

City of Cumming
Regular Meeting Agenda
August 20, 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 August 6, 2019
 - B. Executive Session Meeting of August 6, 2019
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. 811 Day (Safe Digging)
 - B. National Payroll Week- Sept. 1-7, 2019
- VII. Old Business
 - A. Planning & Zoning
 - 1. GCIC Ordinance
 - B. Administrative
 - 1. Small Cell Technology Ordinance
- VIII. New Business
 - A. Planning & Zoning
 - 1. Business Location Change- Spirits of the USA
 - B. Administration
 - 1. Amendment to Alcohol Ordinance- Sales of Alcohol by the Drink
 - 2. Resolution- Call for Special Called Election Referendum
 - C. Fairgrounds
 - 1. Request Approval to Construct a New Pavilion
- IX. Announcements
 - A. Upcoming Events
 - 1. Qualifying for City of Cumming Election, Council Posts 3, 4, and 5 – Deadline To Qualify is Wednesday, Aug. 21 at 4:30 p.m.
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
AUGUST 20, 2019**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, August 20, 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. 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, seconded by Christopher Light, and unanimously passed to approve the agenda as presented.

V. Consider for adoption the following meeting minutes: A. Work Session Meeting of August 6, 2019: A motion was made by Linda Ledbetter, seconded by Chad Crane, and unanimously passed to approve the minutes of the Work Session Meeting of August 6, 2019 as presented.

B. Executive Session Meeting of August 6, 2019 A motion was made by Christopher Light, seconded by Linda Ledbetter, and unanimously passed to approve the minutes of the Executive Session meeting of August 6, 2019.

VI. Acknowledgements, Proclamations, Resolutions, etc.- A. 811 Day (Safe Digging) Mayor Brumbalow read aloud and presented The Forsyth Utility Coordination Committee a proclamation proclaiming August 11, 2019 as **City of Cumming 811 Day.**

B. National Payroll Week- September 1-7, 2019- Mayor Brumbalow read aloud a proclamation proclaiming the first full week of September as Payroll Week for the City of Cumming, Georgia.

VII. Old Business A. Planning & Zoning 1. GCIC Ordinance City Attorney Kevin Tallant presented a proposed ordinance, with the preamble as follows: **AN**

ORDINANCE OF THE CITY OF CUMMING TO PROVIDE FOR RULES RELATED TO CRIMINAL BACKGROUND CHECKS FOR CERTAIN TYPES OF LICENSES AND PERMITS IN REGULATED FIELDS; TO PROVIDE FOR PROCEDURES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to adopt the GCIC Ordinance.

B. Administration 1. Small Cell Technology Ordinance City Attorney Kevin Tallant presented an ordinance with a preamble as follows: **TO AMEND CHAPTER 20, ARTICLE II OF THE CODE OF THE CITY OF CUMMING BY ADOPTING REGULATIONS CONCERNING THE PLACEMENT OF SMALL WIRELESS FACILITIES, SUPPORT STRUCTURES, AND POLES IN CITY RIGHT(S)-OF-WAY; TO PROVIDE A HEIRARCHY FOR APPLICABILITY OF RIGHT(S)-OF-WAY REGULATIONS; TO PROVIDE FOR AESTHETIC REGULATIONS GOVERNING THE PLACEMENT OF FACILITIES AND EQUIPMENT IN PUBLIC RIGHT(S)-OF-WAY WITHIN THE CITY LIMITS; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.** A motion was made by Christopher Light, seconded by Jason Evans, and unanimously passed to adopt the Small Cell Technology Ordinance.

VIII. New Business A. Planning & Zoning 1. Business Location Change- Spirits of the USA- City of Cumming Code Enforcement Officer Lenny Mancinelli explained that Spirits of the USA LLC/ Michael Gerard has applied for a change of ownership and location change for the business of Spirits of the USA located at 110 Industrial Park Dr, Suite A-5 Cumming, GA 30040. The proposed new location will be at 210 Industrial Park Dr. Spirits of the USA and Mrs. Gerard have met all the requirements of the application transfer process and have paid all fees due the City. Mr. Mancinelli recommended that the applicant be granted the requested license transfer and location change request. A motion was made by Linda Ledbetter, seconded by Chad Crane, and unanimously passed to approve the license transfer and location change for Spirits of the USA, LLC.

B. Administration- 1. Amendment to Alcohol Ordinance- Sale of Alcohol by the Drink City Attorney Kevin Tallant presented an Ordinance with the preamble as follows: **AN ORDINANCE OF THE CITY OF CUMMING AMENDING ALCOHOL CODE SECTION 4-131 TO ALLOW SUNDAY SALES BY THE DRINK BETWEEN 11:00 A.M. AND 12:30 P.M. CONDITION UPON VOTER APPROVAL; TO REPEAL ORDINANCES IN CONFLICT; TO PROVIDE FOR SEVERABILITY; TO SET AN EFFECTIVE DATE; AND FOR OTHER**

PURPOSES. A motion was made by Christopher Light, seconded by Linda Ledbetter, and unanimously passed to adopt the ordinance to amend the Alcohol Ordinance to Allow Sunday Alcohol Sales between 11:00 a.m. and 12:30 p.m.

2. Resolution- Call for Special Called Election Referendum- City Attorney Kevin Tallant presented the following resolution: **A RESOLUTION OF THE CITY OF CUMMING TO SEEK THE CALL OF A SPECIAL ELECTION FOR THE PURPOSE OF A REFERENDUM ON WHETHER TO AMEND THE ALCOHOL CODE SECTION 4-131 TO ALLOW SUNDAY SALES BY THE DRINK BETWEEN 11:00 A.M. AND 12:30 P.M. AND FOR OTHER PURPOSES.** A motion was made by Christopher Light, seconded by Chad Crane, and unanimously passed to adopt the resolution to seek the call of a special election.

C. Fairgrounds- 1. Request Approval to Construct a New Pavilion- City

Administrator Phil Higgins requested to construct a concrete pad for a future Pavilion at the Cumming Fairgrounds. The proposed location would be in the area that we are gaining from the extension of the new wall near Gate C. We project the cost to be approximately \$14,000.00. By constructing the concrete pad now would save money on landscaping and drainage later stated Higgins.

A motion was made by Chad Crane, seconded by Christopher Light, and unanimously passed to approve the construction of concrete pad for a future Pavilion.

IX. Announcements

A. Upcoming Events

1. Qualifying for City of Cumming Election, Council Posts 3, 4, and 5 – Deadline To Qualify is Wednesday, Aug. 21 at 4:30 p.m.

X. Executive Session Mayor Brumbalow stated there was a need for Executive Session to discuss the lease of real property. A motion was made by Christopher Light, seconded by Linda Ledbetter, and unanimously passed to recess into Executive Session. After a brief Executive Session, a motion was made by Christopher Light, seconded by Chad Crane, and unanimously passed to open the regular meeting.

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

Approved this 3rd day of September, 2019.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember