

**City of Cumming**  
**Regular Meeting Agenda**  
**October 20, 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 October 6, 2020
  - B. Executive Session Meeting of October 6, 2020
- VI. Acknowledgements, Proclamations, Resolutions, etc.
  - 1. Family Promise Week
- VII. Old Business
- VIII. New Business
  - A. Planning & Zoning
    - 1. Variance Request #202074- Orchard Apartments, LLC. (Public Hearing)
    - 2. Rezoning Request #2020277- RB & DB, LLC. (Public Hearing)
  - B. Utilities
    - 1. RFP Results- Lanier 400 Parkway Booster Pump and Water Tank
    - 2. RFP Result- Security Cameras
    - 3. RFP Results- Lanier Walk Wastewater Pump Station
- IX. Announcements
  - 1. Due to Election Day on November 3, 2020, the November Work Session will be held on Wednesday, November 4, 2020.
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
REGULAR MEETING  
OCTOBER 20, 2020**

**I.** There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, October 20, 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:** A motion was made by Chad Crane and seconded by Jason Evans to adopt the agenda as presented. The motion carried unanimously.

**V. Consider for adoption the following meeting minutes: A. Work Session Meeting of October 6, 2020:** A motion was made by Christopher Light and seconded by Joey Cochran to approve the minutes of the Work Session Meeting of October 6, 2020 as presented. The motion carried unanimously.

**B. Executive Session Meeting of October 6, 2020:** A motion was made by Christopher Light and seconded by Jason Evans to approve the minutes of the Executive Session Meeting of October 6, 2020. The motion carried unanimously.

**VI. Acknowledgements, Proclamations, Resolutions, etc.- 1. Family Promise Week:** Mayor Brumbalow read aloud and presented a proclamation proclaiming October 18, 2020 through October 25, 2020 as Family Promise Week in the City of Cumming.

**VII. Old Business- none**

**VIII. New Business- A. Planning and Zoning 1. Variance Request #2020274- Orchard Apartments, LLC. (Public Hearing):** Planning Director Scott Morgan read into the record the following staff report: *The property owner has made application, to the proper authorities, for a variance request to construct twenty-one (21) additional units in an existing apartment complex. The properties consist of PIN C17-013 and C17-014 and are more commonly known as the Orchard Apartments, 105 Orchard Circle and 116 Meadow Drive, Cumming, GA 30040, respectively. The new units will be constructed in the vacant portions of both parcels. These will be affordable housing*

*units, similar to is already present in the complex, and will add much-needed city inventory for this housing type.*

*The Planning Commission held a public hearing on September 15, 2020 and, with no comments, recommended approval of this variance request with the following conditions:*

- 1. Proposed 18 one-bedroom and 2 studio apartments, with a proposed house for a full-time maintenance person, and a storage shed to keep property maintenance equipment.*
- 2. All units will have brick exterior similar to the existing units and nine-foot ceiling height. Final elevations will be approved by the Mayor or his designated representative.*
- 3. All units will have standard size refrigerators, stoves, etc.*
- 4. All parking to each building will meet ADA standards. Parking space size and number will meet the City off-street parking plan requirements.*
- 5. All units will be connected to City water and sewer utilities.*
- 6. Any development signage will meet the Cumming Sign Ordinance requirements.*
- 7. Landscape plans will be approved by the Mayor or his designated representative.*
- 8. Variance will be approved according to the proposed site plan.*
- 9. Setbacks and buffers will meet City Ordinance requirements.*
- 10. Six-foot wide sidewalks will connect the new units with the existing units.*
- 11. Any storm water generated by new construction must be handled on-site or otherwise addressed.*
- 12. Proposed 18 one bed-room units will be a minimum 800 square feet with a 6-foot porch and 2 studio units will be a minimum 612 square feet with a 6-foot porch.*

A motion was made by Jason Evans and seconded by Joey Cochran to open the public hearing. The motion carried unanimously.

The applicant, Mr. Randy Nichelson explained that plans were to construct twenty-one (21) additional units in the existing apartment complex. They will be located at 105 Orchard Circle and 116 Meadow Drive. No one else spoke in favor of or against the variance request. A motion was made by Jason Evans and seconded by Chad Crane to close the public hearing. The motion carried unanimously. After further discussion, and before the Council took a vote, a motion was made by Christopher Light and seconded by Chad Crane to reopen the public hearing. Discussion was made to add the condition that

80% of the proposed units be age-restricted to 55 years and older. Mrs. Sandra Willard Smith, a disabled resident of Forsyth County, spoke on the difficulty of finding affordable housing for disabled people on a fixed income. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. A motion was made by Christopher Light and seconded by Chad Crane to approve Orchard Apartments, LLC Variance #2020274 with the conditions recommend by the Planning Staff and adding Condition #13- 80% of the units must be age-restricted using HUD guidelines that at least one person in the unit be 55 years old or older. The motion carried unanimously.

**2. Rezoning Request #2020277- RB & DB, LLC. (Public Hearing):** Planning Director Scott Morgan read into record the following staff report: *The property owner has made a request, to the proper authorities, to rezone PIN C25-007, a 1.164-acre tract from Single-Family Residential (R-1A) to Office Professional (OP), in order to establish a real estate office in a former residence. The property is more commonly identified as 415 Dahlonga Street, Cumming, GA 30040. This corridor is transitioning from residential to commercial/office, therefore; this rezoning request reflects the land use change in this area.*

*The Planning Commission held a public hearing on September 15, 2020 and, with no public comments, recommended approval of this rezoning request with the following conditions:*

- 1. The existing structure will only be used as a real estate office.*
- 2. Office hours will be Monday thru Friday from 9:00 AM-6:00 Pm and Saturday from 9:00 AM to 4:00 PM.*
- 3. Any building changes/improvements must be approved and permitted by the Department of Planning & Zoning and Fire Marshall's Office.*
- 4. All parking spaces must be marked and comply with the ADA and the City's off-street parking requirements.*
- 5. All signage must comply with the City Sign Ordinance, be approved and permitted by the Department of Planning and Zoning.*
- 6. Additional landscaping must be approved by the Department of Planning & Zoning.*

A motion was made by Chad Crane and seconded by Jason Evans to open the public hearing. The motion carried 4-0 with Councilman Light recused. Discussion was made

that Condition #1 was too restricted and should allow other uses than just a real estate office. A motion was made by Jason Evans and seconded by Joey Cochran to close the public hearing. The motion carried 4-0 with Councilman Light recused. A motion was made by Jason Evans and seconded by Chad Crane to approve Rezoning Request #2020277 by RB & DB, LLC. with the conditions recommended by the Planning Staff except revise Condition #1 to allow other professional office uses. The motion carried 4-0 with Councilman Light recused.

**B. Utilities 1. RFP Results- Lanier 400 Parkway Booster Pump and Water Tank:**

The Department of Utilities requested RFP proposals for a 12-inch water line along Lanier 400 Parkway from the school to the Juvenile Justice Center. In addition, the project includes a water booster pumping station and an elevated water storage tank. This will be used for the new Juvenile Justice Center, the Lennar mixed-use development on Mashburn property, and for the proposed development on the City's property along Lanier 400 Parkway. This was not a 2020 budgeted item. The five (5) proposals received ranged from \$2,879,498.00 to \$3,081,951.00. The Department of Utilities recommends accepting the low RFP from Willow Construction, Inc. After further discussion the Mayor and Council requested that Director of Utilities Jon Heard report back on any other options to furnish the Juvenile Justice Center with adequate water pressure.

**2. RFP Result- Security Cameras:** The Department of Utilities requested RFP proposals for security cameras at the Water Production Facility and at the Raw Water Intake Facility. The Department budgeted \$96,000.00 for this project. Two (2) proposals were received: 1. ACG Security System, Inc.- \$285,090.38 and 2. Astro Integrated Systems, LLC- \$292,439.00. The Department of Utilities was able to value engineer some items and get the proposal lowered by over \$20,000.00. The Department recommends accepting the proposal from ACG Security System, Inc. A motion was made by Christopher Light and seconded by Joey Cochran to accept the proposal from ACG Security System, Inc. for the low proposal of \$265,000.00. The motion carried unanimously.

**3. RFP Results- Lanier Walk Wastewater Pump Station:** The Department of Utilities requested proposals for decommissioning the Lanier Walk Subdivision Wastewater Pumping Station due to issues with overloading the downstream sewer system. Two (2)

proposals were received: 1. North Georgia Pipeline, Inc.- \$98,461.00 and 2. Strack, Inc.- \$110,000.00. The Department of Utilities recommends accepting the low proposal from North Georgia Pipeline, Inc. A motion was made by Jason Evans and seconded by Linda Ledbetter to accept the low proposal from North Georgia Pipeline, Inc. for \$98,461. The motion carried unanimously.

**IX. Announcements:**

1. Due to Election Day on November 3, 2020, the November Work Session will be held on Wednesday, November 4, 2020.

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

**XI. Adjourn:** A motion was made by Jason Evans and seconded by Chad Crane to adjourn the meeting. The motion carried unanimously.

**Approved this 3th day of November, 2020.**

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**Mayor**

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**Councilmember**

**Councilmember**

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**Councilmember**

**Councilmember**

**Attest:**

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**City Clerk**

**Councilmember**