

City of Cumming
Regular Meeting Agenda
August 18, 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 August 4, 2020
 - B. Executive Session Meeting of August 4, 2020
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. Add to agenda: Charlie Westbrook Day**
- VII. New Business
 - A. Administration
 - 1. School Street Playhouse- Lease Amendment
 - 2. Resolution- CARES Act
 - 3. Regional Commission Boundary- Resolution
 - 4. Acceptance of Land Donation
 - B. City Center
 - 1. Arts and Cultural Facilities Grant- Resolution
 - C. Planning and Zoning
 - 1. Amendment to Zoning Ordinance- Information Only
- VIII. Announcements
- IX. Executive Session (If Needed)
- X. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
AUGUST 18, 2020**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, August 18, 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 Mayor Brumbalow requested to add under Acknowledgements, Proclamations, Resolutions, etc. **Charlie Westbrook Day.** A motion was made by Linda Ledbetter, seconded by Jason Evans, and unanimously passed to revise the agenda as requested by Mayor Brumbalow and adopt the remainder of the agenda as presented.

V. Consider for adoption the following meeting minutes: A. Work Session Meeting of August 4, 2020: A motion was made by Chad Crane, seconded by Jason Evans, and unanimously passed to approve the minutes of the Work Session Meeting of August 4, 2020 as presented.

B. Executive Session Meeting of August 4, 2020: A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to approve the minutes of the Executive Session Meeting of August 4, 2020.

VI. Acknowledgements, Proclamations, Resolutions, etc.- A. Charlie Westbrook

Day: Mayor Brumbalow read aloud and presented a proclamation honoring Charlie Westbrook as Honorary Mayor of the City of Cumming for so long as Charlie so chooses to serve his community.

VII. New Business- A. Administration 1. School Street Playhouse- Lease

Amendment: City Administrator Phil Higgins presented for the Council's consideration an amendment to the current lease agreement between the City of Cumming and Playhouse Partners, LLC. Their proposal is to pay the City 12.5% of their gross revenue until March 31, 2021 or until social distancing restrictions are lessened to allow full

capacity. A motion was made by Chad Crane, seconded by Linda Ledbetter, and unanimously passed to amend the current lease agreement with Playhouse Partners, LLC.

2. Resolution- CARES Act: A resolution was presented with the preamble as follows: **A RESOLUTION OF THE CITY OF CUMMING, GEORGIA, TO AUTHORIZE THE EXECUTION OF THE CORONAVIRUS RELIEF FUND (CRF) TERMS AND CONDITIONS AGREEMENT; TO AUTHORIZE THE ACCEPTANCE OF GRANT PAYMENTS, INCLUDING ALL UNDERSTANDINGS AND ASSURANCES CONTAINED WITHIN SUCH AGREEMENT; TO DIRECT AND AUTHORIZE THE PERSON IDENTIFIED AS THE OFFICIAL REPRESENTATIVE OF THE CITY, OR THE DESIGNEE OF THE CITY TO ACT IN CONNECTION WITH THE GRANT APPLICATION; AND TO PROVIDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED.**

A motion was made by Joey Cochran, seconded by Christopher Light, and unanimously passed to adopt the resolution to authorize the execution of the Coronavirus Relief Fund (CRF) terms and conditions agreement.

3. Regional Commission Boundary- Resolution: A resolution was presented regarding Forsyth County's request to adjust Regional Commission Boundaries to remove Forsyth County from the Georgia Mountains Regional Commission and place Forsyth County in the Atlanta Regional Commission. After further discussion, a motion was made by Christopher Light and seconded by Chad Crane to adopt the resolution to support Forsyth County's desire to move its membership to the Atlanta Regional Commission. The motion carried 4-1 with Councilmember Linda Ledbetter voting against.

4. Acceptance of Land Donation: City Attorney Kevin Tallant explained that Brookside Heights Apartments, LLC requested to donate 10+ acres across from the City Center, with the condition that the property be used only for a public purpose such as walking/hiking trails and other passive activities. A motion was made by Chad Crane, seconded by Jason Evans, and unanimously passed to accept the Limited Warranty Deed and Quit-Claim Deed from Brookside Heights Apartments, LLC for the property donation to be used for a public purpose.

B. City Center 1. Arts and Cultural Facilities Grant- Resolution: City Administrator Phil Higgins explained that by executing the proposed resolution the City certifies that it

will match any grant fund awarded by the Georgia Council for the Arts for Cultural Facilities. The maximum amount of the grant, if awarded is \$75,000.00. If awarded, the grant would help to off-set the cost of the Band shell at the City Center Amphitheatre. A motion was made by Christopher Light, seconded by Linda Ledbetter, and unanimously passed to adopt the proposed resolution to match the grants funds if awarded.

C. Planning and Zoning 1. Amendment to Zoning Ordinance- Information Only:

City Attorney Kevin Tallant presented the following: **AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CUMMING, GEORGIA, TO PROVIDE FOR PROCEDURES PERTAINING TO CERTAIN LAND USE AND ZONING DECISIONS; TO REGULATE AND FURTHER DEFINE LAND USES IN THE INSTITUTIONAL ZONING DISTRICT; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

VIII. Announcements- none

IX. Executive Session Mayor Brumbalow stated there was a need for Executive Session to discuss property acquisition and pending litigation. A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to recess into Executive Session.

After a brief Executive Session, a motion was made by Linda Ledbetter, seconded by Chad Crane, and unanimously passed to reopen the regular meeting.

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

Approved this 8th day of September, 2020.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember