

**City of Cumming**  
**Regular Meeting Agenda**  
**October 19, 2021**

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 5, 2021

VI. Acknowledgements, Proclamations, Resolutions, etc.

A. Family Promise Week

B. **Add-on:** Recognize Cole Devlin

VII. Old Business

A. Utilities

1. State Water Storage Contract (**Removed**)

VIII. New Business

A. Administration

1. Alcohol Ordinance Update (Information Only)

B. Planning and Zoning

1. Annexation Application #2021159- JP Investment Group, LLC (Public Hearing)

2. Rezoning Application #2021266-Zunzer Properties, LLC (Public Hearing)

C. City Center

1. Report of Quotes-Amphitheater and Building A Lighting

2. Report of Quotes-Amphitheater and Building A Audio

D. Utilities

1. Report on RFPs and IGA- Forsyth County 900 HP Pump

2. Water, Sewer and Stormwater Specifications and Detail Drawings (**Removed**)

IX. Announcements

1. November Work Session will be held on Wednesday, November 3, 2021

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
REGULAR MEETING  
OCTOBER 19, 2021**

**I.** There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, October 19, 2021, 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 request to add under **Acknowledgements, Proclamation, Resolutions: B. Recognition of Cole Devlin** and to remove from the agenda under **Old Business, A. Utilities: 1. State Water Storage Contract** and under **New Business, D. Utilities: 2. Water, Sewer and Stormwater Specifications and Detail Drawings**. A motion was made by Jason Evans and seconded by Christopher Light to amend the agenda as requested by Mayor Brumbalow and adopt the remainder of the agenda as presented. The motion carried unanimously.

**V. Consider for adoption the following meeting minutes: A. Work Session Meeting of October 5, 2021:** A motion was made by Chad Crane and seconded by Jason Evans to approve the minutes of the Work Session Meeting of October 5, 2021 as presented. The motion carried unanimously.

**VI. Acknowledgements, Proclamations, Resolutions, etc.- A. Family Promise Week- October 24-31:** Mayor Brumbalow read aloud and presented a proclamation proclaiming October 24, 2021 through October 31, 2021 as Family Promise Week in the City of Cumming.

**B. Recognize Cole Devlin:** Mayor Brumbalow recognized Mr. Cole Devlin, a local young man that is climbing the ranks in the rodeo circuit. Cole is #5 in World Bull Riding standings and #2 in Bull Rider Rookie Standings.

**VII. Old Business: A. Utilities: 1. State Water Storage Contract: (Removed from agenda)**

**VIII. New Business- A. Administration 1. Alcohol Ordinance Update (Information**

**Only):** City Attorney Kevin Tallant outlined the changes needed to update the City of Cumming Alcohol Ordinance. This ordinance would allow Sunday sales of alcohol by the package after 11:00 AM, provide home alcohol delivery, driver permitting, and allow complimentary service of alcohol pursuant to state law. This would be up for discussion and adoption at a future meeting of the Council.

**B. Planning and Zoning 1. Annexation Application #2021159- JP Investment Group,**

**LLC (Public Hearing):** Planning Director Scott Morgan read into the record the following staff report: *The owner has made application, to the proper authorities, to annex and rezone 0.8 acres, more or less, from County Agricultural (A1) to City Highway Business (HB), to bring his existing real estate office, located at 522 Canton Road, into the city limits. Forsyth County has stated they have no objection to the proposed annexation (enclosed). All three uses mentioned in the County's letter would require a Conditional Use Permit (CUP) from the Mayor and Council in HB zoning. Existing City zoning in this area is a combination of HB and Planned Unit Development (PUD). Future Land Use in this section of the SR 20 corridor is commercial. As a result, this annexation and rezoning in in conformance with the City's Comprehensive Plan. The nine existing parking spaces, including two handicapped spaces, meets the City's minimum off-street parking requirements for this size office building. The Planning Commission held a public hearing on Tuesday, September 28, 2021 and, with no comments, voted unanimously to recommend approval of the annexation, with the following condition:*

*1. Should the property owner make changes to the existing site, whether by building additions, new construction, or site improvements, plans for such work must be review and approved by the Mayor and Council.*

A motion was made by Christopher Light and seconded by Chad Crane to open the public hearing. The applicant, Mr. Gregory Willis, explained that his plans were to bring his existing real estate office, a commercial sign and parking spaces into the City Limits. The property located at 522 Canton Road contains 0.8 acres. No one else spoke in favor of or against the request. A motion was made by Christopher Light and seconded by Joey Cochran to close the public hearing. The motion carried unanimously.

A motion was made by Christopher Light and seconded by Chad Crane to approve the annexation and rezoning of Application #2021159 by JP Investment Group, LLC with the following condition: *Should the property owner make changes to the existing site, whether by building additions, new construction, or site improvements, plans for such work must be review and approved by the Mayor and Council.*

The motion carried unanimously.

**2. Rezoning Application #2021266- Zunzer Properties, 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, to rezone a vacant 1.0-acre tract, from Multiple-Family Residential (R-3) to Office Professional (OP), for future development. This property was zoned Central Business District (CBD), however; during the city-wide rezoning of 2003, it was changed to R-3. The owner now desires to rezone the property to OP. Existing zoning is in conformance with the City's Comprehensive Plan. OP is also proper transitional zoning between the adjacent R-3 development and the Institutional (INST) district across Almond C. Hill Drive. The Planning Commission held a public hearing on September 28, 2021 and, with no comments, recommend approval of the rezoning as requested with the following condition:*

*1. Any future development plans for this property must be submitted to, and approved by the Mayor and Council.*

A motion was made by Christopher Light and seconded by Jason Evans to open the public hearing. The applicant explained that this one-acre lot, located at the corner of Almond C. Hill Drive and Tribble Gap Road, was purchased in July 2001 with the intent of developing a commercial building. The property was not developed and left vacant. The zoning of the property was changed in 2003 through a city-wide rezoning process to R-3. Their request is to rezone the property to Office Professional (OP).

No other comments were recorded. A motion was made by Jason Evans and seconded by Chad Crane to close the public hearing. The motion carried unanimously.

A motion was made by Jason Evans and seconded by Christopher Light to approve Zunzer Properties, LLC Rezoning # 2021266 with the following condition: *1. Any future*

*development plans for this property must be submitted to, and approved by the Mayor and Council.* The motion carried unanimously.

**C. City Center: 1. Report of Quotes- Amphitheater and Building A Lighting:** City

Administrator Phil Higgins reported the following quotes for the equipment and installation of Outdoor Lighting for the Amphitheater and Building A:

1. Atlanta Sound Works, Inc. \$51,334.23
2. Clark Productions, Inc. \$58,228.36
3. TSAV, Inc. \$90,770.99

After consulting with our Engineer, their recommendation was to approve the low quote from Atlanta Sound Works, Inc. A motion was made by Christopher Light and seconded by Chad Crane to approve the low quote of \$51,334.23 from Atlanta Sound Works, Inc. for the Amphitheater and Building A Lighting. The motion carried unanimously.

**2. Report of Quotes- Amphitheater and Building A Audio:** City Administrator Phil

Higgins reported the following quotes for the equipment and installation of Outdoor Audio for the Amphitheater and Building A:

1. Atlanta Sound Works, Inc. \$76,299.85
2. Clark Productions, Inc. \$98,511.93
3. TSAV, Inc. \$96,299.69.

After consulting with our Engineer, their recommendation was to approve the low quote from Atlanta Sound Works, Inc. A motion was made by Joey Cochran and seconded by Chad Crane to approve the low quote of \$76,299.85 from Atlanta Sound Works, Inc. for the Amphitheater and Building A Audio. The motion carried unanimously.

**D. Utilities: 1. Report on RFPs and IGA- Forsyth County 900 HP Pump:** The

Department of Utilities advertised for proposals for an additional 900 HP pump to be added to the City's Raw Water Intake Facility. This project will be funded by Forsyth County. Four proposals were received as follows:

- IHC Construction- \$1,626,152.75
- Lanier Contracting- \$1,660,015.00
- Sol Construction- \$1,676,142.75
- Willow Construction- \$1,984,880.00

The Department of Utilities recommends the low proposal from IHC Construction.

A motion was made by Christopher Light and seconded by Joey Cochran to accept the low proposal from IHC Construction in the amount of \$1,626,152.75. The motion carried unanimously. In regard to Addendum #1 to the Forsyth County/ Cumming IGA regarding raw and finished water, the Mayor and Council requested the agreement be modified to state that Forsyth County would reimburse the City of Cumming for the actual cost of installing the 900 HP pump. The City of Cumming would maintain the pump once installed.

**2. Water, Sewer and Stormwater Specifications and Detail Drawings: (Removed from the agenda)**

**IX. Announcements: 1. November Work Session will be held on Wednesday, November 3, 2021.**

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

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

**Approved this 3rd day of November, 2021.**

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**Mayor**

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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**