

City of Cumming
Regular Meeting Agenda
June 18, 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 June 4, 2019
 - B. Special Called Meeting of June 4, 2019
 - C. Executive Session Meeting of June 4, 2019
- VI. Acknowledgements, Proclamations, Resolutions, etc.- None
- VII. Old Business
 - A. Administration
 - 1. Emergency Management Ordinance
 - 2. IGA with Forsyth County- Road Maintenance
 - B. Planning & Zoning
 - 1. Rezoning Application #2018310- Lynwood Development
 - 2. Rezoning- City Center
 - C. Utilities
 - 1. Purchase-SCAGG Mower
- VIII. New Business
 - A. Administration
 - 1. GMRC Re-appointment- Robert Long
 - B. Planning & Zoning
 - 1. Application for Alcohol License- Cumming Cigar
- IX. Announcements
 - A. Upcoming Events
 - 1. Fridays at the Fairgrounds- June 21, 5-10 p.m.
 - 2. GMRC Council Meeting at City Hall (Gallery B) June 27, 6 p.m.
 - 3. Giggling4Grub: Nashville Downtown at the Fairgrounds- Jun.29, 4-11 p.m.
 - 4. July 4th Celebration: Steam Engine Parade, 10 a.m.; Fairgrounds Festival, 10 a.m. to 10 p.m.; Red, White & Rock Music Fest, 1-11 p.m.; Fireworks a 9:30 p.m.
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
JUNE 18, 2019**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, June 18, 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. Phil Higgins 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 Chad Crane, and unanimously passed to approve the agenda as presented.

V. Consider for adoption the following meeting minutes: A. Work Session Meeting of June 4, 2019: A motion was made by Lewis Ledbetter, seconded by Linda Ledbetter, and unanimously passed to approve the minutes of the Work Session Meeting of June 4, 2019 as presented.

B. Special Called Meeting of June 4, 2019 A motion was made by Lewis Ledbetter, seconded by Linda Ledbetter, and unanimously passed to approve the minutes of the Special Called Meeting on June 4, 2019 with Forsyth County Commissioners Cindy Mills and Molly Cooper as presented.

C. Executive Session Meeting of June 4, 2019 A motion was made by Lewis Ledbetter, seconded by Jason Evans, and unanimously passed to approve the minutes of the Executive Session meeting of June 4, 2019.

VI. Acknowledgements, Proclamations, Resolutions, etc.-None

VII. Old Business A. Administration 1. Emergency Management Ordinance City

Attorney Kevin Tallant presented an ordinance with the preamble as follows: **AN**

ORDINANCE TO AMEND AND ADOPT EMERGENCY MANAGEMENT

PROCEDURES, TO PROVIDE FOR ASSISTANCE, TO PROVIDE FOR

SUSPENSION OF REGULATIONS AND FEES; TO PROVIDE EMERGENCY

FUNDS; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES. A motion was made by Jason

Evans, seconded by Chad Crane, and unanimously passed to approve the Emergency Management Ordinance as presented.

2. IGA with Forsyth County- Road Maintenance City Attorney Kevin Tallant presented an IGA from Forsyth County regarding maintenance of isolated portions of annexed roads. Several questions remained on whether the City of Cumming should be responsible for the maintenance of all these roads. A motion was made by Jason Evans, seconded by Linda Ledbetter, and unanimously passed to deny approval of the IGA concerning Road Maintenance until further discussion with Forsyth County.

B. Planning & Zoning 1. Rezoning Application #2018310- Lynwood Development

Before any discussion Councilman Christopher Light stated he needed to recuse from voting. Planning Director Scott Morgan referred to the attached staff report. A motion was made by Linda Ledbetter and seconded by Jason Evans, to open the public hearing for Rezoning Application #2018310 by Lynwood Development. The motion carried 4-0 with Councilman Christopher Light recused. Representing the applicant was Mr. Emory Lipscomb who stated that the proposed development would include 336 Multi-family residences and a 300- room hotel. The request is to rezone parcel 152-033 from Highway Business (HB) to the City's new Planned Unit Development (PUD) zoning. No one spoke in opposition of Rezoning Application #2018310- Lynwood Development. There was discussion that confirmation from the property owner that the commercial portion (hotel) would be built or the property would be purchased by Northside Forsyth Hospital had not been received by Planning & Zoning. A motion was made by Lewis Ledbetter and seconded by Linda Ledbetter to close the public hearing. The motion carried 4-0 with Councilman Christopher Light recused. A motion was made by Jason Evans and seconded by Chad Crane to postpone any decision until the July 2, 2019 Work Session or until the needed documentation is received by Planning & Zoning. The motion carried 4-0 with Councilman Christopher Light recused.

2. Rezoning- City Center- The Planning Commission held a public hearing on May 21, 2019 and voted to recommend approval of this rezoning, with the appropriate district to be decided by the Mayor and City Council. City Attorney Kevin Tallant presented this matter to the Council and noted that the decision was really whether to zone the property OCMS or Institutional with conditional uses which is more consistent with other City

owned properties. A motion was made by Linda Ledbetter, seconded by Jason Evans, and unanimously passed to open the public hearing. No one present spoke in favor of or in opposition to the rezoning. A motion was made by Linda Ledbetter, seconded by Christopher Light, and unanimously passed to close the public hearing. A motion was made by Christopher Light, seconded by Jason Evans, and unanimously passed to rezone the City Center Property to Institutional Zoning with all the Conditional Uses allowed.

C. Utilities 1. Purchase- SCAGG Mower City Attorney Kevin Tallant explained that due to a couple of the bids being received after the deadline, the previous decision was voidable and that it should be voided and all previous bids rejected. A motion was made by Chad Crane, seconded by Linda Ledbetter, and unanimously passed to reject the previous bids and void the decision to award bid. Director of Utilities Jon Heard reported that the mower was rebid on the Georgia Procurement Registry. It is the recommendation of the Department of Utilities to accept the low bid from Low Country AAJCB- Pooler, GA. A motion was made by Lewis Ledbetter, seconded by Linda Ledbetter, and unanimously passed to award the bid for the SCAGG Lawn Mower to Howard Brothers in Alpharetta, GA for second lowest bid of \$13,020.00 since they were a local bidder and were in a better place for service and repair issues.

VIII. New Business A. Administration 1. GMRC Re-appointment- Robert Long- City Administrator Phil Higgins stated that the City of Cumming needs to appoint a Private Sector Representative to the GMRC Council. The current representative is Mr. Robert Long of the Chamber of Commerce. Mr. Long has stated that he would like to continue to be our representative. A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to re-appoint Mr. Robert Long as the City of Cumming's Private Sector Representative to the GMRC Council for another year.

B. Planning & Zoning- 1. Application for Alcohol License- Cumming Cigar 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 wine for consumption on the premises for the business of Cumming Cigars LLC located at 203 E Main Street (Sinclair Station), Cumming, GA. In accordance with the City's alcohol ordinance, a background check was conducted on the license applicant, Eric Bennett, 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. A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to grant the Alcoholic Beverage License for the sale of malt beverages and wine for consumption on the premises for Cumming Cigars LLC.

IX. Announcements

A. Upcoming Events

1. Fridays at the Fairgrounds- June 21, 5-10 p.m.
2. GMRC Council Meeting at City Hall (Gallery B) June 27, 6 p.m.
3. Giggling4Grub: Nashville Downtown at the Fairgrounds- Jun.29, 4-11 p.m.
4. July 4th Celebration: Steam Engine Parade, 10 a.m.; Fairgrounds Festival, 10 a.m. to 10 p.m.; Red, White & Rock Music Fest, 1-11 p.m.; Fireworks a 9:30 p.m.

X. Executive Session Mayor Brumbalow stated there was a need for Executive Session to discuss personnel. A motion was made by Christopher Light, seconded by Chad Crane, and unanimously passed to recess into Executive Session. After a brief Executive Session, a motion was made by Lewis Ledbetter, seconded by Linda Ledbetter, and unanimously passed to open the regular meeting.

XI. Adjourn: A motion was made by Christopher Light, and seconded by Chad Crane to adjourn the meeting.

Approved this 2th day of July, 2019.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember