

City of Cumming
Work Session Agenda
May 7, 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. Called Joint Meeting with Forsyth County Commissioners of April 15, 2019
 - B. Regular Meeting of April 16, 2019
 - C. Executive Session Meeting of April 16, 2019
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. Acknowledgement – Police Officer Tyler Burns
- VII. Old Business
 - A. Administration
 - 1. Veterans War Memorial
 - B. Planning & Zoning
 - 1. Annexation #2019102- Moss Walker
 - 2. Annexation #2019106- Mashburn Family Trust
- VIII. New Business
 - A. I.T.
 - 1. I.T. Simple- Presentation
 - B. Administration
 - 1. Amendment to Downtown Development Area Map
 - C. Planning & Zoning
 - 1. Alcohol License- Big D BBQ
 - D. Add-on: Sinclair Station Lease Agreement**
 - E. Add-on: Pine Lake Drive Speed Reduction**
- IX. Announcements
 - A. Upcoming Events
 - 1. Fridays at the Fairgrounds- May 17, 5 p.m. to 10 p.m.
 - 2. Memorial Day Ceremonies at Veterans War Memorial- May 24 at 11 a.m.
 - 3. Forsyth Central High School Graduation at Fairgrounds- May 25 at 10 a.m.
- X. Executive Session (If needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
WORK SESSION
MAY 7, 2019**

I. There was a Work Session meeting of the Mayor and Council of the City of Cumming on Tuesday, May 7, 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 with the exception of Lewis Ledbetter. 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 Mayor Brumbalow requested to remove under **VI.**

Acknowledgements, Proclamation, Resolutions, etc. A. Acknowledgement- Police Officer Tyler Burns and to add to the agenda under **VIII. New Business: Item D. Sinclair Station Lease Agreement and Item E. Pine Lake Drive Speed Reduction.** A motion was made by Jason Evans and seconded by Linda Ledbetter to amend the agenda to add the items requested by Mayor Brumbalow and adopt the remainder of the agenda as presented. The motion carried 4-0 with Lewis Ledbetter absent.

V. Consider for adoption the following meeting minutes: A. Called Joint Meeting with Forsyth County Commissioners of April 15, 2019: A motion was made by Chad Crane and seconded by Linda Ledbetter to approve the minutes of the Called Joint Meeting with Forsyth County Commissioners of April 15, 2019. The motion carried 4-0 with Lewis Ledbetter absent. **B. Regular Meeting of April 16, 2019:** A motion was made by Jason Evans and seconded by Chad Crane to approve the minutes of the Regular Meeting of April 16, 2019 as presented. The motion carried 4-0 with Lewis Ledbetter absent.

B. Executive Session Meeting of April 16, 2019: A motion was made by Christopher Light and seconded by Jason Evans to approve the minutes of the Executive Session Meeting of April 16, 2019. The motion carried 4-0 with Lewis Ledbetter absent.

**VI. Acknowledgements, Proclamations, Resolutions, etc. A. Acknowledgement-
Police Officer Tyler Burns (Postponed to May 21, 2019.)**

VII. Old Business A. Administration 1. Veterans War Memorial City Administrator Phil Higgins explained that the purpose of this item was to (1) Rescind the previous action to tear down the existing monument and (2) to approve the emergency repair costs to repair the existing monument. This was not budgeted and will have to be funded out of our contingency fund stated Higgins. A motion was made by Chad Crane and seconded by Linda Ledbetter to authorize the repairs of the existing War Memorial. The motion carried 4-0 with Lewis Ledbetter absent.

B. Planning & Zoning 1. Annexation #2019102- Moss Walker: Before beginning, Councilman Christopher Light announced he needed to recuse from voting. Planning Director Scott Morgan read the staff report into the record as follows:

The property owner has made application to the proper authorities to annex 3.10 acres, more or less and rezone to Office Professional (OP), along with a Conditional Use Permit request, to construct a senior housing/assisted living facility on the subject property. The property currently zoned Office & Institutional in the County and has a vacant residence located on it, which will be demolished. The City's Future Land Use map shows OP on the adjacent properties, therefore; this annexation and rezoning is in conformance with our Comprehensive Plan. Forsyth County has stated they have no objection to the proposed annexation.

The applicant has submitted zoning conditions along with the annexation petition and CUP request, since the proposed facility will serve eighteen (18) or more persons.

The Planning Commission held a public hearing on the proposed annexation/rezoning/CUP and, with no public comments, recommended approval, with the applicant's attached conditions as well as the following City Condition:

1. The proposed facility build-out must occur within thirty-six (36) months.

At the last meeting Mayor Brumbalow requested that Mr. Hansard ask if his client would consider requiring 100% masonry or stone exteriors instead of only 75%. Planning Director Scott Morgan read a letter from the applicant stating the change to 100% masonry or stone exteriors is acceptable. A motion was made by Jason Evans and seconded by Linda Ledbetter to approve **Moss Walker Properties, LLC Annexation**

#2019102, Rezoning to Office Professional (OP) and Conditional Use Permit. The motion carried 3-0 with Lewis Ledbetter absent and Christopher Light recused.

2. Annexation #2019106- Mashburn Family Trust Planning Director Scott Morgan read the staff report into the record as follows:

The property owner has made application to the proper authorities to annex .935 acres, more or less and rezone to Restricted Industrial (M-1), for the purpose of maintaining an existing hobby garage and automobile mechanic's shop. The property is currently zoned HB in the County, therefore, the rezoning to City M-1 would be a more restrictive zoning. The City's Future Land Use map shows light industrial on the adjacent property, therefore; this annexation and rezoning in in conformance with our Comprehensive Plan. Forsyth County has stated they have no objection to the proposed annexation.

The Planning Commission held a public hearing and, with no public comments, recommended approval of the proposed annexation/rezoning with the following condition: •Any changes in land use must be approved by the Mayor and Council

Councilman Chad Crane stated that since the last meeting he drove by the property and had no issues with the appearance of the property. A motion was made by Linda Ledbetter and seconded by Chad Crane to approve **Annexation #2019106- Mashburn Family Trust**. The motion carried 4-0 with Lewis Ledbetter absent.

VIII. New Business A. I.T. 1. I.T. Simple- Presentation. Mr. Ron Freeman, the founder of ITsimple presented information on their user-friendly mobile app that is connected to a secure and easy to use web-based portal for city residents and visitors to receive and submit information from a LOCAL and RELIABLE source—their City Hall.

B. Administration 1. Amendment to Downtown Development Area Map Assistant City Attorney Molly Anderson presented **A RESOLUTION TO AMEND THE DOWNTOWN DEVELOPMENT AREA OF THE DOWNTOWN DEVELOPMENT AUTHORITY; TO PROVIDE FOR FILING WITH THE SECRETARY OF STATE OF GEORGIA OF A COPY OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.** These changes were made to include the property purchased and annexed adjacent to the Cumming City Center. A motion was made by

Christopher Light and seconded by Chad Crane to adopt the resolution to amend the Downtown Development Area Map. The motion carried 4-0 with Lewis Ledbetter absent.

C. Planning & Zoning: 1. Alcohol License- Big D BBQ City of Cumming Code Enforcement Officer Lenny Mancinelli stated that the Department of Planning and Zoning had received an Alcoholic Beverage License application for the sale of malt beverages and Mancinelli stated that a background check was conducted on the license applicant, Mr. Darin Meunchow, and no issues were found to deny the applicant the license. Additionally, the applicant has met all the requirements of the application process and has paid all fees due the City, therefore it is recommended that the license be granted. Mayor Brumbalow requested to waive the license fee for 2019 due to the fact that they paid for a 2018 license and were not able to open. A motion was made by Linda Ledbetter and seconded by Chad Crane to grant the Alcoholic Beverage License for the sale of malt beverages and wine for consumption on the premises for Big D's BBQ and waive the license fee for 2019. The motion carried 4-0 with Lewis Ledbetter absent.

D. Add-on: Sinclair Station Lease Agreement City Attorney Kevin Tallant reviewed the proposed lease agreement for the Sinclair Station to Cumming Cigar, LLC. The lease is for one (1) year at \$1,325.00/month beginning July 1, 2019. A motion was made by Jason Evans and seconded by Christopher Light to approve the lease agreement with Cumming Cigar, LLC for the Sinclair Station. The motion carried 4-0 with Lewis Ledbetter absent.

E. Add-on: Pine Lake Drive Speed Measures Mayor Brumbalow explained that traffic on Pine Lake Drive has made it unsafe for residents and children of residents to enjoy their yards. It is already a 25 MPH zone but cars still speed along the street. He recommended the possibility of speed tables or a 3-way stop at Pine Lake Drive and Hickory Knoll. Solutions would be discussed at a future meeting.

IX. Announcements

A. Upcoming Events

1. Fridays at the Fairgrounds- May 17, 5 p.m. to 10 p.m.
2. Memorial Day Ceremonies at Veterans War Memorial- May 24 at 11 a.m.
3. Forsyth Central High School Graduation at Fairgrounds- May 25 at 10 a.m.

X. Executive Session Mayor Brumbalow stated there was no need to have Executive Session.

XI. Adjournment: A motion was made by Jason Evans and seconded by Linda Ledbetter to adjourn the meeting.

Approved this 21st day of May, 2019.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember