CITY COUNCIL REGULAR MEETING

City Council Chambers, City Hall
Monday, April 08, 2024 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	Doug Hene – Post 2	Phil Cranmer – Post 2

INVOCATION

1) CALL TO ORDER

2) ROLL CALL

Mayor: Mayor Peyton Jamison present.

Councilmembers Present: Councilmember Andrea Verhoff, Councilmember Doug Hene, Councilmember Juliette Johnson, Councilmember Carol Cookerly, Councilmember Jan C. Jacobus, and Councilmember Phil Cranmer.

Councilmember(s) 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. 24-108)**

Motion and Vote: Councilmember Cookerly moved to approve the Meeting Agenda with the following amendments:

- Move New Business Item 12A, Consideration of a Resolution Appointing or Reappointing Members to the City of Milton Sustainability Advisory Committee by Appointing a Board Member for District 3/Post 2, Agenda Item No. 24-118 to immediately follow the Consent Agenda.

- Add an Executive Session to discuss Land Acquisition, Potential Litigation, and Personnel.

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

5) PUBLIC COMMENT (General) –

One (1) Public Comment:

1. Isaiah (Ike) Yancy

6) CONSENT AGENDA

A. Approval of the March 18, 2024 Regular City Council Meeting Minutes.
(Agenda Item No. 24-109)
(Tammy Lowit, City Clerk)

B. Approval of the Financial Statements & Investment Report for the Period Ending February 29, 2024.
(Agenda Item No. 24-110)
(Karen Ellis, Finance Director)

C. Approval of a Services Agreement with American Coach Lines of Atlanta, Inc., to Provide Bus Transportation for Milton Summer Camp Field Trips.
(Agenda Item No. 24-111)
(Tom McKlveen, Parks & Recreation Director)

D. Approval of Task Order #2 with Columbia Engineering and Services, Inc. for Right of Way Acquisition Services at the Intersection of Webb Road and Cogburn Road.
(Agenda Item No. 24-112)
(Sara Leaders, Public Works Director)

E. Approval of a Services Agreement between the City of Milton and Roof Technology Partners for a Roof Maintenance Plan at Milton City Hall, Fire Station 44, and Police Headquarters & Municipal Court.
(Agenda Item No. 24-113)
(Sara Leaders, Public Works Director)

F. Approval of a Recreation Provider Agreement Between the City of Milton and Market Share Inc. d/b/a Babysitter Bootcamp to Provide Babysitter Training Classes.
(Agenda Item No. 24-114)
(Tom McKlveen, Parks & Recreation Director)

G. Approval of a Recreation Provider Agreement Between the City of Milton and CandiNews Children's Theater to Provide Recreational Theater Programming.
(Agenda Item No. 24-115)
(Tom McKlveen, Parks & Recreation Director)

H. Approval of Subdivision Plats & Revisions.

Name of Development / Location	Action	Comments / # lots	Total Acres	Density
1. Greenpark Homes 16030 Birmingham Highway LL 341 Dist. 2 Sect. 2	Minor Plat	The purpose of this plat is to subdivide the parcel into two large lots.	**4.973** Acres	**0.40** Lots/Acre
2. Fire Station #45 Birmingham Hwy & Providence Road LL 847 Dist. 2 Sect. 2	Minor Plat	The purpose of this plat is to combine four parcels of land totaling 2.091 acres into one legal lot of record.	**2.091** Acres	**N/A** Lots/Acre
3. Asiya Jaleel Et Al. 16135 Lively Road LL 624 Dist. 2 Sect. 2	Minor Plat	The purpose of this plat is to combine two tracts that were previously transferred by deed only into one lot.	**1.73** Acres	**N/A** Lots/Acre

(Agenda Item No. 24-116)
(Robert Buscemi, Community Development Director)

I. Approval of a Software as a Service (SaaS) Agreement and Addendum No. 1 with Tyler Technologies, Inc. for Use of the ResourceX Priority Based Budgeting Platform.
(Agenda Item No. 24-124)
(Bernadette Harvill, Deputy City Manager)

Motion and Vote: Councilmember Verhoff moved to approve the Consent Agenda as read. Councilmember Johnson seconded the motion. The motion passed (7-0).

7) REPORTS AND PRESENTATIONS

A. Proclamation Recognizing the Milton Citizens Government Academy Graduates, 7th Cohort.
(Mayor Peyton Jamison)

8) FIRST PRESENTATION

9) PUBLIC HEARING

A. Consideration of the Issuance of an Alcohol Beverage License to Suite 200, LLC, 3000 Heritage Walk, Suite 201, Milton, Georgia 30004.
(Agenda Item No. 24-117)
(Karen Ellis, Finance Director)

Motion and Vote: Councilmember Cranmer moved to approve Agenda Item No. 24-117. Councilmember Verhoff seconded the motion. The motion passed (7-0).

B. Consideration of the Issuance of an Alcohol Beverage License to D'Rose Vintners, 13555 Blakmaral Lane, Milton, GA 30004.
(Agenda Item No. 23-304)
(Karen Ellis, Finance Director)

Councilmember Johnson recusal/ethical obligation statement regarding Agenda Item No. 23-304):

"I recuse myself from this Agenda Item for reasons previously announced."

Forty-four (44) Public Comment:

1. Edwardo Ruiz	23. Steve Lanham
2. Alison Eidex	24. Teresa Meeks
3. Brian Eidex	25. Bill Hosmer
4. Laura Heinisch (read into record)	26. Gavin Choice
5. Michael Heinisch	27. Gary Buxton
6. Jeff Moen	28. Jessica Buxton
7. Kristine Ross	29. Sarah Moen
8. Mary Cronk	30. Chuck Squires
9. Kathleen Chambers	31. Craig Franklin
10. James Hughes	32. Dara Duane
11. Jack Haden	33. Lawton Jordan
12. Ranjan Dattagupta	34. Marc Coombs
13. Laura Bentley	35. Amie Bookston
14. Cathy Cooper	36. Natalya Rozenberg
15. Brad Champion	37. Ingrid Nicar
16. Raina Lakin	38. Dianna O'Boyle
17. Craig Madole	39. Juliette Van Galder
18. Laura Case	40. Patricia Kent (read into record)
19. Tina Kendall	41. Debbie Spurlock (read into record)
20. William Kendall	42. Pierre Patorius
21. William Spurlock	43. Katrina Drudge (read into record)
22. Deborah Lanham	44. Charles Morgan

RECESS

Motion and Vote: Councilmember Jacobus moved for a five-minute recess of the Regular Meeting at 8:32pm. Councilmember Cookerly seconded the motion. The motion passed (7-0).

RECONVENE

Motion and Vote: Councilmember Verhoff moved to reconvene the Regular Meeting at 8:42pm. Councilmember Hene seconded the motion. The motion passed (7-0).

QUASI-JUDICIAL HEARING

The Quasi-Judicial Hearing for Agenda Item No. 23-304, Consideration of the Issuance of an Alcohol Beverage License to D'Rose Vintners, 13555 Blakmaral Lane, Milton, GA 30004, began at 8:45pm.

Mr. Greg Hecht with Hecht Walker Jordan, P.C. represented the applicant, D'Rose Vintners.

Mr. Ken Jarrard, City Attorney, represented the City of Milton.

Mr. Hecht presented a rebuttal for D'Rose Vintners after Mr. Jarrard rested for the City of Milton.

Motion and Vote: Councilmember Hene made the motion "In the matter of Agenda Item No. 23-304, Consideration of the Issuance of an Alcohol Beverage License to D'Rose Vintners, 13555 Blakmaral Lane, Milton, GA 30004, based upon consideration of the application, the material in the agenda packet, the staff report, and public comments, the arguments material presented and entered into the record by the applicants and the City Attorney, I move that we deny the application based on four points identified by the City Attorney. Those are:

1. The procedural and notification deficiencies in the 2021 zoning from CUP to AG-1.
2. There could be no vesting of any right to operate a Farm Winery based on the moratorium placed on Farm Winery permitting 14 days after the applicant's property was rezoned to AG-1.
3. The City's alcohol codes require all applications to be in compliance with then existing land use requirements when the present applicants tendered their application on June 8, 2023 they did not meet the City's then existing land use standards for a Farm Winery.
4. There can be no vesting in an alcohol license under the strength of Goldrush II as stated by the City Attorney.

If this motion is approved by City Council, I ask City staff to place this into the written form and issue it to the applicants. That is my motion, to deny the issuance of the Alcohol Beverage License."

Councilmember Cranmer seconded the motion. The motion passed (5-1). Councilmember Cookerly opposed the motion. Councilmember Johnson recused herself from the vote.

10) ZONING AGENDA

A. Consideration of RZ23-07 – A Text Amendment to Adopt a New Unified Development Code That Will Update and Replace the Current Zoning Ordinance (Chapter 64 of the Code for the City of Milton); to Readopt the Existing Zoning Map as Part of the New Unified Development Code; to Amend the Text of Other Specific Development, Design and Other Sections of the Code of the City of Milton, Georgia; To Consolidate Said other Specific Sections as well as the Zoning Ordinance so as to Create a Consolidated Ordinance to be Known as the Unified Development Code for the City of Milton, Georgia.
(Agenda Item No. 24-104)
(Robert Buscemi, Community Development Director)

Motion and Vote: Councilmember Verhoff moved to approve Agenda Item No. 24-104. Councilmember Jacobus seconded the motion. The motion passed (7-0).

11) UNFINISHED BUSINESS

A. Consideration of an Ordinance to Amend Appendix A Fees and Other Charges of the Code of the City of Milton, Georgia to Reflect the New Code References Within the Newly Adopted Unified Development Code for the City of Milton, Georgia.
(Agenda Item No. 24-046)
(Robert Buscemi RA, Community Development Director)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 24-046. Councilmember Hene seconded the motion. The motion passed (7-0).

B. Consideration of an Ordinance to Amend Chapter 48 Streets, Sidewalks and Other Public Places of the Code of the City of Milton, Georgia in Order to Update and Relocate Certain Provisions into the Newly Adopted Unified Development Code For the City of Milton, Georgia.
(Agenda Item No. 24-047)
(Robert Buscemi RA, Community Development Director)

Motion and Vote: Councilmember Cranmer moved to approve Agenda Item No. 24-047. Councilmember Jacobus seconded the motion. The motion passed (7-0).

C. Consideration of an Ordinance to Delete Chapter 20 Environment of the Code of the City of Milton, Georgia and to Relocate the Updated Provisions to the Newly Adopted Unified Development Code for the City of Milton, Georgia.
(Agenda Item No. 24-048)
(Robert Buscemi RA, Community Development Director)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 24-048. Councilmember Verhoff seconded the motion. The motion passed (7-0).

D. Consideration of an Ordinance to Delete Chapter 50 Subdivisions of the Code of the City of Milton, Georgia and to Relocate the Updated Provisions in the Newly Adopted Unified Development Code for the City of Milton.
(Agenda Item No. 24-049)
(Robert Buscemi RA, Community Development Director)

Motion and Vote: Councilmember Cranmer moved to approve Agenda Item No. 24-049. Councilmember Verhoff seconded the motion. The motion passed (7-0).

E. Consideration of an Ordinance to Delete Chapter 54 Telecommunications of the Code of the City of Milton, Georgia and to Relocate the Updated Provisions in the Newly Adopted Unified Development Code for the City of Milton, Georgia.
(Agenda Item No. 24-050)
(Robert Buscemi RA, Community Development Director)

Motion and Vote: Councilmember Hene moved to approve Agenda Item No. 24-050. Councilmember Verhoff seconded the motion. The motion passed (7-0).

F. Consideration of an Ordinance to Delete Chapter 60 Tree Canopy Conservation of the Code of the City of Milton, Georgia and to Relocate the Updated Provisions to the Newly Adopted Unified Development Code for the City of Milton, Georgia.
(Agenda Item No. 24-051)
(Robert Buscemi RA, Community Development Director)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 24-051. Councilmember Johnson seconded the motion. The motion passed (7-0).

G. Consideration of an Ordinance Creating the Milton Active Parks Ad Hoc Committee.
(Agenda Item No. 24-105)
(Steven Krokoff, City Manager)

Motion and Vote: Councilmember Cookerly moved to table Agenda Item No. 24-105. Councilmember Jacobus seconded the motion. The motion passed (7-0).

H. Consideration of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt Amendments to the Fiscal 2024 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 Appropriations, Prohibiting Expenditures to Exceed Appropriations and Prohibiting Expenditures to Exceed Actual Funding Available.
(Agenda Item No. 24-103)
(Bernadette Harvill, Deputy City Manager)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 24-103. Councilmember Cookerly seconded the motion. The motion passed (7-0).

12) NEW BUSINESS

New Business Item A was moved to immediately follow Public Comment (General) during Approval of Meeting Agenda.

A. Consideration of a Resolution Appointing or Reappointing Members to the City of **Milton Sustainability Advisory Committee** by Appointing a Board Member for District 3/Post 2.
(Agenda Item No. 24-118)
(Mayor Peyton Jamison)

Motion and Vote: Councilmember Cookerly moved to approve a Resolution Appointing or Reappointing Members to the City of Milton Sustainability Advisory Committee by Appointing **Francia Lindon** for District 3/Post 2, Agenda Item No. 24-118. Councilmember Jacobus seconded the motion. The motion passed (7-0).

B. Consideration of Proposed Consent Final Order and Judgement to Settle Friendly Condemnation Action Re: Morris Road Widening Project, Parcel 10 (Owner: Morris Lake Townhome Association, Inc., Civil Action File No. 2023CV380045).
(Agenda Item No. 24-119)
(Sara Leaders, Public Works Director)

Motion and Vote: Councilmember Cookerly moved to approve Agenda Item No. 24-119. Councilmember Hene seconded the motion. The motion passed (7-0).

C. Consideration of a Land Acquisition Agreement for Purchase of Realty Totaling 10.488 Acres, with a Purchase Price of $1,750,000 Between the City of Milton and 12875 Arnold Mill Road, LLC. for Two Land Parcels with Situs Addresses of:
• Parcel 1 – approximately 7.338-acre parcel with situs address of 12875 Arnold Mill Road, with assigned tax parcel no. 22-3710-1093-056-7; and
• Parcel 2 – approximately 3.15-acre parcel with situs address of 12912 New Providence Road (Rear), with assigned tax parcel no. 22-3700-1068-058-6.
(Agenda Item No. 24-120)
(Steven Krokoff, City Manager)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 24-120. Councilmember Johnson seconded the motion. The motion passed (7-0).

D. Consideration of a Resolution of The City of Milton Enacting an Emergency Moratorium on (1) the Acceptance of New Business License Applications for Entities that will Offer Consumable Hemp Products for Sale and (2) Acceptance of Applications for Development Permits, Building Permits, Rezonings, Zoning Condition Amendments, Variances, Use Permits, Warrants, or any other Permit or Permission that Would or Could Reasonably Result in the Retail Sale of Consumable Hemp Products in the City of Milton.
(Agenda Item No. 24-121)
(Ken Jarrard, City Attorney)

Motion and Vote: Councilmember Cranmer moved to approve Agenda Item No. 24-121. Councilmember Verhoff seconded the motion. The motion passed (7-0).

E. Approval of Final Plat.

Name of Development / Location	Action	Comments / # lots	Total Acres	Density
The Ridge at Sweet Apple Ebenezer Road LL 1074 Dist. 2 Sec. 2	**Final Plat**	The purpose of this plat is to subdivide the property into 19 single-family lots with 2.84 acres of land dedicated to common area and open space.	**25.28** Acres	**0.75** Units /Acre

(Agenda Item No. 24-122)
(Robert Buscemi, Community Development Director)

Motion and Vote: Councilmember Verhoff moved to approve Agenda Item No. 24-122. Councilmember Hene seconded the motion. The motion passed (7-0).

F. Council Discussion of Letter of Intent (LOI) to Enter into an Agreement for the Proposed Acquisition of 21.38 Acres Located at 300 Deerfield Parkway (Parcel 22 528010470262) at a Purchase Price of $8,000,000.
(Agenda Item No. 24-123)
(Steve Krokoff, City Manager)

Motion and Vote: Councilmember Cranmer moved to approve Agenda Item No. 24-123. Councilmember Hene seconded the motion. The motion passed (7-0).

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 10:41pm. Councilmember Hene seconded the motion. The motion passed (7-0).

RECONVENE

Motion and Vote: Councilmember Hene moved to reconvene into the Regular Meeting at 11:14pm. Councilmember Jacobus seconded the motion. The motion passed (7-0).

16) ADJOURNMENT (Agenda Item No. 24-125)

Motion and Vote: Councilmember Cranmer moved to adjourn the Regular Meeting at 11:14pm. Councilmember Johnson seconded the motion. The motion passed (7-0).