

City of Cumming
Regular Meeting Agenda
March 16, 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 March 2, 2021
 - B. Executive Session of March 2, 2021
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. National Beta Club Week (Global Leadership Academy for Homeschoolers)
- VII. Old Business
 - A. Planning and Zoning
 - 1. Rezoning Application #2020402- Ashton Atlanta
 - 2. Annexation Request #2019263- 14905 Hopewell Group, LLC (postponed)
- VIII. New Business
 - A. Administration
 - 1. Property Acquisition- Sawnee Drive
 - 2. New Appointment to DDA- Susie Carr
 - 3. Property Transfer to the DDA
 - 4. IGA with DDA for Management of Leases
 - 5. Assignment of Leases
 - 6. Proposal Guaranty Ordinance
 - 7. IGA for Cost Sharing Agreement Related to Water (postponed)
 - B. City Center
 - 1. RFP Results- Doors and Windows
 - 2. RFP Results- Exterior Veneer
 - 3. RFP Results- Masonry
 - C. Police
 - 1. Request to Purchase Motorcycle
 - D. Utilities
 - 1. Report of Quotes- Reskin the Sewer Building
- IX. Announcements
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
MARCH 16, 2021**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, March 16, 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 requested to amend the agenda by postponing items: **VII. Old Business A. Planning and Zoning 2. Annexation Request #2019263- 14905 Hopewell Group, LLC and VIII. New Business A. Administration 7. IGA for Cost Sharing Agreement Related to Water.** A motion was made by Christopher Light and seconded by Jason Evans 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 2, 2021: A motion was made by Christopher Light and seconded by Jason Evans to approve the minutes of the Work Session Meeting of March 2, 2021 as presented. The motion carried unanimously.

B. Executive Session of March 2, 2021: A motion was made by Jason Evans and seconded by Christopher Light to approve the minutes of the Executive Session of March 2, 2021 as presented. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.- National Beta Club Week (Global Leadership Academy for Homeschoolers): Mayor Brumbalow read aloud a proclamation proclaiming March 1-5, 2021 as National Beta Club Week in the City of Cumming.

VII. Old Business: A. Planning and Zoning: 1. Rezoning Application #2020402- Ashton Atlanta: Representing the applicant was Mr. Emory Lipscomb and Mr. Sean Courtney. Mr. Lipscomb and Mr. Courtney discussed with the Mayor and Council some

of the twenty-nine (29) conditions requested of the developer for this 69.87 acres rezoning request for a conservation residential subdivision. The Council had a few revisions to recommend. There was a request to amend the last sentence of Condition # 5 to read: **All streets in the development shall be private.** Condition # 19 was requested to include: **No on-street parking within the single-family residential portion and the townhome portion for a period longer than two consecutive days.** Condition #30 was added to: **Require a minimum of five (5) foot side walks throughout the development on both sides of the street.** Condition #31 was added to: **Development to include the construction of nature trail to be completed prior to the issuance of the 130th certificate of occupancy.** The representatives of the applicant agreed to the additional conditions. (see attached list of conditions)

A motion was made by Joey Cochran and seconded by Jason Evans to approve Rezoning Request #2020402- Ashton Atlanta with the 29 original conditions and the additional two (2) conditions. The motion carried 3-1 with Councilman Light recused and Councilmember Ledbetter voting against the motion.

2. Annexation Request #2019263- 14905 Hopewell Group, LLC. (Postponed)

VIII. New Business- A. Administration: 1. Property Acquisition- Sawnee Drive: City Administrator Phil Higgins explained that negotiations have been held with the Adair Park HOA regarding a piece of property needed on Sawnee Drive for an additional access point to the City Center. The terms of the agreement with the HOA state that in exchange for 8.88 acres of land the City would pay the HOA \$88,000 (appraised value) plus the cost of installing a privacy gate for the neighborhood at the access point. A motion was made by Christopher Light and seconded by Jason Evans to authorize Mayor Brumbalow to sign the purchase agreement on behalf of the City of Cumming for 8.80 acres off of Sawnee Drive for an access point to the City Center. The motion carried 4-0 with Councilman Chad Crane abstained.

2. New Appointment to the DDA- Susie Carr: Mayor Brumbalow requested to appoint Mrs. Susie Carr to the Downtown Development Authority. A motion was made by Jason Evans and seconded by Chad Crane to appoint Susie Carr to the Downtown Development authority. The motion carried unanimously.

3. Property Transfer to the DDA: City Attorney Kevin Tallant explained that the City of Cumming requests to transfer certain properties from the City to the Downtown Development Authority. A motion was made by Christopher Light and seconded by Chad Crane to authorize Mayor Brumbalow to transfer the Cumming Schoolhouse, Sinclair Station, Brannon-Heard House, 506 Kelly Mill Road, 402 Kelly Mill Road and the old Cumming Methodist Church to the Downtown Development Authority. The motion carried unanimously.

4. IGA with DDA for Management of Leases: City Attorney Kevin Tallant presented a draft IGA between the City of Cumming and the Downtown Development Authority to manage the leases of the transferred properties. A motion was made by Christopher Light and seconded by Jason Evans to authorize Mayor Brumbalow to sign, on behalf of the City, the IGA between the City of Cumming and the Downtown Development Authority. The motion carried unanimously.

5. Assignment of Leases: City Attorney Kevin Tallant explained that the existing leases would have to be assigned to the DDA. A motion was made by Christopher Light and seconded by Jason Evans to assign the lease between the City of Cumming and, Sawnee Association of the Arts, Cumming Cigars, the Historical Society, and Playhouse Partners, LLC, to the DDA. The motion carried unanimously.

6. Proposal Guaranty Ordinance: City Attorney Kevin Tallant presented the following Proposal Guaranty Ordinance: *AN ORDINANCE OF THE CITY OF CUMMING, GEORGIA TO ADDRESS AND REGULATE MATTERS IN THE BIDDING PROCESS; TO PROVIDE FOR GUARANTIES; TO PROVIDE FOR BID ASSURANCES; TO PROVIDE FOR ALTERNATIVE METHODS OF CONFIRMING AND ENFORCING PRICE; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.* A motion was made by Jason Evans and seconded by Chad Crane to approve the Proposal Guaranty Ordinance. The motion carried unanimously.

7. IGA for Cost Sharing Agreement Related to Water: (Postponed)

B. City Center: 1. RFP Results- Doors and Windows: City Administrator Phil Higgins presented the RFP Results for providing and installing the Doors and Windows for nine (9) buildings at the City Center. Included were Buildings A, B, C, D, E, F, G, H and L.

Staff's recommendation was to accept the sole proposal from AVI, Marvin Door and Window. A motion was made by Joey Cochran and seconded by Jason Evans to accept the sole proposal from AVI, Marvin Door and Window in the amount of \$1,678,906.55.

2. RFP Results- Exterior Veneer: City Administrator Phil Higgins presented the RFP Results for the Exterior Veneer and Trim for Buildings A, B, C, D, E, F, G, H, L and M at the City Center. One company submitted a proposal for \$1,540,000.00. Staff's recommendation was to accept the sole proposal from Cooper and Company in the amount of \$1,540,000.00. A motion was made by Chad Crane and seconded by Joey Cochran to accept the proposal from Cooper and Company.

3. RFP Results- Masonry: City Administrator Phil Higgins presented the RFP Results for the Masonry for Buildings A, B, C, D, E, F, G, H, L & M at the City Center. Staff's recommendation was to accept the sole proposal from Cooper and Company. In the same RFP was specialty masonry work other than buildings. This includes the site walls, bandshell, monuments, and culverts. Staff recommends approving Stonework Unlimited, Inc. for the specialty masonry work. A motion was made by Chad Crane and seconded by Joey Cochran to accept the sole proposal from Cooper and Company in the amount of \$2,729,000.00 for the masonry work on all the buildings and Stonework Unlimited, Inc. for all the specialty masonry work with the cost to be determined by a per linear foot for most locations.

C. Police: 1. Request to Purchase Motorcycle: Police Chief David Marsh requested to purchase a surplus motorcycle from Georgia Public Safety Training Center for use by the Cumming Police Department. Chief Marsh stated that a motorcycle has a distinct mobility advantage working in confined spaces like the downtown area and would give us a lot of options for making the city square safer for pedestrians. It could also be used for high visibility events like funeral escorts, parade escorts, and traffic direction during road races and other road closures. The Police Department requested \$5,500.00 (\$3,500 for the motorcycle and \$2,000 for initial maintenance. Chief Marsh stated this was not a budgeted item. A motion was made by Linda Ledbetter and seconded by Jason Evans to authorize the purchase of a 2009 Harley Davidson Road King with 23,520 miles from Georgia Public Safety Training Center for use by the Cumming PD. The motion carried unanimously.

D. Utilities: 1. Report of Quotes- Reskin the Sewer Building: The Department of Utilities requested quotes for the replacing of the roof and exterior building panels on the Sewer Building located at the Water Distribution Shop on Dahlonega Highway. This was a 2021 budgeted item. Two (2) quotes were received ranging from \$50,990.00 to \$60,000.00. The Department of Utilities recommends accepting the low quote from Edge Roofing. A motion was made by Joey Cochran and seconded by Linda Ledbetter to accept the low quote from Edge Roofing in the amount of \$50,990.00. The motion carried unanimously.

IX. Announcements: None

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

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

Approved this 6th day of April, 2021.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember