

City of Cumming
Regular Meeting Agenda
December 21, 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 December 7, 2021
 - B. Executive Session Meeting of December 7, 2021
- VI. Acknowledgements, Proclamations, Resolutions, etc.-none
- VII. Old Business
 - A. Administration
 - 1. Hotel and Motel Tax Resolution
- VIII. New Business
 - A. Planning and Zoning
 - 1. Rezoning Application #2021293- Providence Group of Georgia, LLC. (Public Hearing)
 - B. Administration
 - 1. Garbage and Recycling Fees
 - 2. 2021 Budget Amendment
 - C. Utilities
 - 1. Water, Sewer and Stormwater Specifications and Detail Drawings Update
- IX. Announcements
 - 1. City of Cumming non-essential offices will be closed on December 23rd and 24th for the Christmas Holiday and December 31st for the New Year Holiday.
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
DECEMBER 21, 2021**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, December 21, 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: A motion was made by Joey Cochran and seconded by Chad Crane to adopt the agenda as presented. The motion carried unanimously.

V. Consider for adoption the following meeting minutes: A. Work Session Meeting of December 7, 2021: A motion was made by Chad Crane and seconded by Jason Evans to approve the minutes of the Work Session Meeting of December 7, 2021 as presented. The motion carried unanimously.

B. Executive Session Meeting of December 7, 2021: A motion was made by Joey Cochran and seconded by Christopher Light to approve the minutes of the Executive Session Meeting of December 7, 2021. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.- Mayor Brumbalow thanked everyone that participated in the City of Cumming toy drive.

VII. Old Business: A. Administration: 1. Hotel and Motel Tax Resolution: City

Attorney Kevin Tallant presented the following: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CUMMING, GEORGIA,**

REQUESTING THAT THE GEORGIA GENERAL ASSEMBLY ADOPT LOCAL

LEGISLATION AUTHORIZING THE CITY OF CUMMING TO ADOPT THE

HOTEL/MOTEL EXCISE TAX UNDER O.C.G.A. 48-13-51 (b); TO AUTHORIZE

THE CITY ADMINISTRATOR TO EXECUTE ALL NECESSARY ACTS TO

ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE FOR

TOURISM PRODUCT DEVELOPMENT PURPOSES; TO PROVIDE FOR THE

ALLOCATION OF PROCEEDS; TO PROVIDE FOR AN EFFECTIVE DATE OF

THIS RESOLUTION; AND FOR OTHER PURPOSES. City Attorney Kevin Tallant explained that the Georgia General Assembly would have to introduce local legislation to continue the process. A motion was made by Christopher Light and seconded by Joey Cochran to authorize Mayor Brumbalow to sign the resolution to adopt the Hotel and Motel Excise Tax increase. The motion carried unanimously.

VIII. New Business- A. Planning and Zoning 1. Rezoning Application #2021293-Providence Group of Georgia, LLC. (Public Hearing): Planning Director Scott Morgan read in the record the following staff report: *The applicant, on behalf of the property owner, has made application to the proper authorities, to rezone 152.911 acres, more or less, from a combination of single-family residential (R-1A), Office Professional (OP), and Planned Shopping Center (PSC), to Planned Unit Development (PUD), in order to construct a mixed-use development. The development will consist of a mixture of housing types totaling 774 units, 103,500 square feet of retail, restaurant, office, 26,000 square feet of indoor amenities, 9,000 square feet of ground floor commercial, 4,000 square feet of vertical mixed use, and 220,000 square feet of institutional- senior living. Future land use for the subject property is a combination of mixed-use and commercial, therefore; this rezoning request is in conformance with the City's Comprehensive Plan. The Georgia Regional Transportation Authority Notice of Decision for this Development of Regional Impact is for approval with conditions, and is attached.*

The applicant has included a land use plan with conditions, product elevations including amenities site plans, landscape buffers and street profiles. The proposed development will have private streets and be gated. There will be vertical mixed units located near Dahlonga Street (SR9), as well as retail, restaurant and office use, along both Dahlonga Street and Pilgrim Mill Road. There will be recreational amenities in both the attached and detached single-family communities, including pocket parks dispersed throughout the development. There will be planted buffers between the development and all existing homes on Brooks Farm Drive, Northdale Subdivision and Pilgrim Mill Road. As part of this development, a connector road will be constructed, from the intersection of SR's 9 and 20, east to its terminus and intersection with Pilgrim Mill Road.

The Planning Commission held a public hearing on September 28, 2021 and accepted public comments. After numerous meetings between the Planning Commissioners, staff and the applicant, revisions were made to the proposed project. At their meeting on November 16, 2021, the Planning Commission voted 2-1 to recommend approval of this rezoning request.

A motion was made by Joey Cochran and seconded by Christopher Light to open the public hearing. Each side was given ten (10) minutes to state their argument. A motion was made by Christopher Light and seconded by Jason Evans to extend the time five (5) more minutes for each side. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. The motion carried unanimously.

B. Administration 1. Garbage and Recycling Fees: City Administrator explained that Red Oak Sanitation, the City's Garbage and Recycling Contactor is requesting a \$7.00 per customer increase. The increase is due to market factors such as the price of gas, dumping fees and personnel costs. In order to maintain our current level of service, it is the staff's recommendation that beginning March 1, 2022, that the City raise the billing rate to \$22.00 per month for residential and \$27.00 per month for commercial. The additional amount requested would also have to cover the expense of the Street Department specialty pick-ups of yard debris, mattresses, old furniture, and similar items at no cost to the City residents. These rates would still be lower than surrounding areas stated Higgins. After further discussion, City Administrator Higgins was requested to bring recycling options back to the Work Session.

2. 2021 Budget Amendment: City Administrator Phil Higgins explained that the City of Cumming, in order to comply with State of Georgia Audit regulations, has to amend its 2021 Budget to account for any increases/decreases in revenue received or any unexpected expenditures. A motion was made by Chad Crane and seconded by Joey Cochran approving the 2021 Budget Amendment. The motion carried unanimously.

C. Utilities: 1. Water, Sewer and Stormwater Specifications and Detail Drawings

Update: The Department of Utilities has been working with our staff and with our contract engineer to update our Water, Sewer, and Stormwater Design Specifications and Detail Drawings. Their request is that the Council approve these updated specifications.

