

**City of Cumming**  
**Regular Meeting Agenda**  
**May 21, 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 May 7, 2019

VI. Acknowledgements, Proclamations, Resolutions, etc.

A. National Gun Violence Awareness Day Proclamation

VII. Old Business

A. Planning & Zoning

1. Update to Zoning Ordinance (Public Hearing)

VIII. New Business

A. Planning & Zoning

1. Alcohol License- Izumi Asian Bistro

B. Street Department

1. Report on Quotes- Ice Machine

C. Utilities

1. FEMA Related Ordinance Update

2. Request to Advertise for Bids- Kelly Mill Branch Gravity Sewer

3. Bid Results- Hickory Knoll Culvert Replacement

4. Water Tank Logo- Update

IX. Announcements

A. Upcoming Events

1. Memorial Day Ceremonies- May 24 at 11 a.m., Veterans War Memorial

2. Forsyth Central High School Graduation at the Fairgrounds, May 25- 10 a.m.

3. Cumming Farmers Market opening at the Fairgrounds- June 1 at 7 a.m.

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
REGULAR MEETING  
MAY 21, 2019**

**I.** There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, May 21, 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 with the exception of Councilman Jason Evans. 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, and seconded by Chad Crane, to approve the agenda as presented. The motion carried 4-0 with Jason Evans absent.

**V. Consider for adoption the following meeting minutes: A. Work Session Meeting of May 7, 2019:** A motion was made by Lewis Ledbetter, and seconded by Linda Ledbetter, to approve the minutes of the Work Session Meeting of May 7, 2019 as presented. The motion carried 4-0 with Jason Evans absent.

**VI. Acknowledgements, Proclamations, Resolutions, etc. A. National Gun Violence Awareness Day Proclamation** Mayor Brumbalow read aloud and presented a proclamation proclaiming June 7, 2019 as National Gun Violence Awareness Day in the City of Cumming.

**VII. Old Business A. Planning & Zoning 1. Update to Zoning Ordinance (Public Hearing)** City Attorney Kevin Tallant presented an ordinance with the preamble as follows: *AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CUMMING, GEORGIA, CODIFIED AS CHAPTER 113 OF THE CITY OF CUMMING CODE OF ORDINANCES, TO AMEND ARTICLE III, "ZONING DISTRICTS ESTABLISHED; ZONING MAP." SECTION 113-139, "DIVISION OF CITY INTO ZONING DISTRICTS," TO INCLUDE REFERENCE TO A NEW, "AP: ANNEXED PROPERTY" ZONING DISTRICT; TO PROVIDE FOR DEFINITIONS AND TO REGULATE USES; TO PROVIDE FOR AN EFFECTIVE DATE; TO*

***REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; AND FOR OTHER LAWFUL PURPOSES. A***

motion was made by Chad Crane, and seconded by Christopher Light to open the public hearing. The motion carried 4-0 with Jason Evans absent. No one spoke in favor of or against the update. A motion was made by Christopher Light, and seconded by Chad Crane to close the public hearing. The motion carried 4-0 with Jason Evans absent. A motion was made by Linda Ledbetter and seconded by Christopher Light to postpone any action on this ordinance until the June 4th Work Session.

**VIII. New Business A. Planning & Zoning 1. Alcohol License- Izumi Asian Bistro** 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 distilled spirits, malt beverages and wine for consumption on the premises for the business of Izumi Asian Bistro located at 1510 Marketplace Blvd, Cumming, GA. In accordance with the City's alcohol ordinance, a background check was conducted on the license applicant, Yiting Cen, 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 Christopher Light and seconded by Chad Crane to grant the Alcoholic Beverage License for the sale of distilled spirits, malt beverages and wine for consumption on the premises for Izumi Asian Bistro. The motion carried 4-0 with Jason Evans absent.

**B. Street Department- 1. Report on Quotes- Ice Machine** City Administrator Phil

Higgins stated that two (2) quotes had been obtained for the purchase of a new ice machine to be used for the Street Department. The quotes were 1. Restaurant Dynamics \$5,411 (\$700.00 per year warranty) and 2. Eddie's Refrigeration \$5,600.00 (\$0.00 for 5 years warranty on all parts and labor). It was Mr. Higgins' recommendation to accept the quote from Eddie's Refrigeration in the amount of \$5,600.00 given the warranty costs on the other bid. A motion was made by Lewis Ledbetter and seconded by Linda Ledbetter to authorize the purchase of the ice machine from Eddie's Refrigeration. The motion carried 4-0 with Jason Evans absent.

**C. Utilities 1. FEMA Related Ordinance Update** Director of Utilities Jon Heard

explained that the Georgia EPD required the City to make some minor changes to the

Cumming Flood Prevention Ordinance. These changes have been made and approved by the EPD and the Department of Utilities requests the Mayor and Council adopt the updated version as presented. A motion was made by Christopher Light and seconded by Linda Ledbetter to update the Cumming Utilities **Flood Damage Prevention** Ordinance. The motion carried 4-0 with Jason Evans absent.

**2. Request to Advertise for Bids- Kelly Mill Branch Gravity Sewer-**The Department of Utilities requested to bid the Kelly Mill Branch Gravity Sewer Replacement and Kelly Mill Branch Stream Restoration Project. Jon Heard explained that the sewer line will be moved first to make way for the stream mitigation project which will return this stream to a more natural pattern. This work will be completed in advance of the City Center Project. A motion was made by Chad Crane and seconded by Linda Ledbetter to authorize the Department of Utilities to advertise for bids the Kelly Mill Branch Gravity Sewer Replacement and Kelly Mill Branch Stream Restoration Project. The motion carried 4-0 with Jason Evans absent.

**3. Bid Results- Hickory Knoll Culvert Replacement-** The Department of Utilities requested bids for the installation of replacement culverts under Hickory Knoll. There were six (6) bids received ranging from \$563,500.00 to \$1,072,435.45. It is the recommendation of the Department of Utilities to accept the low bid from TYBE Company, LLC. A motion was made by Linda Ledbetter and seconded by Christopher Light to award the bid for the Hickory Knoll Culvert Replacement to TYBE Company, LLC for the low bid of \$563,500.00. The motion carried 4-0 with Jason Evans absent.

**4. Water Tank Logo- Update** Director of Utilities Jon Heard gave the Mayor and Council an update on the progression of the City's 2 Million Gallon Elevated Water Storage Tank. Estimated completion is October 2019. Tank Logo designs were presented for their review.

## **IX. Announcements**

### A. Upcoming Events

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2. Forsyth Central High School Graduation at the Fairgrounds, May 25- 10 a.m.
3. Cumming Farmers Market opening at the Fairgrounds- June 1 at 7 a.m.

**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 Chad Crane to adjourn the meeting.

**Approved this 4th day of June, 2019.**

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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**