

**City of Cumming**  
**Regular Meeting Agenda**  
**March 19, 2019**

- I. Meeting Called to Order-Troy Brumbalow, Mayor.
- II. Invocation
- III. Pledge to Flag
- IV. Consider Agenda for Adoption
- V. Consider for adoption the following meeting minutes:
  - A. Work Session Meeting of March 5, 2019
- VI. Acknowledgements, Proclamations, Resolutions, etc.
  - A. 2019 City Employee Weight Loss Challenge Winners
- VII. Old Business
  - A. Administration
    - 1. Advertising on Digital Sign
- VIII. New Business
  - A. Planning & Zoning
    - 1. Annexation #2019103- James Mullis
    - 2. Conditional Use Permit #2019107- Meadow Walk LLC
  - B. Utilities
    - 1. Castleberry Road Storm Drain
- IX. Announcements
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
REGULAR MEETING  
MARCH 19, 2019**

**I.** There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, March 19, 2019, at 6:00 P.M., at City Hall in Cumming, Georgia. The Mayor and all Council Members were properly notified as required by law and all were present. Mayor Troy Brumbalow presided over the meeting and called the meeting to order.

**II. Invocation:** Mayor Brumbalow asked Mr. Shad Faulkner to deliver the invocation.

**III. Pledge to the Flag.** Mayor Brumbalow led everyone in the Pledge to the American Flag.

**IV. Consider Agenda for Adoption** A motion was made by Linda Ledbetter, seconded by Jason Evans, and unanimously passed to approve the agenda as presented.

**V. Consider for adoption the following meeting minutes: A. Work Session Meeting of March 5, 2019:** A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to approve the minutes of the Work Session Meeting of March 5, 2019 as presented.

**VI. Acknowledgements, Proclamations, Resolutions, etc. A. 2019 City Employee Weight Loss Challenge Winners-** Mayor Brumbalow congratulated Teresa Brackett, who lost 11.65% of her starting weight, and Sam Rawlins, who lost 11.82% of his starting weight, over the course of the two-month challenge.

**VII. Old Business A. Administration 1. Advertising on Digital Sign City**

Administrator Phil Higgins presented a draft **MUNICIPAL ADVERTISEMENT SPONSORSHIP AGREEMENT** for the placement of ads on the City's digital sign. The agreement would give the City the ability to control the content displayed on the sign while allowing sponsors to promote or provide notice of an event. A motion was made by Chad Crane, seconded by Jason Evans, and unanimously passed to approve the **MUNICIPAL ADVERTISEMENT SPONSORSHIP AGREEMENT**, a maximum \$200.00 per month fee per advertisement, and a 10% initial set-up fee for each ad.

**VIII. New Business A. Planning & Zoning 1. Annexation #2019103- James Mullins-** Planning Director Scott Morgan read the staff report into record: *The property owner has made application to the proper authorities to annex and rezone 1.58 acres, more or*

*less, to Single-Family Residential (R-1), for the purpose of maintaining a private, single-family residence. The property is currently zoned Single-Family Residential in the County and there is one residence located on it, which the owner will continue to occupy. The City's Future Land Use map shows R-1, up to 1.5 units per acre on the adjacent properties, therefore; this annexation and rezoning is in conformance with the City's Comprehensive Plan. Forsyth County has stated they have no objection to the proposed annexation.*

*The Planning Commission held a public hearing on February 19, 2019, for the proposed annexation/rezoning, and, with no opposition recorded, voted unanimously to recommend approval with the following condition:*

- 1. Any expansion, renovation of the existing residence, or additional building(s) constructed on the subject property, must be approved and permitted by the Department of Planning and Zoning.*

A motion was made by Christopher Light, seconded by Jason Evans, and unanimously approved to open the public hearing. The applicant's request was to annex his 1.58 acres, private, single-family home located at 1415 Pilgrim Road into the City Limits. No one present spoke in opposition to the annexation and rezoning to Single-Family Residential. A motion was made by Chad Crane, seconded by Christopher Light, and unanimously passed close the public hearing. A motion was made by Christopher Light, seconded by Chad Crane, and unanimously passed to approve Annexation/Rezoning #2019103 by Mr. James Mullins.

**2. Conditional Use Permit #2019107- Meadow Walk LLC** Planning Director Scott Morgan read in the record the following staff report: *The applicant, on behalf of the property owner, has made application, to the proper authorities, for a Conditional Use Permit (CUP) to establish a clinical massage therapy business, to be known as Pure Fitness and Health, at 101 Meadow Drive, Unit D, of the Meadow Walk Shopping Center. The owners/operators are Sam and Maija Giganti. Mr Giganti has been a licensed Clinical Massage Therapist in Georgia for 16 years and Mrs. Giganti is a certified Health Coach. They have been residents in Forsyth County since 2003.*

*The Planning Commission held a public hearing on February 19, 2019 and with no opposition recorded, voted unanimously to recommend approval of the CUP with the following condition:*

- 1. This CUP is issued specifically to the Giganti's, operating as Pure Fitness and Health, LLC and cannot be transferred or utilized by any other owner/operator.*

A motion was made by Christopher Light, seconded by Jason Evans, and unanimously passed to open the public hearing. The applicant, Sam Giganti, explained that his intent was to open a clinical massage therapy business, Pure Fitness and Health LLC, at 101 Meadow Drive, Unit D. No one present spoke in opposition of the Condition Use Permit. A motion was made by Jason Evans, seconded by Linda Ledbetter, and unanimously passed to close the public hearing. A motion was made by Lewis Ledbetter, seconded by Jason Evans, and unanimously passed to approve Conditional Use Permit #2019107 by Meadow Walk LLC with the condition recommended by the Planning Commission.

**B. Utilities- 1. Castleberry Road Storm Drain** Director of Utilities Jon Heard explained that the Department of Utilities was made aware of a damaged storm drain along Castleberry Road at Anglin Drive in need of repair to prevent future property damage. Sealed bids were received ranging from \$194,890.80 to \$44,674.60. The Department of Utilities recommends accepting the low bid from Jimmy Ray Brown in the amount of \$44,674.60.

A motion was made by Lewis Ledbetter, seconded by Chad Crane, and unanimously passed to award the bid for the repair of the Castleberry Road storm drain for the lowest bid of \$44,674.60 by Jimmy Ray Brown.

**IX. Announcements - none**

**X. Executive Session** Mayor Brumbalow stated there was a need for Executive Session to discuss pending and threatened litigation and the purchase of real property. A motion was made by Jason Evans, seconded by Linda Ledbetter, and unanimously passed to recess into Executive Session. After a brief Executive Session, a motion was made by Christopher Light, seconded by Linda Ledbetter, and unanimously passed to reopen the regular meeting.

**XI. Adjourn:** A motion was made by Linda Ledbetter, and seconded by Lewis Ledbetter to adjourn the meeting.

**Approved this 2<sup>nd</sup> day of April, 2019.**

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**Mayor**

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**Councilmember**

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**Councilmember**

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**Councilmember**

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**Councilmember**

**Attest:**

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**City Clerk**

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**Councilmember**