CITY COUNCIL REGULAR MEETING

City Council Chambers, City Hall
Wednesday, September 04, 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 – Pastor Billy Lowe, City Church

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, and Councilmember Jan C. Jacobus.

Councilmember(s) Absent: Councilmember Phil Cranmer.

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

4) APPROVAL OF MEETING AGENDA (Add or remove items from the agenda) **(Agenda Item No. 24-250)**

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

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

Councilmember Jacobus seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

5) PUBLIC COMMENT (General)

Two (2) Public Comment:

1. Michelle Biellier
2. Jon Lundstedt

6) CONSENT AGENDA

A. Approval of the August 5, 2024 Special Called City Council Meeting Minutes.
(Agenda Item No. 24-251)
(Tammy Lowit, City Clerk)

B. Approval of the August 5, 2024 Regular City Council Meeting Minutes.
(Agenda Item No. 24-252)
(Tammy Lowit, City Clerk)

C. Approval of the August 19, 2024 Regular City Council Meeting Minutes.
(Agenda Item No. 24-253)
(Tammy Lowit, City Clerk)

D. Approval of the Financial Statements & Investment Report for the Period Ending July 31, 2024.
(Agenda Item No. 24-254)
(Karen Ellis, Finance Director)

E. Approval of an Agreement between the City of Milton and Bounce House Inflatables of Atlanta LLC, dba Bounce House Atlanta Regarding Children's Activities for Crabapple Fest 2024.
(Agenda Item No. 24-255)
(Diana Wheeler, Interim Community Development Director)

F. Approval of a Services Agreement between the City of Milton and S&S Security Sales Corp. dba Flylock Security Solutions for the Installation of Overhead Automatic Door Openers at Milton City Hall.
(Agenda Item No. 24-256)
(Sara Leaders, Public Works Director)

G. Approval of a Services Agreement Between the City of Milton and American Alarm Corporation, Inc. for Alarm Monitoring Services for City Elevator, Fire, and Burglar Systems.
(Agenda Item No. 24-257)
(Sara Leaders, Public Works Director)

H. Approval for the Submission of a Grant to the Georgia Emergency Management Agency for the Purchase of a Replacement Emergency Generator at Station 43.
(Agenda Item No. 24-258)
(Gabe Benmoussa, Fire Chief)

I. Approval of a Change Order #1 to SaaS Agreement and Addendum No. 1 between the City of Milton and Governmentjobs.com, Inc. (dba NeoGov) for the Addition of a Complete HRIS Suite.
(Agenda Item No. 24-259)
(Niki Graham, Human Resource Director)

J. Approval of a Recreation Provider Agreement Between the City of Milton and Tim Bowen, DBA: Play-Well TEKnologies to Provide Recreational STEM Lego Programming.
(Agenda Item No. 24-260)
(Tom McKlveen, Parks and Recreation Director)

K. Approval of a Construction Services Agreement with Spectrum Fence Company, LLC, to Construct a New Perimeter Fence Along the Road Frontage of Legacy Park.
(Agenda Item No. 24-261)
(Tom McKlveen, Parks & Recreation Director)

Motion and Vote: Councilmember Jacobus moved to approve the Consent Agenda as read. Councilmember Hene seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

7) REPORTS AND PRESENTATIONS

A. Proclamation Promoting Mental Wellness, Emotional Intelligence, and Suicide Prevention in Milton.
(Mayor Peyton Jamison)

8) FIRST PRESENTATION

A. 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. 24-262)
(Bernadette Harvill, Deputy City Manager)

B. Consideration of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt the Fiscal 2025 Budget for Each Fund of the City of Milton, Georgia Appropriating the Several Items of Revenue Appropriations, Prohibiting Expenditures to Exceed Appropriations and Prohibiting Expenditures to Exceed Actual Funding Available.
(Agenda Item No. 24-263)
(Bernadette Harvill, Deputy City Manager)

Motion and Vote: Councilmember Jacobus moved to approve the First Presentation items as read. Councilmember Cookerly seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

9) PUBLIC HEARING

A. Consideration of the Issuance of an Alcohol Beverage License to Lily Sushi Bar Milton, 1865 Heritage Walk, Milton, Georgia 30004.
(Agenda Item No. 24-264)
(Karen Ellis, Finance Director)

Motion and Vote: Councilmember Hene moved to approve Agenda Item No. 24-264. Councilmember Johnson seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

B. Discussion 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.
(Including Discussion of the Use of Additional Occupational Tax Revenue)
(Agenda Item No. 24-262)
(Bernadette Harvill, Deputy City Manager)

C. Discussion of an Ordinance of the Mayor and Council of the City of Milton, Georgia, to Adopt the Fiscal 2025 Budget for Each Fund of the City of Milton, Georgia Appropriating the Several Items of Revenue Appropriations, Prohibiting Expenditures to Exceed Appropriations and Prohibiting Expenditures to Exceed Actual Funding Available.
(First Public Hearing at the 9.04.2024 Regular City Council Meeting)
(Second Public Hearing at the 9.16.2024 Regular City Council Meeting)
(Agenda Item No. 24-263)
(Bernadette Harvill, Deputy City Manager)

10) ZONING AGENDA

A. Consideration of **RZ24-02/U24-01/VC24-01** - 3499 and 3501 Bethany Bend by Sapient Minds LLC d/b/a Milton Montessori School to rezone from TR (Townhouse Residential) with the revocation of a "Senior Living" Use Permit to O-I (Office-Institutional) with a "Private School" Use Permit (Milton Unified Development Code 8.4.1.G) of 24,000 square feet with a total of 160 students and associated activity (outdoor) areas with a three part concurrent variance.
1. To delete the 20' side setback along the south property line for 3501 Bethany Bend. *(Milton Unified Development Code 5.1.4.B)*
2. To delete the 10' landscape strip along the south property line of 3501 Bethany Bend. *(Milton Unified Development Code 6.2.3.B)*
3. To reduce the sidewalk width along Bethany Bend, within the City Right-of-Way from six feet to five feet. *(Milton Unified Development Code 6.2.6.A)*
(Agenda Item No. 24-244)
(Diana Wheeler, Community Development Interim Director)

One (1) Public Comment:

1. Biju Eappen

Motion and Vote: Councilmember Cookerly moved to approve Part 1 and Part 2 with the staff recommended conditions and deny Part 3 of the concurrent variance of RZ24-02/U24-01/ VC24-01, Agenda Item No. 24-244. Councilmember Jacobus seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

11) UNFINISHED BUSINESS

12) NEW BUSINESS

A. Consideration of a Resolution to Condemn Property Rights Needed for Big Creek Greenway Project, **Parcel 3** (0.006 Acres (281.03 Square Feet) of Fee Simple Right of Way and 4,714.42 Square Feet (0.108 Acres) of Temporary Easement for Construction of Slopes); Owners: Neelam Khan and Adnan Kahn.
(Agenda Item No. 24-265)
(Sara Leaders, Public Works Director)

Motion and Vote: Councilmember Jacobus moved to approve Agenda Item No. 24-265. Councilmember Verhoff seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

B. Consideration of a Resolution to Condemn Property Rights Needed for Big Creek Greenway Project, **Parcel 12** (0.050 Acres (2,172.36 Square Feet) Fee Simple Right-of-Way and 4,740.94 Square Feet (0.109 Acres) of Temporary Construction Easement for Construction of Slopes); Owner: Deerfield CC Delaware, LLC.
(Agenda Item No. 24-266)
(Sara Leaders, Public Works Director)

Motion and Vote: Councilmember Cookerly moved to approve Agenda Item No. 24-266. Councilmember Johnson seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

C. Consideration of a Resolution to Condemn Property Rights Needed for Big Creek Greenway Project, **Parcel 4** (0.007 Acres (284.62 Square Feet) of Fee Simple Right of Way and 4,811.98 Square Feet (0.110 Acres) of Temporary Easement for Construction of Slopes); Owners: Samuel V. Moore and Susan Bosman Moore.
(Agenda Item No. 24-267)
(Sara Leaders, Public Works Director)

Motion and Vote: Councilmember Hene moved to approve Agenda Item No. 24-267. Councilmember Verhoff seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

D. Consideration of a Resolution to Condemn Property Rights Needed for Big Creek Greenway Project, **Parcel 13**: 0.043 Acres (1,892.19 Square Feet) of Fee Simple Right-of-Way and 9,349.56 Square Feet (0.215 Acres) of Temporary Construction Easement for Construction of Slopes); Owner: Deerfield CC Delaware, LLC.
(Agenda Item No. 24-268)
(Sara Leaders, Public Works Director)

Motion and Vote: Councilmember Verhoff moved to approve Agenda Item No. 24-268. Councilmember Jacobus seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

E. Consideration of a Resolution to Dispose of a Certain Small and Narrow Strip of Land from Milton City Park and Preserve to Warren Kirk Anderson at 795 Quarterpath Lane.
(Agenda Item No. 24-269)
(Sara Leaders, Public Works Director)

Motion and Vote: Councilmember Cookerly moved to approve Agenda Item No. 24-269. Councilmember Hene seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

F. Approval of a Final Plat Revision.

Name of Development / Location	Action	Comments / # lots	Total Acres	Density
Lyndon Creek Cogburn Road LL 690 & 751 Dist. 2 Sec. 2	**Final Plat** (Revision)	The purpose of this revision is to revise lot line between lots 6 & 7, add 20' drainage easement along rear of lots 1,2,3,4,5 & 6; revise entrance to show gate, island, walls & reconfigured curbing; revise property line along Lot 11 next to detention pond and fence relocation along revised property line.	**15.714** Acres	**0.70** Units /Acre

(Agenda Item No. 24-270)
(Diana Wheeler, Interim Community Development Director)

Motion and Vote: Councilmember Cookerly moved to approve Agenda Item No. 24-270. Councilmember Jacobus seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

13) MAYOR AND COUNCIL REPORTS

14) STAFF REPORTS

15) EXECUTIVE SESSION (*personnel, land acquisitions, and litigation*)

Motion and Vote: Councilmember Verhoff moved to adjourn into Executive Session at 7:20pm. Councilmember Jacobus seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

RECONVENE

Motion and Vote: Councilmember Johnson moved to reconvene into the Regular Meeting at 7:40pm. Councilmember Jacobus seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.

16) ADJOURNMENT (Agenda Item No. 24-271)

Motion and Vote: Councilmember Jacobus moved to adjourn the Regular Meeting at 7:40pm. Councilmember Cookerly seconded the motion. The motion passed (6-0). Councilmember Cranmer was absent from the meeting.