



## 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, May 18, 2009**

**Action Minutes**

**6:00 PM**

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#### 1) CALL TO ORDER

#### 2) ROLL CALL

#### 3) PLEDGE OF ALLEGIANCE

**(Agenda Item No. 09-860)**

#### 4) APPROVAL OF MEETING AGENDA

Staff recommended the following changes to the Meeting Agenda:

1. Under New Business, add a Resolution Amending Resolution No. 07-06-45, a Resolution Appointing Mark Reed to the City of Milton Advisory Committee for the City of Milton Comprehensive Plan.
2. Add an Executive Session to discuss potential litigation.
3. Councilmember Lusk recommended adding under Reports and Presentations, a Proclamation for Birmingham Park Clean Up.

**Motion and Vote:** Councilmember Lusk moved to approve Agenda Item 09-860, Approval of the Meeting Agenda, as amended. Councilmember Thurman seconded the motion. The motion passed unanimously 7-0.

#### 5) PUBLIC COMMENT

#### 6) CONSENT AGENDA

**(Agenda Item No. 09-861)**

1. Approval of the May 4, 2009 Regular Meeting Minutes.

**(Agenda Item No. 09-862)**

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

**(Agenda Item No. 09-863)**

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

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3. Approval of the land development plats:
- |                                  |                  |  |
|----------------------------------|------------------|--|
| a. Crooked Creek                 | Combination Plat | Combine two parcels prior to development                                   |
| b. Six Hills III, Lot 56         | Milton Plat      | Moved property line to save trees  |
| c. The Shops at Windward Village | Final Plat       | Create three out-parcels per Petition No. 2003Z-0081 NFC & 2003VC-0111 NFC |

**Motion and Vote:** Councilmember Thurman moved to approve the Consent Agenda. Councilmember D’Aversa seconded the motion. The motion passed unanimously 7-0.

## 7) REPORTS AND PRESENTATIONS

### 8) FIRST PRESENTATION

**(Agenda Item No. 09-864)**

1. Approval of an Ordinance of the City Council to Authorize Fulton County to Conduct Election.

**Motion and Vote:** Councilmember D’Aversa moved to approve Agenda Item 09-864, First Presentation for Approval of an Ordinance of the City Council to Authorize Fulton County to Conduct Election. Councilmember Thurman seconded the motion. The motion passed unanimously 7-0.

## 9) ZONING AGENDA

**(Agenda Item No. 09-813)**

1. **U09-01 / VC09-01**, 13120 Arnold Mill Road, by Frank Schaffer, The Landscape Group, Inc. - To obtain a use permit for a landscaping business on 1.74 acres at a density of 3,908.04 square feet per acre (Article 19.4.27). Applicant is also requesting 3-part concurrent variance:
  - 1) To delete the 50’ buffer and 10’ improvement setback along the west property line from the right-of-way for a distance of 140’ (12H.3.1 Section C.1).
  - 2) To delete the 50’ buffer and 10’ improvement setback along the east property line from the right-of-way for a distance of 140’ (12H.3.1 Section C.1).
  - 3) To allow a sign located less than 10’ from the right-of-way (Article 33 Section 21.C). (First Presentation on March 2, 2009.) (Deferred on April 27, 2009.)

**Motion:** Councilmember Hewitt moved to defer until June 15, 2009, Agenda Item 09-813, **U09-01 / VC09-01**, 13120 Arnold Mill Road, by Frank Schaffer, The Landscape Group, Inc. - To obtain a use permit for a landscaping business on 1.74 acres at a density of 3,908.04 square feet per acre (Article 19.4.27). Applicant is also requesting 3-part concurrent variance:

- 1) To delete the 50' buffer and 10' improvement setback along the west property line from the right-of-way for a distance of 140' (12H.3.1 Section C.1).
- 2) To delete the 50' buffer and 10' improvement setback along the east property line from the right-of-way for a distance of 140' (12H.3.1 Section C.1).
- 3) To allow a sign located less than 10' from the right-of-way (Article 33 Section 21.C).

**Second and Vote:** Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

## 10) UNFINISHED BUSINESS

## 11) NEW BUSINESS

### *Added by Motion and Vote*

A Resolution Amending Resolution No. 07-06-45, a Resolution Appointing Mark Reed to the City of Milton Advisory committee for the City of Milton Comprehensive Plan.

### **RESOLUTION NO. 09-05-94**

**Motion and Vote:** Councilmember Zahner Bailey moved to approve a Resolution Amending Resolution No. 07-06-45, a Resolution Appointing Mark Reed to the City of Milton Advisory Committee for the City of Milton Comprehensive Plan. Councilmember D'Aversa seconded the motion. The motion passed unanimously 7-0.

## 12) MAYOR AND COUNCIL REPORTS

## 13) STAFF REPORTS

## 14) EXECUTIVE SESSION

### *Added by Motion and Vote*

Executive Session to discuss potential litigation.

**Motion and Vote:** Councilmember Tart moved to adjourn into Executive Session at 6:53 p.m. Councilmember D'Aversa seconded the motion. The motion passed unanimously 7-0.

## RECONVENE

**Motion and Vote:** Councilmember Zahner Bailey moved to reconvene the Regular Meeting at 7:28 p.m. Councilmember Tart seconded the motion. The motion passed unanimously 7-0.

### **(Agenda Item No. (09-865))**

## 15) ADJOURNMENT

**Motion and Vote:** Councilmember Thurman moved to adjourn the Regular Meeting at 7:31 p.m. Councilmember Tart seconded the motion. The motion passed unanimously 7-0.