- We have some fire fighters that have also taken that course and all of the fire fighters have taken the one and two hundred.

Deputy Police Chief Harrell

- On the police side she thinks everyone has had one, two and seven hundred and she has had all of them.

Councilmember Tart

- Asked if they were web based.

Deputy Police Chief Harrell

- Yes

Councilmember Tart

- Web courses are great because they allow everybody to take them but he thinks the principals do not sink in until you go through the class room three and four hundred.

Deputy Police Chief Harrell

- She only has two that need to go to three hundred and four hundred and everybody will have met the minimum.
- The supervisors need to go to the three and four.
- They have talked about doing table top exercises and live training exercises and we will get there.
- She is comfortable with the ICS training so far and she is comfortable they have a plan moving forward.

Deputy Fire Chief Edgar

- Each of our training exercises on the fire side incorporates NIMs.
- We train our people to establish command and go through the full process.

Councilmember Tart

- If there is any type of major event they will have to be incorporated in the Atlanta regional structure because they will probably take the lead and he wants to make sure all of our officers are fully trained so they can incorporate themselves into the structure easily.
- Asked if it would be considered a promotion for the 12 driver engineers.

Deputy Fire Chief Edgar

- Yes.

Councilmember Tart

- Asked what the comparison of cost would be in eliminated the director position and going this route with all of the promotions.

City Manager Lagerbloom

- The promotion of the fire apparatus operators is something that was contemplated in the budget so this is just an opportunity to make that happen.
- The impact of this in the fire is roughly \$22,716 and in the police is just over \$9,000.

Councilmember Tart

- We are talking about \$31,000 versus over \$100,000.

City Manager Lagerbloom

- By the time we do benefits, salary and the car that we have freed up we tallied it to be \$150,000 so the saving we estimate by doing this although it enhances both agencies the savings is in excess of \$100,000 by moving in this direction.

Mayor Lockwood

- We are proud to have both Bob and Deb.
- We get positive comments on public safety and that is one of the positive things of being a city.

Councilmember Lusk

- In reference to the fire hydrants, he understands we are building a tank and asked if this would help the pressure.

Deputy Fire Chief Edgar

- Any water tank facility would increase their pressure.

Councilmember D'Aversa

- Asked if the horse rescue training and the defensive driving for the young people were included in the events listed or if they were additional things they had done this past year.

Deputy Fire Chief Edgar

- They are additional.
- The horse rescue team has really kicked off in the last five or six months.

City Clerk Marchiafava read agenda item #7.

Discussion on the Sign Ordinance.

Councilmember Hewitt

- We have had some people come before us in the past with public comment and he has had some people come to him on the Sign Ordinance and his thought process is to see if Council would like for staff to look into some things that may make the Ordinance more suited or more fitting to our area.
- The main thing that comes to his mind is the setbacks for the temporary signs.
- As it currently is it is right-of-way plus ten feet.
- He would like to see if they can make it more enforceable and realistic.

Mayor Lockwood

- He has received a lot of concerns on our Sign Ordinances from businesses and homeowners.
- He would be in support of taking a look at some of the issues.

Councilmember D'Aversa

- Asked how we are with the enforcement now.
- In general terms are we letting people slide by a little bit.
- Asked what our policy is on enforcement before we send code enforcement to them.

City Manager Lagerbloom

- The small signs in particular are a challenge because they pop up almost as fast as we can deal with them.
- We enforce our Sign Ordinance as it is appropriate.
- There is a balance in Code Enforcement that we have been working on in the last couple of months as to whether you want a proactive code enforcement or if you want a code enforcement that does act on some proactive type work.
- There is a strong balance that needs to happen especially in a place like Milton.
- There are some things we need to be on faster than others.

Community Development Director Wakefield

- We try to be very proactive in our code enforcement but we also try to work with the violator to bring them into compliance.
- The biggest headache as was mentioned is the small signs that pop up mainly on weekends.

- Signs are an ongoing problem.
- She has heard complaints from day one about the Sign Ordinance being too restrictive but on the other hand there are some community people that think it is too liberal.
- We also have the Freedom of Speech law that we have to be concerned about.
- Most of the time people just do not know that they are in violation.
- Based on the clarification to the BZA, it is going to be more and more difficult get any type of sign variance so from that point it is definitely more restrictive.
- Johns Creek revisited their Sign Ordinance to try and give a little more flexibility.
- There is nothing in the Ordinance that says you cannot put the banner on the fence.
- There was something previously in the County Ordinance that talked about how you would install a banner but in the current Ordinance there is nothing that says you cannot put it on the fence.

Councilmember Tart

- So in the past when we have given lead way with regard to graduation banners on HOA fences or entry ways, asked if she was saying the Sign Ordinance did not address that anyway.

Community Development Director Wakefield

- It addresses temporary banners which is how those are regulated.
- It talks about the size and the duration but not how the banner is installed.
- They do have to have a permit.

Councilmember Tart

- Asked if real estate signs were considered temporary information signs.

Community Development Director Wakefield

- Every property is allowed a two square foot sign which a real estate sign would fall in that category.

Councilmember Tart

- The zoning code calls for three feet landscape strip off the right-of-way and he would like to look at the setback type of things in the Sign Ordinance.

Councilmember Lusk

- He suggests they take a look at Johns Creek's revised Sign Ordinance and see what they came up with and maybe we can avoid re-inventing the wheel completely.
- He has heard from several business owners at Birmingham Crossroads that signage is an issue there and that community is struggling to survive.
- Crabapple Crossroads are probably going through the same issues also.

Councilmember Thurman

- It is a balancing act to make sure our Sign Ordinance ensures the character of the community is not negatively impacted by the signs while the same time ensuring businesses are able to be viable within the community.
- She would be in favor of seeing what kind of tweaking we need to do to get the balance right.

Councilmember Zahner Bailey

- She concurs with looking at some specific items that have to do with the setback for temporary signs.
- This is different, however, than opening up the entirety of our Sign Ordinance.
- We went through a lot of effort on the Sign Ordinance both within and outside of the Overlay areas including extensive community input. The extensive process dealt with the freedom of speech issues and legal issues and also addressed some of the master plans and overlays that are part of the Sign Ordinance.

- She hopes they are not talking about redoing those Overlays.
- There is a balance between ensuring the character of the area is maintained and preserved including appropriate signage and ensuring signs are consistent with the mission and values of Milton and our citizens.
- We need to be cautious that we do not modify a Sign Ordinance to such an extent because of current economic environments.
- She does not think that the viability of a business is directly correlated with the size of a sign.
- Citizens have expected and continue to expect Milton to have appropriate signage that is more attractive than other communities and not as negative, visually, as signage in other communities. Inappropriate signage can quickly degrade the look and feel of an entire community.
- She would like to think Milton will remain a unique entity including upholding the sign ordinance for Milton.
- Milton and Johns Creek are significantly different including their signs on the street and the amount of signage that Milton citizens historically have had a willingness to accept. In looking at other jurisdictions sign ordinance, we need to ensure we hold true to the mission and values of Milton versus becoming a “look alike” of non-Milton jurisdictions. We need to retain the special character of Milton.

Mayor Lockwood

- He thinks that was mentioned, not to say we have to have the same Ordinance that Johns Creek has.

Councilmember Zahner Bailey

- She appreciates that and she thinks it is an important distinction.

Councilmember Hewitt

- He does not want to reinvent the wheel but he thinks some fine tuning in places might make it a little friendlier so he would like to see any concerns looked at.
- It would take some staff time to do but it would come back to us for the final decision.

Mayor Lockwood

- Community Development Director Wakefield know it better than anyone so maybe staff could come back with a report on the top issues that come up.
- He agrees with not opening the whole Sign Ordinance but if we could get an idea of the issues that come up the most, it would be better.

Councilmember Tart

- He thinks it is a good idea to look at other jurisdictions ordinances with regard to signs with the understanding that we are unique.
- He thinks we should look at other similar jurisdictions.
- He knows there is pending litigation with the billboard and asked if we started changing that Ordinance if it would endanger our footing going forward.

City Attorney Jarrard

- That is a great question and the outcome of that litigation will be based on the Sign Code that was in play when the litigation accrued.

Councilmember Zahner Bailey

- She would hope we are going into this with the assumption there may be some things we need to strengthen and/or clarify and that we are not presuming that every change to be contemplated is to allow for more or bigger signs.
- We also need to make sure that all of our codes and policies are consistent from one document to another.

Mayor Lockwood

- He does not have any preconceived notion of any specifics and asked Community Director Wakefield if she agreed that is something they need to address.

Community Development Director Wakefield

- Yes, they look at it both ways.
- There are certain sections that do need further clarification.
- For example in the AG1, there is no restriction on the height of the sign and that will be coming before Council very soon so there are places where there are holes that need to be plugged and there may be some places where we need to relax it.

Councilmember Tart

- Last year during the campaign, every real estate and campaign sign were snatched up and you basically had to put them all the way in the front porch of some of the houses and he does not think that is what we really intended especially in regard to real estate signs.

Mayor Lockwood

- He agrees and we have been a city for almost three years and sometimes you have to go back and look at things to see what works and what does not.
- In moving forward he would like to have staff work with the City Manager to get maybe the top five or ten issues that reoccur that could be brought back before Council for discussion and make a decision to explore those items or not.

Councilmember D'Aversa

- She was hearing we were going to tighten up the Sign Ordinance.
- She thinks we have a lot of ordinances that may need to be looked at again.

City Clerk Marchiafava read agenda item #8.

Discussion on a Lease Assignment Agreement with CH2M HILL.

City Attorney Jarrard

- This is a document that has been discussed for awhile.
- It is basically to make official the this has worked for awhile which is to assign the lease for City Hall to the City where it rightfully needs to be.
- It would make us the sub-tenant of City Hall and that would give us the right to engage in certain negotiations if needed to discuss renewals and options and all of the things the City should have the direct legal right to do.
- This has been vetted with CH2M Hill's attorney.
- It is fairly modest in scope but it does not need to be an entire lease.
- It simply needs to provide that we will be the sub-tenant in the driver's seat of the lease that we will indemnify CH2M Hill and they remain liable to the landlord as most sub-tenant relationships occur.
- If the sub-tenant defaults on a payment, the landlord can still go back to the tenant and get payment so we would agree to indemnify them but on the other hand in section 2 it says, and by the way CH2M Hill cannot get in the way of any of your obligations as well or they are in trouble.
- It is straight forward and would provide in sections 4 and 5 our ability and legal authority to engage in both renewals and options and in all of the discussions that the City may need to discuss with the landlord.
- He recommends putting this on the next regular meeting, preferably on the Consent Agenda.
- The landlord will be a signatory as well on this document as expected.

Mayor Lockwood

- That seems pretty clear cut.

City Manager Lagerbloom

- Asked if Council wanted to have the CPAC group address a City Center as part of their deliberation.
- They need to put an agenda together and she was unsure.

Councilmember Tart

- We had talked previously about the need to get their input as well as having some potential community input as well.

Councilmember Zahner Bailey

- She would agree.

Councilmember D'Aversa

- She hates to bring this up in this forum but we have a dumping problem on Highway 9 and when she saw the rats she was walking with a friend to get where we are going to start to walk.
- People are throwing everything but the kitchen sink out of their windows.
- There is a TV and all sorts of things.
- We do not see a lot of trash in Milton and this is the one area where it is embarrassing so we need to be proactive and she would like to know what they can do.

Councilmember Tart

- When he first took office he found out that GDOT and they did a clean sweep and started sending violation notices to the property owners.
- If it is not in the right-of-way then it becomes the property owner's responsibility.

Councilmember D'Aversa

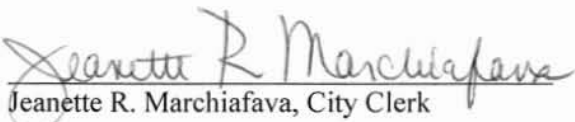
- They could not have done anything in the past six months.

City Manager Lagerbloom

- He forwarded her e-mail to Public Works Director Drake and it is on a follow up before the end of the week.

After no further business, the Work Session adjourned at 8:45 p.m.

Date Approved: April 13, 2009


Jeanette R. Marchiafava, City Clerk


Joe Lockwood, Mayor