



## CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

### CITY COUNCIL

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

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Monday, March 16, 2009

ACTION MINUTES

6:00 PM

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### 1) CALL TO ORDER

### 2) ROLL CALL

### 3) PLEDGE OF ALLEGIANCE

**(Agenda Item No. 09-821)**

### 4) APPROVAL OF MEETING AGENDA

Staff recommended the following change to the Meeting Agenda

1. Under New Business, Remove agenda item 09-825, Approval of a Resolution in Support of Creating a Culture of Universal Accessibility for all Residents and Visitors in the City of Milton.
2. Add an Executive Session to discuss potential land acquisition.

**Motion and Vote:** Councilmember Tart moved to approve the Meeting Agenda, as amended. Councilmember Hewitt seconded the motion. The motion passed unanimously 6-0.

### 5) PUBLIC COMMENT

### 6) CONSENT AGENDA

**(Agenda Item No. 09-822)**

1. Approval of the March 2, 2009 Regular Meeting Minutes.

**(Agenda Item No. 09-823)**

2. Approval of Financial Statements for the period ending February 2009.

**Motion and Vote:** Councilmember Thurman moved to approve the Consent Agenda. Councilmember Lusk seconded the motion. The motion passed unanimously 6-0.

### 7) REPORTS AND PRESENTATIONS

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Milton City Hall  
City Council Chambers  
13000 Deerfield Parkway, Suite E  
Milton, GA 30004

***Persons needing special accommodations in order to participate in any City meeting should call 678-242-2500.***

1. A Proclamation Recognizing Zachary Eller, State Honoree in the Prudential Spirit of Community Award.

## 8) FIRST PRESENTATION

## 9) ZONING AGENDA

### **(Agenda Item No. 09-824)**

1. **ZM08-08/VC08-08** South side of Webb Road by Ken Morton, Webb Road Associates To modify Condition 2.a. of 05Z-029 (ZM05-063), to revise the approved site plan in order to provide 33,286 square feet of two-story office buildings. The applicant is requesting two concurrent variances:
  - 1) To reduce the side yard setback from 20 feet to 10 feet along the east and west property lines (Article 8.1.3.C).
  - 2) To reduce the minimum rear setback from 25 feet to 10 feet along the south property line (Article 8.1.3.D).

**Motion and Vote:** Councilmember Tart moved to approve ZM08-08, to revise the site plan and deny the variance by eliminating conditions 3b and 3c of the recommended conditions, and amend condition 3g to add the trees will be recompensed with 6” caliper trees on site. Councilmember Zahner Bailey seconded the motion with a friendly amendment to add the 4 board black fence around the above ground detention pond. The motion failed 2-4, with Mayor Lockwood, Councilmember Thurman, Councilmember Lusk and Councilmember Hewitt opposed.

**Motion:** Councilmember Thurman moved to approve Agenda Item 09-824 **ZM08-08/VC08-08** South side of Webb Road by Ken Morton, Webb Road Associates, To modify Condition 2.a. of 05Z-029 (ZM05-063), to revise the approved site plan in order to provide 33,286 square feet of two-story office buildings. The applicant is requesting two concurrent variances:

- 1) To reduce the side yard setback from 20 feet to 10 feet along the east and west property lines (Article 8.1.3.C).
- 2) To reduce the minimum rear setback from 25 feet to 10 feet along the south property line (Article 8.1.3.D).

**Second and Vote:** Councilmember Hewitt seconded the motion. The motion passed 4-2, with Councilmember Zahner Bailey and Councilmember Tart opposed.

## 10) UNFINISHED BUSINESS

## 11) NEW BUSINESS

### **(Agenda Item No. 09-825)**

*Removed by Motion and Vote*

1. Approval of a Resolution in Support of Creating a Culture of Universal Accessibility for all Residents and Visitors in the City of Milton.

**(Agenda Item No. 09-826)**

2. Approval for the Fire Department to Submit a Grant Application to Firehouse Subs Public Safety Foundation for the Purchase of R.I.T. pack Firefighter Safety Devices.

**Motion and Vote:** Councilmember Tart moved to approve Agenda Item 09-826, Approval for the Fire Department to Submit a Grant Application to Firehouse Subs Public Safety foundation for the Purchase of R.I.T. pack Firefighter Safety Devices. Councilmember Lusk seconded the motion. The motion passed unanimously 6-0.

**(Agenda Item No. 09-827)**

3. Approval of a Change Order to increase the CH2MHILL contract amount for Financial and Land Use Planning modeling (Additional Services) for a sum of \$10,000.

**Motion and Vote:** Councilmember Lusk moved to approve a Change Order to increase the CH2MHILL contract amount for financial and Land use Planning modeling (Additional Services) for a sum of \$10,000. Councilmember Thurman seconded the motion. The motion passed unanimously 6-0.

**(Agenda Item No. 09-828)**

4. Approval of a Resolution to Amend Resolution No. 08-12-58, A Resolution Adopting the 2009 City of Milton City Council Regular Meeting and Work Session Schedule to Change the May 2009 Meeting dates.

**Motion and Vote:** Councilmember Tart moved to deny a Resolution to Amend Resolution No. 08-12-58, a Resolution Adopting the 2009 City of Milton City Council Regular Meeting and Work Session Schedule to Change the May 2009 Meeting dates. Councilmember Hewitt seconded the motion. The motion passed unanimously 6-0.

**12) MAYOR AND COUNCIL REPORTS****13) STAFF REPORTS**

*Added by Motion and Vote*

**14) EXECUTIVE SESSION**

**Motion and Vote:** Councilmember Tart moved to adjourn into Executive Session at 8:32 p.m. Councilmember Hewitt seconded the motion. The motion passed unanimously 6-0.

**RECONVENE**

**Motion and Vote:** Councilmember Tart moved to reconvene the Regular Meeting at 9:00 p.m. Council Zahner Bailey seconded the motion. The motion passed unanimously 6-0.

**(Agenda Item No. 09-829)****15) ADJOURNMENT**

**Motion and Vote:** Councilmember Lusk moved to adjourn the meeting at 9:02 p.m. Councilmember Hewitt seconded the motion. The motion passed unanimously 6-0.