

City of Cumming
Regular Meeting Agenda
March 15, 2022

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 1, 2022

B. Executive Session Meeting of March 1, 2022

VI. Acknowledgements, Proclamations, Resolutions, etc.

A. Regional Spelling Bee Winners

VII. Old Business

VIII. New Business

A. Administration

1. General Liability, Property and Casualty Insurance Renewal- Gail Petree

2. Update to Alcohol Ordinance

3. PTV Ordinance (Information Only)

B. Planning and Zoning

1. Alcohol License Application- Savory Mexican Restaurant, 337 Dahlonga Street

2. Alcohol License Application- Carniceria Hernandez, 310 Veterans Memorial Boulevard

3. Variance #2021372-NMC Estate Holdings, LLC (Public Hearing)

C. Streets and Maintenance

1. Report of Quotes- Work Truck

D. Cumming Fairgrounds

1. Report of Quotes- Sound System for Arena

E. Utilities

1. Water Distribution and Collection Shop Sign

2. Water Distribution and Collection Shop- South Parking Lot Restoration

3. Report of Quotes- Department of Utilities Pickup Trucks

IX. Announcements

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
MARCH 15, 2022**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, March 15, 2022, 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 remove under **New Business E. Utilities 2. Water Distribution and Collection Shop- South Parking Lot Restoration.** A motion was made by Chad Crane and seconded by Joey Cochran 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 March 1, 2022: A motion was made by Jason Evans and seconded by Joey Cochran to approve the minutes of the Work Session Meeting of March 1, 2022 as presented. The motion carried unanimously.

B. Executive Session Meeting of March 1, 2022: A motion was made by Jason Evans and seconded by Chad Crane to approve the minutes of the Executive Session Meeting of March 1, 2022. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.- A. Regional Spelling Bee Winners: Mayor Brumbalow recognized **Nimal Murugan** and **Sharayna Vats** as Regional Spelling Bee winners, who will now compete at the Georgia State-Level Spelling Bee.

VII. Old Business: None

VIII. New Business- A. Administration 1. General Liability, Property and Casualty Insurance Renewal- Gail Petree: Ms. Gail Petree of Apex Insurance Services presented the Mayor and City Council a summary of quotes received for the renewal of the City's Insurance Policies for the period April 1, 2022 through March 31, 2023. Quotes were

received from Travelers, Selective and Liberty Mutual. After going over the pros and cons of each carrier, Selective was recommended as the best choice. A motion was made by Joey Cochran and seconded by Christopher Light to authorize the renewal of the City's Insurance through Selective Insurance for a total of \$357,676.00. This includes \$1,857.00 for CyberFirst Liability through Cowbell. The motion carried unanimously.

2. Update to Alcohol Ordinance: City Attorney Kevin Tallant presented an ordinance with a preamble as follows: **AN ORDINANCE TO AMEND THE CURRENT CITY OF CUMMING ALCOHOL ORDINANCE; TO REGULATE CONSUMPTION SERVICE IN CERTAIN PLANNED UNIT DEVELOPMENT DISTRICTS; TO REGULATE CIGAR SHOPS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES AS SET FORTH HEREIN.** After some discussion, action on this ordinance amendment was postponed until a future meeting.

3. PTV Ordinance (Information Only) City Attorney Kevin Tallant presented an Ordinance with the preamble as follows: **AN ORDINANCE OF THE CITY OF CUMMING, GEORGIA TO PROVIDE FOR THE USE OF PERSONAL TRANSPORTATION VEHICLES ON QUALIFIED MUNICIPAL STREETS; TO PROVIDE FOR THE REGISTRATION OF PERSONAL TRANSPORTATION VEHICLES; TO PROVIDE FOR OPERATIONAL AND EQUIPMENT REQUIREMENTS FOR PERSONAL TRANSPORTATION VEHICLES; TO PROVIDE FOR AN EFFECTIVE DATE; AND OR OTHER PURPOSES.**

B. Planning and Zoning 1. Alcohol License Application- Savory Mexican

Restaurant, 337 Dahlonega Street: City of Cumming Code Enforcement Officer, Lenny Mancinelli stated that the Department of Planning and Zoning has received an Alcoholic Beverage License application for the sale of malt beverages and wine for consumption on the premises for Savory Mexican Restaurant at 337 Dahlonega Street- Suite B. The background check has been completed and all appropriate fees have been paid. It is the recommendation of the Cumming Planning Department that this license be approved. Then a motion was made by Jason Evans and seconded by Joey Cochran to approve the alcohol license for the sale of malt beverages and wine for Consumption on the Premises

for Savory Mexican Restaurant at 337 Dahlonga Street-Suite B. The motion carried unanimously.

2. Alcohol License Application- Carniceria Hernandez, 310 Veterans Memorial

Boulevard: City of Cumming Code Enforcement Officer, Lenny Mancinelli stated that the Department of Planning and Zoning has received an Alcoholic Beverage License application for the sale of malt beverages and wine by the package for Carniceria Hernandez, 310 Veterans Memorial Boulevard. The background check has been completed and all appropriate fees have been paid. It is the recommendation of the Cumming Planning Department that this license be approved. Then a motion was made by Jason Evans and seconded by Chad Crane to approve the alcohol license for the sale of malt beverages and wine by the package for Carniceria Hernandez at 310 Veterans Memorial Boulevard. The motion carried unanimously.

3. Variance #2021372-NMC Estate Holdings, LLC (Public Hearing): City

Administrator Phil Higgins read the following staff report into the record: *The agent has made application, on behalf of the property owner, for a variance to the maximum number of off-street parking spaces allowed in the Central Business District (CBD). The subject property is 105 Professional Park Drive, which contains a medical office building of approximately 7,800 square feet. There are 26 existing off-street parking spaces, including 2 handicapped spaces. The City's parking plan allows a maximum of 31 spaces. The applicant is requesting adding 17 additional spaces, bringing the total 43 spaces, which is 12 over the limit. The State Fire Marshall has stated the additional spaces are necessary because this location will be an outpatient surgery center, in addition to medical offices. There will also be a stormwater detention facility added, to capture the run-off from the increased impervious surface.*

The Planning Commission held a public hearing on February 15, 2022 and, with no public comments, recommended approval of the variance with the following condition:

1. The proposed dumpster/location must comply will all City Department of Utilities standards.

A motion was made by Joey Cochran and seconded by Chad Crane to open the public hearing. Mr. Brian Cole, engineer for the project, stated that the additional parking spaces were required by the State Fire Marshall due to the facility being used as an outpatient

surgery center. No other public comments were recorded. A motion was made by Jason Evans and seconded by Chad Crane to close the public hearing. A motion was made by Linda Ledbetter and seconded by Christopher Light to approve Variance #2021372- NMC Estate Holdings, LLC with the condition recommended by Planning Commission. The motion carried unanimously.

C. Streets and Maintenance 1. Report of Quotes- Work Truck: City Administrator Phil Higgins reported that quotes were received for a work truck for the Streets and Maintenance Department. This is the replacement for a 2014 Chevy Silverado that was rear ended and total in November of 2021. Two quotes were received: **Andean Chevrolet \$36,000.00 and Troncalli Chrysler Dodge \$31,509.00.** It is the recommendation of the Street Department Director, Hugh Boling to accept the low quote from Troncalli Chrysler Dodge. A motion was made by Joey Cochran and seconded by Chad Crane to accept the low quote from Troncalli Chrysler Dodge in the amount of \$31,509.00. The motion carried unanimously.

D. Cumming Fairgrounds 1. Report of Quotes- Sound System for Arena: Fairgrounds Director, Tracy Helms, explained that three (3) quotes were received for the replacement and upgrade of the original sound system that was installed in 2001. This item was approved for in the 2022 budget. The three quotes received were:

1. Productions & Concerts- \$96,869.91

2. Jeff Miller Productions- \$110,100.00

3. Sound Principles- \$136,527.00

A motion was made by Chad Crane and seconded by Jason Evans to approve the quote for the Sound System from Productions & Concerts in the amount of \$96,869.91. The motion carried unanimously.

E. Utilities 1. Water Distribution and Collection Shop Sign: The Department of Utilities advertised on the State Procurement website for proposals for a masonry sign along Highway 9 at the Distribution and Collection Shop. This sign was budgeted for construction in 2022. Eight bids were received ranging from \$18,300.00 to \$47,164.74. The Department of Utilities recommends awarding the bid to the low bid/proposal in the amount of \$18,300.00 from Edge Construction. A motion was made by Christopher Light and seconded by Linda Ledbetter to award the bid/proposal to Edge Construction for the low bid/proposal of \$18,300.00. The motion carried unanimously.

2. Water Distribution and Collection Shop- South Parking Lot Restoration:(Removed from the agenda)

3. Report of Quotes- Department of Utilities Pickup Trucks: The Department of Utilities has requested bids for two pickup trucks. These two pickups were in the 2022 budget. The bids received ranged from \$33,964.00 to \$36,572.00. The Department of Utilities recommends awarding the bid to the low bid/proposal in the amount of \$33,964 for one truck and \$34,300 for the second truck from Hardy Fleet Group. A motion was made by Joey Cochran and seconded by Chad Crane to award the bid for two pickup trucks to the low bidder, Hardy Fleet Group in the amount of \$68,264.00. The motion carried unanimously.

IX. Announcements: none

X. Executive Session: Mayor Brumbalow stated there was a need to have Executive Session to discuss real property. A motion was made by Joey Cochran and seconded by Chad Crane to recess into executive session. The motion carried unanimously.

After a brief executive session, a motion was made by Christopher Light and seconded by Joey Cochran to reopen the regular session. The motion carried unanimously.

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

Approved this 5th of April, 2022.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember