CITY COUNCIL REGULAR MEETING

City Council Chambers, City Hall
Monday, May 01, 2023 at 6:00 PM

ACTION MINUTES

Peyton Jamison, Mayor

CITY COUNCIL

DISTRICT 1	DISTRICT 2	DISTRICT 3
Andrea Verhoff – Post 1	Juliette Johnson – Post 1	Jan C. Jacobus – Post 1
Carol Cookerly – Post 2	Paul Moore – Post 2	Rick Mohrig – Post 2

INVOCATION– Captain Charles Barstow, Milton Police Department

1) CALL TO ORDER

2) ROLL CALL

Mayor: Mayor Peyton Jamison present.

Councilmembers Present: Councilmember Andrea Verhoff, Councilmember Paul Moore, Councilmember Juliette Johnson, Councilmember Carol Cookerly, and Councilmember Jan Jacobus we present. Councilmember Rick Mohrig arrived at 6:07 PM.

Councilmembers Absent:

3) PLEDGE OF ALLEGIANCE (Led by Mayor Peyton Jamison)

4) APPROVAL OF MEETING AGENDA (Add or remove items from the agenda) **(Agenda Item No. 23-097)**

Motion and Vote: Councilmember Moore moved to approve the Meeting Agenda with the following amendment:

- Defer Consent Agenda item #6D to a future council meeting.
- Add an Executive Session to discuss land acquisition, potential litigation, and personnel.

Councilmember Cookerly seconded the motion. The motion passed (6-0). Councilmember Mohrig was not present for the vote.

5) PUBLIC COMMENT (General)

6) CONSENT AGENDA

A. Approval of the April 24, 2023 Regular City Council Meeting Minutes.
(Agenda Item No. 23-098)
(Tammy Lowit, City Clerk)

B. Approval of a Construction Services Agreement with Prime Contractors, Inc. to Provide Water Damage Restoration at Bell Memorial Park.
(Agenda Item No. 23-099)
(Tom McKlveen, Parks & Recreation Director)

C. Approval of the Financial Statements & Investment Report for the Period 1 - October 2022.
(Agenda Item No. 23-100)
(Karen Ellis, Finance Director)

D. Approval of Subdivision Plats and Revisions. - **(Item DEFERRED)**

Name of Development / Location	Action	Comments / # lots	Total Acres	Density
1. **Barron Minor Plat** 16465 Freemanville Rd LL 242 Dist. 2 Sect. 2	Minor Plat	Subdivide the parcel into two (2) tracts. Tract 1 will contain 1.518 acres and Tract 2 will contain 1.489 acres	**3.007** Acres	**0.66** Lots/Acre

(Agenda Item No. 23-101)
(Robert Buscemi, Community Development Director)

Motion and Vote: Councilmember Moore moved to approve the Consent Agenda as read and amended. Councilmember Verhoff seconded the motion. The motion passed (6-0). Councilmember Mohrig was not present for the vote.

7) REPORTS AND PRESENTATIONS

A. Proclamation Recognizing Police Week.
(Mayor Peyton Jamison)

B. FY 2024 Budget Preparation: Discussion of Milton's Capital Improvement Plan.
(Bernadette Harvill, Asst. City Manager)

C. Update on the EPD Recycling, Waste Reduction, and Diversion Grant.
(Sara Leaders, Public Works Director)

8) FIRST PRESENTATION

A. Consideration of U22-04 located at 3100 Heritage Walk, Suite 301 (Zoned T5 (Crabapple FBC)) by Sometheme Weddings & Events, LLC to Request a Use Permit for "Assembly Hall/Indoor Auditorium" (Sec. 64-1846) not to exceed 150 attendees within 4,000 square feet on the third floor of the building.
(Agenda Item No. 23-102)
(Robert Buscemi, Community Development Director)

B. Consideration of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt Amendments to the Fiscal Year 2023 Budget for Each Fund of the City of Milton, Georgia Amending the Amounts Shown in Each Budget as Expenditures, Amending the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations and Prohibiting Expenditures to Exceed Actual Funding Available.
(Agenda Item No. 23-103)
(Bernadette Harvill, Asst. City Manager)

Motion and Vote: Councilmember Mohrig moved to approve the First Presentation items as read. Councilmember Cookerly seconded the motion. The motion passed (7-0).

9) PUBLIC HEARING

A. Consideration of the Issuance of an Alcohol Beverage License to Dua Fish Tank Alpharetta LLC dba Dua Vietnamese, 1865 Heritage Walk Milton, Georgia 30004.
(Agenda Item No. 23-104)
(Karen Ellis, Finance Director)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 23-104. Councilmember Johnson seconded the motion. The motion passed (7-0).

B. Consideration of the Issuance of an Alcohol Beverage License to CoJo Holdings Inc. dba Milton Package Store, 13093 Highway 9, Suite 1010, Milton, Georgia 30004.
(Agenda Item No. 23-105)
(Karen Ellis, Finance Director)

Motion and Vote: Councilmember Moore moved to approve Agenda Item No. 23-105. Councilmember Verhoff seconded the motion. The motion passed (7-0).

C. Consideration of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt Amendments to the Fiscal Year 2023 Budget for Each Fund of the City of Milton, Georgia Amending the Amounts Shown in Each Budget as Expenditures, Amending the Several Items of Revenue Anticipations, Prohibiting Expenditures to Exceed Appropriations and Prohibiting Expenditures to Exceed Actual Funding Available.
(Agenda Item No. 23-103)
(Bernadette Harvill, Asst. City Manager)

10) ZONING AGENDA

A. Consideration of U23-01/VC23-01 located at 14725 Wood Road (AG-1) by Fortitude Farm, LLC (Carolyn Bell) represented by Brumbelow-Reese and Associates, Inc. to request a Use Permit for "Barns or riding areas" (Sec.64-1840) to construct a 180' x 130' covered riding area and a five-part Concurrent Variance: 1) To allow parking within 75' of the east property line (Sec.64-1840 (b)(1)); 2) To reduce the 50' City undisturbed stream buffer and 25' impervious setback (Sec.20-426(1) and (2)); 3) To allow a riding ring/arena that is covered to be located less than 100' from property line (Sec.64-415(a)(8)); 4) To allow an existing stable and an addition to the stable to be located closer than 100' to any property line (Sec.64-415(a)(2)); 5) To allow an existing accessory building to be closer than 25' to a side property line and closer than 50' to a rear property line (Sec.64-416(c)(1) and (d)).
(Agenda Item No. 23-106)
(Robert Buscemi, Community Development Director)

Due to pending litigation, Councilmember Moore excused himself from participating in the discussion of, and vote of, Agenda item No. 23-106.

Councilmember Jacobus made a motion to extend the time for Public Comment (in-support) by ten (10) minutes. Councilmember Cookerly seconded the motion. The motion passed (6-0). (Approval of the additional ten (10) minute time extension for 'in-

support' public comment also applied to approval of an additional ten (10) minute time extension for 'in-opposition' public comment.

Public Comment for 'in-support' was allowed for the 10 minutes that state law requires and was doubled over what is required by a Council vote. Due to time being exhausted, Mayor Jamison asked Council and Council agreed to have attendees, who had not yet spoken and were 'in-support' of Agenda Item No. 23-106, to stand so that the governing authorities could see their support and attendance. This action concluded public comment for 'in-support' at the council approved twenty (20) minute time period. Public comment for in-opposition was allowed twenty (20) minutes, as well.

PUBLIC COMMENT

Twenty (20) Public Comment (**in-support**):

1. Scott Reece - *Spoke*
2. Carolyn Bell - *Spoke*
3. David Shaw - *Spoke*
4. Nan Buckner - *Spoke*
5. Dorothy (Dee) Whelchel - *Spoke*
6. Curtis Mills
7. Ryan Hall
8. Karen Johnston
9. Tony Rich
10. Merike Pope
11. Amy Manning
12. Julie Shannon
13. Cynthia Chandler
14. Holly Sims
15. Jennifer Joiner
16. James Thompson
17. Nicole Daw
18. Joe Cua
19. Bob Danville
20. Tara Thompson

Three (3) Public Comment (**in-opposition**)

1. Anthony & Brenda Esparza - EMAIL
2. Adam Hollingsworth
3. Josh Belinfante

Motion and Vote: Councilmember Cookerly moved to approve Agenda Item No. 23-106. Councilmember Johnson seconded the motion. The motion passed (6-0). Councilmember Moore did not participate in the vote.

11) UNFINISHED BUSINESS

12) NEW BUSINESS

A. Consideration of a Resolution to Adopt Urban Growth Boundary (UGB) for the City of Milton.
(Agenda Item No. 23-107)
(Robert Buscemi, Community Development)

One (1) Public Comment:

1. Julie Zahner Bailey

Motion and Vote: Councilmember Moore moved to adopt Agenda Item No. 23-107 as presented with the addition of the language provided by City Attorney, Ken Jarrard. The language is:

"…and the Urban Growth Boundary is intended to augment and enhance existing master plans and the comprehensive plan, but not to amend either, and in the event of a deviation between any master plan or the comprehensive plan, the pertinent master plan or comprehensive plan will control."

Councilmember Mohrig seconded the motion. The motion passed (7-0).

B. Consideration of a Resolution of the City of Milton Authorizing a Pre-Application for a Land, Water, Conservation Fund Grant with the Department of Natural Resources.
(Agenda Item No. 23-108)
(Tom McKlveen, Parks & Recreation Director)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 23-108. Councilmember Moore seconded the motion. The motion passed (7-0).

C. Consideration of a Professional Services Agreement between the City of Milton and Columbia Engineering and Service, Inc. for Design of a Mini Roundabout at Bethany Bend and Bethany Creek Drive.
(Agenda Item No. 23-109)
(Sara Leaders, Public Works Director)

Three (3) Public Comment:
1. Farah Kashlan
2. Phil Cranmer
3. Mark VanDeWater

Motion and Vote: Councilmember Mohrig moved to approve Agenda Item No. 23-109. Councilmember Moore seconded the motion. The motion passed (7-0).

D. Consideration of a Resolution of the City of Milton, Georgia to Identify the Number of and Location of the Polling Locations for the 2023 City of Milton Municipal Elections.
(Agenda Item No. 23-110)
(Steven Krokoff, City Manager)

Motion and Vote: Mayor Jamison made a motion to approve Agenda Item No. 23-110 with the following amendments to the proposed Resolution:

1. Item 1 to read: The City of Milton shall set 3 municipal precincts (as reflected on the map attached as Exhibit A which will be amended); and

2. Add Item 4 to read: The location of polling place for Precinct 3 shall be the Public Safety Complex residing at 13690 GA-9, Milton, GA 30004.

Councilmember Cookerly seconded the motion. The motion failed (3-4). (Mayor Jamison, Councilmember Cookerly, and Councilmember Johnson voted in favor of the motion.)

Motion and Vote: Councilmember Moore made a motion to adopt the Resolution as originally presented with two (2) locations for Agenda Item No. 23-110. Councilmember Mohrig seconded the motion. The motion passed (4-3). (Councilmember Moore, Councilmember Mohrig, Councilmember Jacobus, and Councilmember Verhoff voted in favor of the motion.)

13) MAYOR AND COUNCIL REPORTS

14) STAFF REPORTS

15) EXECUTIVE SESSION (if needed)

Motion and Vote: Councilmember Cookerly moved to adjourn into Executive Session at 9:36 PM. Councilmember Mohrig seconded the motion. The motion passed (7-0).

RECONVENE

Motion and Vote: Councilmember Verhoff moved to reconvene into the Regular Meeting at 9:50 PM. Councilmember Johnson seconded the motion. The motion passed (7-0).

16) ADJOURNMENT (Agenda Item No. 23-111)

Motion and Vote: Councilmember Mohrig moved to adjourn the Regular Meeting at 9:51 PM. Councilmember Jacobus seconded the motion. The motion passed (7-0).

Persons needing special accommodations in order to participate in any City meeting should call 678.242.2500.