



CITY OF MILTON, GEORGIA

Joe Lockwood, Mayor

CITY COUNCIL

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

Monday, December 21, 2009

Regular Council Meeting Agenda

6:00 PM

INVOCATION – Pastor Trent Cornwell, Vision Baptist Church

1) CALL TO ORDER

2) ROLL CALL

3) PLEDGE OF ALLEGIANCE *(Led by the Mayor)*

4) APPROVAL OF MEETING AGENDA *(Add or remove items from the agenda)*
(Agenda Item No. 09-1002)

5) PUBLIC COMMENT

6) CONSENT AGENDA

1. Approval of the December 7, 2009 Regular Meeting Minutes.
(Agenda Item No. 09-1003)
(Jeanette Marchiafava, City Clerk and Clerk of the Court)
2. Approval of Financial Statements for the period ending November 2009.
(Agenda Item No. 09-1004)
(Stacey Inglis, Finance Director and City Treasurer)

7) REPORTS AND PRESENTATIONS

1. A Proclamation for Eagle Scout Jason Wynne.
(Presented by Mayor Joe Lockwood)

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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.

2. A Proclamation recognizing the Inaugural Mayor's Run Volunteers.
(Presented by Mayor Joe Lockwood)

8) FIRST PRESENTATION

1. Approval of an Ordinance to Amend Chapter 4, Municipal Court, by adding a new section entitled A Pre-Trial Intervention and Diversion Program to be administered by the City of Milton Solicitor's Office for the purpose of ending the repeat offenses of theft by shoplifting, underage possession of alcohol, disorderly conduct, and other miscellaneous misdemeanor and traffic offenses through the education of eligible defendants; and for other purposes.
(Agenda Item No. 09-1005)
(Presented by Fran Shoenthal, Municipal Court Solicitor)

9) PUBLIC HEARINGS

ALCOHOL BEVERAGE LICENSE APPLICATIONS

1. Approval of Alcohol Beverage License Application for Aldi Inc. d/b/a as Aldi, Inc. (GA) #30 located at 12990 Highway 9 North, Suite 107, Milton, Georgia. The applicant is Scott Kornegay for retail – Wine/Malt Beverage.
(Agenda Item No. 09-1006)
(Presented by Stacey Inglis, Finance Director and City Treasurer)
2. Approval of Alcohol Beverage License Application for Su Shin USA d/b/a as Magic Wok & Sushi Bar located at 12890 Highway 9, Suite 140, Milton, Georgia. The applicant is GuoFu Wu for Consumption on the Premises – Wine/Malt Beverage.
(Agenda Item No. 09-1007)
(Presented by Stacey Inglis, Finance Director and City Treasurer)
3. Approval of Alcohol Beverage License Application for Casa De Tontos LLC d/b/a Sip Wine Tapas Restaurant located at 12635 Crabapple Road, Suite 110, Milton, Georgia. The applicant is John Foster Smith for Consumption on the Premises – Wine/Malt Beverage/Distilled Spirits.
(Agenda Item No. 09-1008)
(Presented by Stacey Inglis, Finance Director and City Treasurer)

10) ZONING AGENDA

1. **RZ09-04** - An Ordinance to create Article 13 of the Milton Zoning Ordinance; to establish a historic preservation commission in the City of Milton to provide for the designation of historic properties or historic districts; to provide for issuance of Certificates of Appropriateness; to provide for an appeals procedure; to repeal conflicting ordinances; and for other purposes.
(Agenda Item No. 09-926)
(First Presentation on September 9, 2009. Deferred on September 21, 2009, October 19, 2009.)
(Presented by Tom Wilson, Interim Community Development Director)

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2. **ZM09-04 /VC09-04**, Northeast corner of Hwy 9 and Bethany Bend by Dr. David Smith
A request to revise condition 2.a. from the site plan received by the Department of Environment and Community Development on November 8, 2006 to the site plan received by the City of Milton Community Development Department on November 3, 2009. The applicant is also requesting a concurrent variance to delete the 10-foot landscape strip along the newly formed north property line to allow the required parking aisle width (Article 12G.4.A.2).
(Agenda Item No. 09-990)
(First Presentation on December 7, 2009)
(Presented by Tom Wilson, Interim Community Development Director)

11) UNFINISHED BUSINESS

1. An Ordinance to Amend the City of Milton Tree Preservation Ordinance and Administrative Guidelines.
(Agenda Item No. 09-991)
(First Presentation on December 7, 2009)
(Presented by Tom Wilson, Interim Community Development Director)
2. Approval of an Ordinance Adopting and Enacting a Code of Ordinances which codifies Ordinances as they existed on June 15, 2009.
(Presented by Jeanette Marchiafava, City Clerk and Clerk of the Court)
(Agenda Item No. 09-1000)

12) NEW BUSINESS

1. Approval of a Resolution adopting the Partial Plan Update of the City of Milton 2008-2028 Comprehensive Plan.
(Agenda Item No. 09-1009)
(Presented by Tom Wilson, Interim Community Development Director)
2. Approval of a Resolution to Adopt the 2010 Zoning and Use Permit, Zoning Modification, Board of Zoning Appeals and the City of Milton Design Review Board Schedules.
(Agenda Item No. 09-1010)
(Presented by Tom Wilson, Interim Community Development Director)
3. Approval of a Resolution to Adopt the City of Milton Comprehensive Transportation Plan.
(Agenda Item No. 09-1011)
(Presented by Carter Lucas, Principal Engineer)
4. Approval of a Resolution to authorize the City of Milton Mustang Logo by athletic teams playing at Bell Memorial Park pursuant to agreements with the City of Milton.
(Agenda Item No. 09-1012)
(Presented by City Manager Chris Lagerbloom)

5. Approval of a Resolution stating the City of Milton's opposition to the use of Fulton County General Fund money on Special Service District Operations and Services such as transferring the net revenue generated from traffic citations issued by the Fulton County Police Department within the geographical boundaries of the South Fulton Special Services District to the South Fulton Special Services District Fund.

(Agenda Item No. 09-1013)

(Presented by Chris Lagerbloom, City Manager)

13) MAYOR AND COUNCIL REPORTS

14) STAFF REPORTS

1. Discussion on MARTA Offset Funds.
(Carter Lucas, Principal Engineer)
2. Discussion on Traffic Calming Policy.
(Carter Lucas, Principal Engineer)

15) EXECUTIVE SESSION

1. The purpose of the Executive Session is to discuss potential land acquisition and pending litigation.
(Agenda Item No. 09-1014)
(Ken Jarrard, City Attorney)

16) ADJOURNMENT

(Agenda Item No. 09-1015)