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The Regular Meeting of the Mayor and Council of the City of Milton was held on August 17, 2009 at 6:00 PM, Mayor Joe Lockwood presiding.

INVOCATION

City of Milton Police Chaplin Remco Brommet 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 Julie Zahner Bailey, Councilmember Bill Lusk, Councilmember Burt Hewitt, Councilmember Tina D'Aversa, Councilmember Alan Tart

PLEDGE OF ALLEGIANCE

Mayor Lockwood led the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

Staff recommended the following change to the meeting agenda:

1. Add an Executive Session to discuss potential land acquisition and pending litigation.

Councilmember Tart recommended removing item 4 under New Business, Approval of a Resolution relating to a recommended location for the Milton library.

Motion and Vote: Councilmember D'Aversa moved to approve Agenda Item 09-910, Approval of Meeting Agenda, as amended. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

PUBLIC COMMENT

Mayor Lockwood

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

Bill Anderson, 565 Kensington Farms Drive, Milton, Georgia

- He is speaking about the removed resolution on the Milton library sighting.
- He thinks they need to take the politics out of the recommendation.

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- The decision should be based strictly on the demographics of Milton, where the population centers are, where the schools are, and how the public may best be served.

Buck Bell, 13225 Bethany Road, Milton, Georgia

- He agrees with Mr. Anderson, but he does want to support their thinking on this project.
- He thinks of Crabapple because it is near and dear to him and to the City.
- It is one of the only places they have like this and they have a great opportunity to make it into something special.
- Keep the partisanship out of this and make the right decisions.

Leon Cole Jr., 16700 Birmingham Hwy., Milton, Georgia

- He wanted to make sure they were aware of the 116 acres on Freemanville Road the Board of Education owns.
- He heard that the Board of Education is going to sale the remaining land and he would like to suggest that consideration be given to that spot for the library.
- It is centrally located.
- That library will be around for 50 or 100 years and who knows what kind of transportation issues there will be in the future.
- The second thing is the City Center.
- He went to Duluth and to Suwannee and their City Halls are gorgeous.
- He especially liked the one in Duluth because of the green space.
- He would like us to come up with something even better than Duluth's City Hall and encouraged them to go see it if they had not already.

That completed public comment.

CONSENT AGENDA

City Clerk Marchiafava read the Consent Agenda items.

1. Approval of the July 27, 2009 Special Called Work Session Minutes.
(Agenda Item No. 09-911)
2. Approval of the August 3, 2009 Regular Meeting Minutes.
(Agenda Item No. 09-912)
3. Approval of Financial Statements for the period ending July 2009.
(Agenda Item No. 09-913)
4. Ratification of a Release from Fulton County Georgia.
(Agenda Item No. 09-914)

Motion and Vote: Councilmember Hewitt moved to approve the Consent Agenda. Councilmember Lusk seconded the motion. The motion passed unanimously 7-0.

REPORTS AND PRESENTATIONS

City Clerk Marchiafava read the presentation item.

Presentation and questions/answers relating to the new library in Milton.

Mayor Lockwood

- Asked Councilmember D'Aversa to introduce Mr. Szabo.

Councilmember D'Aversa

- She thanked John Szabo for attending the meeting.
- We had quite a number of e-mails circulating to the Council and throughout the City about the library because we are all rightly so, very excited about it.
- He is here to answer some questions on some things she did not think it was really the Council's position to make comment on.
- Hopefully, a lot of people are watching tonight that have some questions about what the specifications are for the library and what the library board looks for. She wanted to thank the entire board for selecting Milton to have a library.
- First and foremost we are thrilled to have a library and, secondly, we would love to know exactly from his perspective what the community needs to know about this process.

John Szabo, Director, Atlanta-Fulton Public Library System

- It is a pleasure to be here in the City of Milton and also it is a pleasure to be having this conversation and to be able to talk about a new 25,000 square foot branch library for Milton.
- There is some question as to whether that is reality.
- It is indeed coming.
- It was very evident early on that we had not and were not doing a good job of providing library service in the geography of Milton nor Alpharetta so a new 25,000 square foot library was recommended.
- It went through our Library Board of Trustees and also through the Board of Commissioners of Fulton County.
- There are ten projects in the first phase of the library's facilities master plan that voters approved and the Milton library is one of them.
- All of these projects are collectively the priority.
- There are a number of first steps in this process and one of the first is bringing program management on board.
- The total project cost with everything included, furniture, land acquisition, construction is 167 million dollars for all ten of those projects.
- We are very anxious to bring program management on board to not only help to some degree with site selection, but also in developing the process to select architects and engineers and the rest of the process.
- Involvement from citizens has really been the hallmark of this entire process and it has been a process that has been characterized by a lack of controversy and a lot of that is because we really seek citizen input.
- Another major effort is site selection and we are very anxious to complete that process.
- Our library board, a group obviously instrumental in this entire process, has adopted a set of site selection criteria.
- We want to build a library that obviously has easy pedestrian and bicycles access and easy egress and ingress from vehicular traffic, proximity to schools, and public transportation if it is available.
- There are a number of items on this list and a number of acres needed for a 25,000 square foot or a 10,000 or a 15,000 and so forth.
- That site selection criteria can be found on the library's website which is afpls.org. Also our library board has adopted a site selection process which also available to citizens to see what the process is.
- We are always welcoming input and we will be back to the community when it is time to do another big first step and that is developing the building program.
- We are not going to create a prototype design and plop it into each of the communities where we are going to build a 25,000 square foot library.
- We really want each of the branch libraries we are building to specifically speak to each community and those community needs.
- Architect and engineer selection will probably not occur any earlier than 2010.
- He thinks the year 2011 can really be looked to as the year of construction and then opening thereafter.

- There is an opportunity to provide input, suggestions, and what people would like to see out of their library on the website.

Mayor Lockwood

- Asked if there was anything as a City they need to do or take any action.

Director John Szabo

- It would certainly be welcomed if the city did have a formal opinion on where they would like to see the library located in the community.
- Just to mention, ultimately this process will result in the Library Board of Trustees discussing where best to locate each of the libraries and then them ultimately make a recommendation of a single site to the Fulton County Board of Commissioners who will make the final decision.

Councilmember Lusk

- Asked if the libraries would be fitted with books, fixtures, furniture, and equipment, etcetera.

Director John Szabo

- Yes, they did a very good job in putting together the project prior to the bond referendum.
- One of our challenges will be to squeeze as much scope out of these project budgets as we can.
- The projects were soup to nuts and did include new collections, fixtures furnishings, equipment; even the one percent for public art was included in the budget, as it should be.

Councilmember Tart

- Asked if there would be some consideration given to the location of where the Alpharetta library is in conjunction to the Milton library to provide accessibility to citizens that would be equidistant to both cities?

Director John Szabo

- Yes and the new library for Alpharetta is a 25,000 square foot library that will be replacing the existing 10,000 square foot library at Mayfield and Canton.
- Our board in making their recommendations to the Board of Commissioners does not want to make each decision in a vacuum and independent of another.
- Where we locate Milton and where we locate Alpharetta should inform the decision on the other.
- There are certain locations that will be under consideration for Alpharetta that will be very good news for residents for certain areas for Milton and likewise from Milton for residents of Alpharetta and even Roswell and Johns Creek for that matter.
- Each decision is not done without thinking about the other.

Councilmember Zahner Bailey

- Obviously, citizen input has been extremely important and continues to be.
- Thank you also for the fact that you made it very clear that there will be no prototypes for those in Milton that love our uniqueness.

Director John Szabo

- It will be a more successful library if we do respond to the community in design as well.

FIRST PRESENTATION

City Clerk Marchiafava read Agenda Item 09-915.

Approval of an Ordinance Amending the Rules of Procedure for City Council meetings and Public Hearings for the City of Milton.

Motion and Vote: Councilmember Tart moved to approve First Presentation of Agenda Item 09-915, Approval of an Ordinance Amending the Rules of Procedure for City Council meetings and Public Hearings for the City of Milton. Councilmember Hewitt seconded the motion. The motion passed unanimously 7-0.

UNFINISHED BUSINESS

City Clerk Marchiafava read Agenda Item 09-907.

Approval of an Ordinance Authorizing the Exchange of Easements on the Crabapple Community Center Property.

ORDINANCE NO. 09-08-48

Carter Lucas, Principal Engineer

- In January of this year staff was directed to do an existing condition survey of the Crabapple Crossings property that the City owns.
- There were two reasons for that and one was to get an idea about the property itself and the existing encumbrances that may be on that property as well as to look at the potential relocation of an existing access easement that is on the property to really more accurately reflect how that access is actually granted on the property so that survey was completed.
- The existing easement on the property now that accesses the adjacent property runs right through that existing specimen oak tree.
- The thought was to more accurately represent that easement with the access that is out there which would move that easement.
- The easement is really a one for one swap.
- There is a little over 2,100 square feet on the existing easement.
- The proposed easement would be almost exactly the same so the easement that is being presented covers the exact same area as the existing one but really reflects where the access to that adjoining property is.
- The property also has an existing parking easement for the adjacent site on the north end and an existing sewer easement that runs from that property as well as from the adjacent property.
- On the south end of the property there is an existing access easement.
- The ordinance relates to the relocation of that existing access easement.

Councilmember D'Aversa

- Asked if everybody is in agreement with this exchange.

Principal Engineer Carter Lucas

- The final review of the easement location is going to be presented to them pending evaluation by Council.
- There have been discussions with them in general to review the location and how that would be laid out but no they have not seen the final document as of yet.

Councilmember Zahner Bailey

- Asked if he could confirm that this particular swap is not going to negatively impact the access for citizens to a City owned property that is also adjacent to this easement.

Principal Engineer Carter Lucas

- That is correct.

Councilmember Zahner Bailey

- She also wanted to verify that this swap of easements will not negatively impact those specimen trees but instead would hopefully help to enhance the longevity of those trees.

Principal Engineer Carter Lucas

- It does not negatively impact them.
- It really reflects the way access is today so unless we do something else to the trees, it does not positively impact them either.

Motion and Vote: Councilmember Lusk moved to approve Agenda Item 09-907, Approval of an Ordinance Authorizing the Exchange of Easements of the Crabapple community Center Property. Councilmember Zahner Bailey seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

NEW BUSINESS

City Clerk Marchiafava read Agenda Item 09-916.

Approval of a Resolution for Mayor and City Council to approve and sign a Memorandum of Understanding between the Georgia Department of Transportation and the Fulton County Board of Education for the Georgia Safe Routes to School Projects.

RESOLUTION NO. 09-08-100

Carter Lucas, Principal Engineer

- The City of Milton was fortunate enough to be selected under the Safe Routes to School Project to receive up to \$500,000 in funding to construct a number of projects intended to improve pedestrian and bicycle traffic to the schools.
- The City identified eleven projects under that grant and was awarded that.
- This agreement is an agreement with Georgia DOT to begin that process.
- The process will begin with a design and conceptual plan development for those projects.
- Of the eleven projects, they will work their way down through that project list.
- We have estimated that project list to be about \$496,000 and if we can get all of those done for the \$500,000 which is the cap on those grants, we certainly will.
- This agreement is one that is a little bit unusual in that it is 100% grant and once we sign this agreement, we will be working with GDOT and their consultant Kimley Horn.
- They will provide all of the design and the construction dollars for that and the only obligation on behalf of the City's part will be to certify that these projects are within right-of-way already owned by the City.

Councilmember Lusk

- He asked if the design fee is included in the \$500,000.

Principal Engineer Carter Lucas

- No, those are provided as part of the overall project so the \$500,000 is construction dollars.

Councilmember Thurman

- She asked when we really expect to see sidewalks being poured.

Principal Engineer Carter Lucas

- Anytime you use the federal dollars, you go through their procurement and construction process so you have all of the environmental studies that are required as part of that.
- He would expect that construction would probably begin prior to next school year or during next school year.

Councilmember Zahner Bailey

- She asked if that process would be managed through his office and staff or would there be opportunities for the Bike and Ped committee to provide input to ensure that where we have the dollars to be spent for connections within that trail network that were ensured that we are actually coordinating where we can.

Principal Engineer Carter Lucas

- They have been the coordinating office so far so he would expect that would continue.
- The projects have been fairly well identified at this point so any input that they have had up to this point will be included and they can certainly, where those opportunities come up include that committee for input.

Motion and Vote: Councilmember Thurman moved to approve Agenda Item 09-916, Approval of a Resolution for Mayor and City Council to approve and sign a Memorandum of Understanding between the Georgia Department of Transportation and the Fulton County board of Education for the Georgia Safe Routes to School Projects. Councilmember Zahner Bailey seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

City Clerk Marchiafava read Agenda Item 09-917.

**Approval of a Resolution to Adopt the 2008-2018 Solid Waste Management Plan.
RESOLUTION NO. 09-08-101**

Carter Lucas, Principal Engineer

- This is a Resolution to adopt our 2008-2018 Solid Waste Management Plan.
- This plan has been in process for quite some time, has had a number of public hearings as well as input from the committee.
- The Solid Waste Management plan lays out the City's goals and objectives for their solid waste program for the next ten years.
- The plan as presented tonight is one that has been through our public hearings as well as most recently been reviewed through ARC and DCA.
- It has been approved through DCA and subject to approval from the City via this Resolution tonight.

Councilmember Zahner Bailey

- Wanted to confirm that this is the same draft document that was the last draft document that the chair and the TARA committee had reviewed.
- She thinks that the chair may have reviewed and identified a few edits that they as a committee had thought were going to be part of this.

Principal Engineer Carter Lucas

- It is the final out of that committee with any changes or amendments that would have been required through our DCA review, so there were comments and things that we gathered through that process that had to be addressed so there are changes to this document based on those reviews.
- The document is open for revision at any point by the City either through a minor revision or major revision process, so it is by no means a set document.

Motion and Vote: Councilmember Tart moved to approve Agenda Item 09-917, Approval of a Resolution to Adopt the 2008-2018 Solid Waste Management Plan. Councilmember Lusk seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

City Clerk Marchiafava read Agenda Item 09-918.

Approval of a Change Order for Comprehensive Plan/Community Agenda with ECOS in the amount of \$7,960.

Community Development Director Wakefield

- The change order represents additional assistance that CPAC is requesting of ECOS.
- Those tasks include an additional CPAC meeting for the community facilitation synopsis and that is tentatively scheduled for August 31st.
- Probably the most important task would be to complete the first draft of the community agenda and to attend the related CPAC meetings.
- The additional work which caused the increase, this came directly from the CPAC Chairman was to have ECOS to facilitate and attend the City Council Work Session for the community agenda which is tentatively scheduled for sometime during the week of October 26th.
- The next item would be to attend the public hearing for approval of transmittal to DCA and that will be scheduled as staff proceeds along with CPAC in developing the community agenda.
- Again, the request is that this change order be approved in the amount of \$9,760.

Councilmember Thurman

- She just wanted to confirm that this is within the budget that had been originally set aside for the comprehensive plan.

Community Development Director Wakefield

- Yes, the current dollar amount that is remaining in that account is \$127,000 with this and with the estimate cost for printing there is still probably over \$100,000 remaining once the community agenda is complete.

Councilmember D'Aversa

- She asked the City Manager what they would do with the \$100,000 that is left over.

City Manager Lagerbloom

- It can roll into fund balance, it can be reallocated or it could be transferred or assigned to a different project.

Councilmember D'Aversa

- She asked Community Development Director Wakefield if she could foresee additional large sums that would be expended out of that \$100,000.

Community Development Director Wakefield

- Not for the community agenda.

Councilmember D'Aversa

- She asked what the next step in the process would be that would take a large sum of the budget.

Community Development Director Wakefield

- The only next step in the process once it is accepted by DCA and approved by this body would be to move forward with some of those implementation strategies such as updating the Crabapple Master Plan, doing other small area master plans.

Motion and Vote: Councilmember Hewitt moved to approve Agenda Item 09-918, Approval of a Change Order for Comprehensive Plan/Community Agenda with ECOS in the amount of \$9,760. Councilmember D'Aversa seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

City Clerk Marchiafava read Agenda Item 09-920.

First Amendment to Facility use Agreement for Travel Teams' Use of Bell Memorial Park.

City Manager Lagerbloom

- We had several sessions where we talked about the need to possibly amend the travel agreement that we had for facility use at Bell Memorial Park as it relates to Hopewell Youth Associations scheduling of both recreation and travel teams.
- We were sent to come up with some type of an agreement that could be agreed upon if it was possible between both the City and the Hopewell Youth Association in the spirit of assuring that recreational baseball players had first opportunity toward field space at Bell Memorial Park and that if in fact registration when it became an actual hard number.
- If registration for recreation exceeded the demand or the facility space at Bell Memorial Park that travel teams in that circumstance would be relocated somewhere else to play.
- This amendment has been reviewed by the attorney's office.
- It has been reviewed by representatives of the Parks and Recreation Advisory Board as well as representatives of the Hopewell Youth Association and seems to accomplish the mutual ground that we were trying to get to.
- One of the modifications basically allows the city to participate in the registration process.
- It is important that if we are going to be in this partnership that we have participation during the entire registration process.
- In summary this allows us to review around February 15th the actual and the real time recreational baseball registrations and if in fact there is more demand for recreational baseball than there is for travel baseball, it forces the responsibility to the Hopewell Youth Association to find an alternative location for those travel teams to play.

Scott Stachowski, 3154 Chipping Wood Court, Milton, Georgia

- This is the result of the direction we were given by Council at the July 20, 2009 meeting.
- He is very happy and confident at the work that has gone into it on behalf of the Parks and Rec Board and the Hopewell Youth Association and the city to make this all happen.

Motion and Vote: Councilmember D'Aversa move Agenda Item 09-920, First Amendment to Facility Use Agreement for Travel Teams' use of Bell Memorial Park. Councilmember Tart seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

MAYOR AND COUNCIL REPORTS

Councilmember D'Aversa

- We had some information about a year ago and even six months ago that we were going to have a traffic signalization placed at the intersection of Deerfield and Highway 9. The City Manager has confirmed for me and Mr. Lucas that that is going to be a little longer than September 1st.
- It is desperately needed and we are under the unfortunate no budget rule for the State of Georgia that the DOT has extended that so we are probably not going to see that happen until January.

Carter Lucas, Principal Engineer

- It is not the fact that GDOT extended it.
- GDOT had to approve the permit.
- Once the permit was approved, the developer is then responsible for installing the signal.
- The long lead time on that is ordering the decorative mast arms that are required at that intersection.
- He has been told it is probably a sixteen to twenty week lead time before those types of material even come in.

Councilmember D'Aversa

- She asked if there is anything we can do to push that along because it is dangerous.

Principal Engineer Carter Lucas

- That approval process through the Department of Transportation just goes through so many different hands and it is subject to their work load and their availability at the time they are reviewing it.

Councilmember D'Aversa

- She knows it is not the City that has held it up.
- She asked if there is anything that the City can now do, or the developer can now do since the permit has been approved or is there anything that we can do to push that time up.

City Manager Lagerbloom

- What was relayed to him is that the length at this point is sixteen to twenty weeks to get the style of mast arm that has been approved for that particular intersection.

Councilmember D'Aversa

- Asked if there is anything that can be done in the meantime to have some sort of signalization there that is not the final signalization?

Mayor Lockwood

- It would be very expensive to try to do something temporarily.
- I think the point is well taken that obviously anything we can do from the City would be beneficial for our citizens.

STAFF REPORTS

City Manager Lagerbloom

- Our budget is in full swing.
- During the first meeting in September the budget will be presented in First Presentation.
- A lot of work between now and then will be focused on finalizing the budget document and getting it to where it is in a position that it can come forward to you on both of the meetings in September.
- We have an opinion from an arborist that is one of Councilmember Tart's appointees to a committee as well as somebody that has approached me that indicate that in his opinion there is some need to provide some type of health remedy to the trees at Crabapple Community House.
- He has some quotes for that type of activity.
- It is not a cheap proposition and that is why he is bringing it out as an idea at this point to the Council.
- It is not something that is budgeted and it could cost thousands of dollars.
- He has a difficult time authorizing that type of expenditure in this type of budget and this type of financial time.
- He wanted to see what the interest from Council would be in pursuing this further.

Councilmember Thurman

- She asked if they were sure this would save the trees.

Councilmember Zahner Bailey

- She supports spending a little to save a specimen tree.
- She would support a little bit of additional time just to validate that the cost would be, one, the least expensive that we could find for the service and that it would indeed have longevity as a part of it.
- Also just the timing of when those injections occur, there are obviously a lot of signs out there about how to help the health of the root system of a tree but it cannot be that alone.

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- Suggested they use some of the fund for tree recompense and tree planting.

City Manager Lagerbloom

- He will check and see what the requirements are for spending out of that tree fund, if it has to be in the form of recompense, new, or if it can be used in sustainability of health.

Added by Motion and Vote

EXECUTIVE SESSION

The purpose of the Executive is to discuss possible land acquisition and pending litigation.

Motion and Vote: Councilmember moved to adjourn into Executive Session at 7:12 p.m. Councilmember Lusk seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

RECONVENE

Motion and Vote: Councilmember Zahner Bailey moved to reconvene the Regular Meeting at 7:47 p.m. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

ADJOURNMENT

After no further business, the meeting adjourned at 7:48 PM.

Motion and Vote: Councilmember D'Aversa moved to adjourn the Regular Meeting. Councilmember Thurman seconded the motion. There was no Council discussion. The motion passed unanimously 7-0.

Date Approved: September 9, 2009



Jeanette R. Marchiafava, City Clerk



Joe Lockwood, Mayor