

City of Cumming
Regular Meeting Agenda
June 21, 2022

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. Regular Meeting of May 17, 2022

VI. Acknowledgements, Proclamations, Resolutions, etc.

VII. Old Business

A. Planning and Zoning

1. International Property Maintenance Code

VIII. New Business

A. Planning and Zoning

1. Alcohol License Application-Marisqueria El Escandalo , 170 Tri-County Plaza

2. Professional Planning Services

3. Conditional Use Permit #2022162-Sixth Sense, 1580 Marketplace Boulevard
(Public Hearing)

B. Administration

1. Aquatic Circle Property Agreement

C. Utilities

1. Report of Quotes- Mini Excavator

D. Police

1. New Patrol Car Equipment Package

IX. Announcements

A. All non-essential City of Cumming offices will be closed on Monday, July 4,
2022, in observance of Independence Day.

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
JUNE 21, 2022**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, June 21, 2022, 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 Chad Crane and seconded by Joey Cochran to adopt the agenda as presented. The motion carried unanimously.

V. Consider for adoption the following meeting minutes: A. Regular Meeting of May 17, 2022: A motion was made by Chad Crane and seconded by Christopher Light to approve the minutes of the Regular Meeting of May 17, 2022 as presented. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.- none

VII. Old Business: Planning and Zoning - 1. International Property Maintenance

Code: City Attorney Kevin Tallant presented the following Ordinance: **AN**

ORDINANCE OF THE CITY OF CUMMING, GEORGIA FOR THE PURPOSES OF ADOPTING BY REFERENCE PORTIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, PROVIDING FOR AMENDMENTS TO THE TERMS OF THAT CODE; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Several revisions have been made since the introduction of this ordinance several months ago stated Tallant and Planning Director Scott Morgan. After some discussion, a motion was made by Jason Evans and seconded by Chad Crane to approve the International Property Code as presented. The motion carried 4-1 with Councilmember Ledbetter against.

II. New Business- A. Planning and Zoning 1. Alcohol License Application- Marisqueria El Escandalo Restaurant, 170 Tri-County Plaza. Code Enforcement

Officer Lenny Mancinelli reported that the Department of Planning and Zoning has 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 Marisqueria El Escandalo Restaurant located at 170 Tri-County Plaza, Cumming, Georgia.

In accordance with the City's alcohol ordinance, a background check was conducted on the license applicant, Jenny Estrada, 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. It is the recommendation of the City of Cumming, Department of Planning and Zoning that the applicant be granted the requested license by the City of Cumming. A motion was made by Christopher Light and seconded by Joey Cochran to approve the alcohol license application for the sale of distilled spirits, malt beverages and wine for consumption on the premises for Marisqueria El Escandalo Restaurant located at 170 Tri-County Plaza. The motion carried unanimously.

2. Professional Planning Services: Planning Director Scott Morgan explained that this request was for Addendum #1 to the agreement between Jerry Weitz & Associates, Inc. and the City of Cumming, Georgia for professional planning services. The steering committee for the Comprehensive Plan Update recommended that the Zoning Ordinance should include minimum basic architecture and design standards for new construction. This would be change in the scope of work under the comprehensive plan update agreement. A motion was made by Jason Evans and seconded by Chad Crane to approve Addendum #1 to the agreement, not to exceed \$10,000.00. The motion carried unanimously.

3. Conditional Use Permit #2022162- Sixth Sense, 1580 Marketplace Boulevard (Public Hearing)- Planning Director Scott Morgan read into the record the following staff report: *The applicant has made application to the proper authorities, for a Conditional Use Permit (CUP), to operate a massage therapy business at 1580 Market Place Boulevard, in the Cumming Market Plaza. Attached please find their application and business plan, including their State licensing. The applicant has secured a lease, which includes adequate tenant space and surface parking for their proposed business. The Planning Commission held a public hearing on May 17, 2022 and with no opposition, recommended approval of the CUP, with the following condition:*

1. All massage therapist working in this facility must have a valid State License.

A motion was made by Christopher Light and seconded by Joey Cochran to open the public hearing. The motion carried unanimously. The applicant, Mr. Bradlee Morgan explained the differences in their type of deep-tissue therapy, as opposed to the other types of massage services offered. No opposition was recorded. A motion was made by Christopher Light and seconded by Joey Cochran to close the public hearing. The motion carried unanimously. A motion was made by Christopher Light and seconded by Joey Cochran to approve Conditional Use Permit# 2022162 by Sixth Sense at 1580 Marketplace Boulevard with the condition recommended by the Planning Commission. The motion carried unanimously.

B. Administration: 1. Aquatic Circle Property Agreement- City Administrator Phil Higgins explained The Board of Regents of the University System of Georgia had requested to purchase 7.58 acres located at Aquatic Circle, Cumming, Georgia from the City of Cumming for the appraised value of \$785,000.00. A motion was made by Joey Cochran and seconded by Jason Evans to authorize Mayor Brumbalow to sign the necessary documents to close on the sale of 7.58 acres to The Board of Regents of the University System of Georgia. The motion carried unanimously.

C. Utilities- 1. Report of Quotes- Mini Excavator: The Department of Utilities advertised for a mini excavator on the Georgia Procurement Website and received six (6) bid ranging from \$64,417.69 to \$82,517.00. The Department of Utilities recommends accepting the bid from Flint Equipment (for the John Deere machine) in the amount of \$77,000.00. The lower bids did not meet the specifications stated in the bid documents. This was a 2022 budgeted item stated Heard. A motion was made by Linda Ledbetter and seconded by Christopher Light to award the bid for the Mini Excavator to Flint Equipment in the amount of \$77,000.00.

D. Police- 1. New Patrol Car Equipment Package- Officer Anthony Hodgkins presented a request to purchase the equipment necessary to outfit two Ford Police Interceptor Vehicles. This includes lights, push bumpers, plastic rear seats, siren, mounts, brackets, laptop computers and vehicle mounted radio for a total of \$51,700.24 for both. A motion was made by Chad Crane and seconded by Joey Cochran to authorize the purchase of the

