

City of Cumming
Regular Meeting Agenda
March 17, 2020

- 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 3, 2020
 - B. Executive Session Meeting of March 3, 2020
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. Census Proclamation
- VII. Old Business
 - A. Administration
 - 1. Road Abandonment Resolution
 - B. Planning & Zoning
 - 1. Vehicle Delivery Ordinance
- VIII. New Business
 - A. Administration
 - 1. Connection Forsyth- Bill Whitney
 - 2. Inmate Medical Insurance- Gail Petree
 - 3. School Street Playhouse
 - 4. Add-on: Emergency Conditions Ordinance**
 - B. Cumming City Center
 - 1. Report on Proposals- Mass Grading
 - C. Utilities
 - 1. Report of Bids- Oakwood Drive Storm Sewer Project
 - 2. Report of Bids- Mountain Road Project
 - 3. Report of Bids- Bald Ridge Creek Pump Station Replacement
 - 4. Report of Bids- Sewer Crawler with Camera and Trailer
- IX. Announcements
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
MARCH 17, 2020**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, March 17, 2020, 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 Mayor Brumbalow requested to add to the agenda under **VIII. New Business A. Administration 4. Declaration of Emergency Conditions Ordinance.** A motion was made by Linda Ledbetter, seconded by Christopher Light, and unanimously passed to revise the agenda as requested by Mayor Brumbalow and approve the remainder of the agenda as presented.

V. Consider for adoption the following meeting minutes: A. Work Session Meeting of March 3, 2020: A motion was made by Christopher Light, seconded by Jason Evans, and unanimously passed to approve the minutes of the Work Session Meeting of March 3, 2020 as presented.

B. Executive Session Meeting of March 3, 2020: A motion was made by Christopher Light, seconded by Chad Crane, and unanimously passed to approve the minutes of the Executive Session Meeting of March 3, 2020.

VI. Acknowledgements, Proclamations, Resolutions, etc.- A. Census Proclamation Mayor Brumbalow signed a proclamation proclaiming April 1, 2020, as Census Day in Cumming, Georgia to recognize the importance of the 2020 Census and pledge full support to achieving a complete and accurate Census Count.

VII. Old Business A. Administration: 1. Road Abandonment Resolution- At the March Work Session City Attorney Kevin Tallant explained that Northside Hospital, Inc. has requested that all the existing right-of-way located within Horseshoe Court identified as 1.358 acres lying in Land Lots 225, 280, and 281 of the Second District, 1st Section of

Forsyth County, Georgia, be abandoned pursuant to plans to be approved by the appropriate city officers. The City of Cumming, Georgia paid nothing for the subject property when acquired, has not expended money on the right-of-way related to the maintenance thereof, and any value is deemed to be less than \$75,000.00. After further discussion, a motion was made by Joey Cochran and seconded by Jason Evans to adopt the Road Abandonment Resolution for 1.358 acres of right-of-way on Horseshoe Court. The motion carried 4-0 with Councilman Light recused.

B. Planning and Zoning: 1. Vehicle Delivery Ordinance- At the March Work Session City Attorney Kevin Tallant presented an ordinance with the preamble as follows: **AN ORDINANCE OF THE CITY OF CUMMING, GEORGIA TO REGULATE THE SAFE DELIVERY OF AND UNLOADING OF VEHICLES FROM A TRAFFIC SAFETY STANDPOINT, TO PROVIDE FOR THE REMOVAL OF VEHICLES; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.** A motion was made by Jason Evans and seconded by Chad Crane to adopt the Vehicle Delivery Ordinance as presented. The motion carried 4-0 with Councilman Joey Cochran recused.

VIII. New Business- A. Administration 1. Connection Forsyth- Bill Whitney: City Administrator Phil Higgins explained that the Forsyth Chamber of Commerce is requesting to organize an event called Connection Forsyth to benefit persons with chemical and/or alcohol dependency. Their request is to hold the event on School Street between the parking deck and the Cumming School House. Only School Street would need to be closed to thru traffic. The event is planned for Sunday, May 24, 2020 from 1:00 pm to 5:00 PM. There will be food trucks and live bands. A motion was made by Jason Evans, and seconded by Linda Ledbetter and unanimously passed to approve the closing of School Street for the Connection Forsyth event.

2. Inmate Medical Insurance- Gail Petree- City Administrator Phil Higgins reported that the quote for the Inmate Medical Insurance came back at \$4,802.00 from Sirius American Insurance Company with a \$2,500 deductible. This policy would cover arrestees during the time held in custody by the Cumming Police Department and until they were booked into the Forsyth County Detention Center. After further discussion, a motion was made by Christopher Light, seconded by Chad Crane, and unanimously

passed to approve the purchase of the Inmate Medical Insurance for the Police Department.

3. School Street Playhouse City Administrator Phil Higgins explained that the owner of The School Street Playhouse has made the request for the City of Cumming to excuse the March lease payment due on the property. Due to the fact that the scheduled Theatre groups are canceling their productions due to the threat of the Coronavirus, no revenue is coming in. A motion was made by Linda Ledbetter, seconded by Jason Evans, and unanimously passed to excuse the March lease payment for the School Street Playhouse.

4. Add-on: Emergency Conditions Ordinance: City Attorney Kevin Tallant presented an ordinance entitled as follows: **AN ORDINANCE OF THE CITY OF CUMMING, GEORGIA TO PROVIDE FOR MEETING PROCEDURES IN EMERGENCY CONDITIONS; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR PROCEDURES FOR TELECONFERENCE PARTICIPATION IN A MEETING; TO PROVIDE FOR PRECAUTIONARY ACTIONS RELATED TO COMMUNICABLE ILLNESS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.** The Ordinance allows the City of Cumming to utilize procedures under the Georgia Open Meetings Act to continue City business when emergency conditions exist, and describes how public access to certain buildings can be handled in such situations. After brief discussion, a motion was made by Christopher Light, seconded by Linda Ledbetter, and unanimously passed to ratify the Declaration of Emergency Conditions. Mayor Brumbalow, Mayor of the City of Cumming then announced that effective tomorrow, City Hall and several other properties would be closed to the public in order to help stem the spread of the Coronavirus. Mayor Brumbalow assured people that the City business would continue and the City would be able to meet the needs of the public.

B. Cumming City Center 1. Report on Proposals- Mass Grading City Administrator Phil Higgins stated that two (2) proposals had been received for the Mass Grading at the Cumming City Center. They were Jasper Grading: \$680,000.00 plus \$65 per CY for rock excavation and removal and Vertical Earth: \$693,000.00 plus \$68 per CY for rock excavation and removal. It is the staff's recommendation to accept the low proposal from Jasper Grading & Pipeline, Inc. A motion was made by Jason Evans, seconded by Chad

Crane, and unanimously passed to award the proposal for the mass grading at the Cumming City Center to Jasper Grading & Pipeline, Inc. in the amount of \$680,000 plus \$65 per CY for rock excavation and removal.

C. Utilities 1. Report of Bids- Oakwood Drive Storm Sewer Project Utilities Director Jon Heard explained that four (4) bids had been received for the Oakwood Drive Storm Sewer Project ranging from \$512,181.17 to \$698,121.50. Our engineers estimated budget for this project was \$750,000.00. The Department of Utilities recommends to accept the low bid from Vertical Earth. A motion was made by Christopher Light, seconded by Joey Cochran, and unanimously passed to award the bid for the Oakwood Drive Storm Sewer Project to Vertical Earth for \$512,181.17.

2. Report of Bids- Mountain Road Project- The Department of Utilities advertised for an RFP for the Mountain Road Intersection Improvements. The Mountain Road entrance into the Distribution Shop would be much safer option for loaded Water Distribution and Wastewater Collection trucks with trailers to enter and exit the facility. The Georgia DOT has agreed to construct a northbound passing lane on Highway 9 (Dahlonega Highway) at Mountain Road to allow vehicles to pass around vehicles stopped to make a left turn on Mountain Road. Five (5) bids were received ranging from \$1,941,081.49 to \$2,800,586.76. Our engineer's estimated budget for this project was \$2,500,000.00. The Department of Utilities recommends accepting the low bid from Vertical Earth. A motion was made by Chad Crane, seconded by Christopher Light, and unanimously passed to award the bid for the Mountain Road Intersection Improvement Project to Vertical Earth for the low bid of \$1,941,081.49.

3. Report of Bids- Bald Ridge Creek Pump Station Replacement- The Department of Utilities advertised for RFP for the Bald Ridge Creek Wastewater Pump Station Replacement. Jon Heard explained that the Baldridge Creek Wastewater Pumping Station is at or slightly above the design capacity. This station receives flow from many developments along Freedom Parkway including flow from Kroger, Ingles, and the new Walmart development along Highway 369. Also, this station receives flow from approximately 4,000 homes and apartments, and several restaurants. This project is a 2020 budgeted project. Three (3) bids were received ranging from \$2,524,300.00 to \$2,703,000.00. Our engineer's estimated budget for this project was \$4,000,000.00. It is

the recommendation of the Department of Utilities to accept the low bid from Allsouth Constructors. A motion was made by Christopher Light, seconded by Joey Cochran, and unanimously passed to award the bid for the Bald Ridge Creek Pump Station Replacement to Allsouth Constructors for the low bid of \$2,524,300.00.

4. Report of Bids- Sewer Crawler with Camera and Trailer- The Department of Utilities advertised on the Georgia Procurement website and received one (1) responsive bid on a Sewer Crawler with Camera and Trailer. This is a 2020 budgeted item. It is the recommendation of the Department of Utilities to accept the lowest responsive bid from JetVac. A motion was made by Chad Crane, seconded by Linda Ledbetter, and unanimously passed to authorize the Department of Utilities to purchase the Sewer Crawler with Camera and Trailer from JetVac, Atlanta, Georgia for the lowest responsive bid of \$130,832.84.

IX. Announcements- none

X. Executive Session Mayor Brumbalow stated there was no need for Executive Session.

XI. Adjourn: A motion was made by Linda Ledbetter and seconded by Joey Cochran to adjourn the meeting.

Approved this 7th day of April, 2020.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember

