

**City of Cumming**  
**Regular Meeting Agenda**  
**September 20, 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 August 16, 2022
  - B. Executive Session Minutes of August 16, 2022
- VI. Acknowledgements, Proclamations, Resolutions, etc.
  - A. Hispanic Heritage Month
- VII. Old Business: **Add-on: A. Utilities Track Hoe Bids- Reapprove Bids**
- VIII. New Business
  - A. Administrative
    - 1. Impact Fee Agreement-Providence Group (Information Only)
  - B. Planning and Zoning
    - 1. Variance Application #2022219-Jagannah Properties, LLC, 1080 Sander Road
  - C. Utilities
    - 1. Water Production Division High Voltage Power Line Removal and Replacement
    - 2. Request to Purchase Security Cameras-Water Distribution Division Shop
    - 3. Emergency Replacement of Influent Drum Screen at Wastewater Plant
    - 4. Vision Drive 12-inch Water Line Extension
    - 5. Highway 369 Water Line Crossing Over Settingdown Creek
- IX. Announcements
  - A. Cumming Country Fair and Festival- October 6-16, 2022
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
REGULAR MEETING  
SEPTEMBER 20, 2022**

**I.** There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, September 20, 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:** Mayor Brumbalow requested to add to the agenda under **VII. Old Business: Utilities Track Hoe Bids- Reapprove Bids.** A motion was made by Christopher Light and seconded by Jason Evans to amend the agenda as request 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. Regular Meeting of August 16, 2022:** A motion was made by Joey Cochran and seconded by Jason Evans to approve the minutes of the Regular Meeting of August 16, 2022 as presented. The motion carried unanimously.

**B. Executive Session Minutes of August 16, 2022:** A motion was made by Jason Evans and seconded by Chad Crane to approve the Executive Session Minutes of August 16, 2022 as presented. The motion carried unanimously.

**VI. Acknowledgements, Proclamations, Resolutions, etc.- A. Hispanic Heritage Month.** Mayor Brumbalow read aloud a proclamation proclaiming September 15 through October 15, 2022 as Hispanic Heritage Month in the City of Cumming.

**VII. Old Business-Add-on: A. Utilities Track Hoe Bids- Reapprove Bids:** At the June 22, 2022 City Council Meeting, the Council approved the purchase of a Mini-Excavator from Flint Equipment in the amount of \$77,000.00. Unfortunately, the dealer was not able to fulfill the order until spring of 2023 and the Department is currently renting a mini-excavator. The Department of Utilities recommends accepting the next lowest bid from

Bobcat of Atlanta in the amount of \$69,699.59, which is less the trade-in value of \$9,000.00 for the old mini-excavator. A motion was made by Christopher Light and seconded by Chad Crane to rescind the award to Flint Equipment and authorize the Department of Utilities to purchase the mini-excavator from Bobcat of Atlanta for \$69,699.59. The motion carried unanimously.

**II. New Business- A. Administrative: 1. Impact Fee Agreement- Providence Group**

**(Information Only):** City Attorney Kevin Tallant presented a draft Impact Fee Agreement between the City of Cumming, The Providence Group of Georgia, LLC and JBGL Atlanta Development 2014, LLC concerning the proposed Sawnee Drive Extension to Pilgrim Mill Road, traffic signal and Highway 9 Project for Sawnee Village. After some discussion, Mayor Brumbalow requested to postpone any action on this agreement until the next Council Meeting.

**B. Planning and Zoning: 1. Variance Application #2022219- Jagannah Properties, LLC, 1080 Sanders Road:** Planning Director Scott Morgan read into the record the following staff report: *The owner has made application, to the proper authorities, for a parking variance, to increase the total number of off-street parking spaces above the maximum allowed. The subject property is located at 1080 Sanders Road, with two existing medical offices and a third currently vacant. There are currently 37 existing spaces, including 3 handicapped spaces. The third office will begin conducting medical examinations and outpatient surgery, requiring 14 additional spaces, for a total of 51, 10 spaces above the maximum allowed by our off-street parking plan.*

*The traffic engineering report included in your packet supports the need for these additional spaces, given the total square footage and use of these three medical practices. The project engineer has certified the existing stormwater detention facility has sufficient capacity to handle the additional runoff, which will be generated by adding these parking spaces (enclosure).*

*The Planning Commission held a public hearing on August 16, 2022 and there were no public comments. Therefore, they voted to recommend approval of the variance request, with the following conditions:*

- 1. Plans for the construction of these additional parking spaces must be approved and permitted by the Department of Planning and Zoning.*

***2. The landscaping plan must be approved and permitted by the Department of Planning and Zoning.***

A motion was made by Chad Crane and seconded by Joey Cochran to open the public hearing. The motion carried unanimously. No public comment 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 Joey Cochran and seconded by Chad Crane to approve Variance Application #2022219-Jagannah Properties, LLC, 1090 Sanders Road. The motion carried unanimously.

**C. Utilities- 1. Water Production Division High Voltage Power Line Removal and Replacement:** The Department of Utilities advertised for proposals for the removal and replacement of the High Voltage power line at the Water Production Plant. The proposals were as follows:

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|---|---------------------|
| <b>1. Jerry Pruitt Electrical Contracting</b> | <b>\$264,100.00</b> |
| <b>2. Wilson Construction Management, LLC</b> | <b>\$334,050.00</b> |
| <b>3. North Georgia Concrete, Inc.</b>        | <b>\$685,297.00</b> |

The Department of Utilities recommends accepting the low proposal from Jerry Pruitt Contracting. A motion was made by Jason Evans and seconded by Joey Cochran to accept the low proposal from Jerry Pruitt Contracting in the amount of \$264,100.00. The motion carried unanimously.

**2. Request to Purchase Security Cameras- Water Distribution Division Shop:** The Department of Utilities requests consideration of the following bids for the purchase of security cameras for the Water Distribution Division Shop:

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|---------------------------------|---------------------|
| <b>1. Adapt to Solve-</b>       | <b>\$62,062.84</b>  |
| <b>2. WAV&amp;S</b>             | <b>\$66,739.06</b>  |
| <b>3. Compass Security</b>      | <b>\$42,173.39</b>  |
| <b>4. Astro</b>                 | <b>\$ 66,081.59</b> |
| <b>5. Mobile Communications</b> | <b>\$43,876.57</b>  |
| <b>6. ACG</b>                   | <b>\$61,073.28</b>  |
| <b>7. EMC Security</b>          | <b>\$65,000.00</b>  |

The Department of Utilities recommends accepting the low proposal from Compass Security. A motion was made by Chad Crane and seconded by Linda Ledbetter to authorize

the Department of Utilities to purchase security cameras for the Water Distribution Division Shop for the low proposal of \$42,173.39 from Compass Security. The motion carried unanimously.

**3. Emergency Replacement of Influent Drum Screen at Wastewater Plant:** The Advanced Water Reclamation Facility (AWRF) utilizes two rotating drum screens to remove solid materials from the influent before it enters the plant. One of these screens is now inoperable. The replacement screen would have to come from the manufacturer TDH Company for an estimated cost of \$109,598.00. The AWRF requests the Emergency replacement of the Influent Drum Screen at the Wastewater Plant. A motion was made by Joey Cochran and seconded by Jason Evans to authorize the AWRF to purchase the replacement Influent Drum Screen for \$109,598.00. The motion carried unanimously.

**4. Vision Drive 12-inch Water Line Extension:** The Department of Utilities requested to authorize Jasper Grading and Pipeline to complete the 12-inch water line along Vision Drive at the City Center in lieu of the eight-inch line. The roadway is under construction and it would be more efficient to allow Jasper Grading and Pipeline to complete the twelve-inch line now instead of an eight-inch line while their equipment is on site. The total cost of this water line upgrade is \$390,000.00. A motion was made by Christopher Light and seconded by Joey Cochran to authorize Jasper Grading and Pipeline to complete the 12-inch water line along Vision Drive in the City Center. The motion carried unanimously.

**5. Highway 369 Water Line Crossing Over Settingdown Creek:** The Department of Utilities and City Utility Engineer, Andy Lovejoy requested the council consider the following proposals for the Highway 369 Water Line Crossing over Settingdown Creek:

- 1. Universal Underground Utility Contractors, Inc. \$812,373.00**
- 2. North Georgia Pipeline, Inc. \$922,036.00**
- 3. Site Engineering, Inc. \$1,534,551.00**
- 4. Helix Group, Inc. \$2,022,225.33**

The Department of Utilities recommends accepting the low proposal from Universal Underground Utility Contractors, Inc. City Utility Engineer, Andy Lovejoy explained that since the project was located in the City's purchased easement, the GA DOT would have to reimburse the City for the construction cost. A motion was made by Chad Crane and

seconded by Jason Evans to accept the low proposal from Universal Underground Utility Contractors, Inc. in the amount of \$812,373.00. The motion carried unanimously.

**IX. Announcements: A.** Cumming Country Fair and Festival- October 6-16, 2022.

**X. Executive Session:** Mayor Brumbalow stated there was a need to have Executive Session to discuss pending or threatened litigation. A motion was made by Chad Crane and seconded by Jason Evans to recess into Executive Session. The motion carried unanimously.

After a brief Executive Session, a motion was made by Christopher Light and seconded by Joey Cochran to reopen the regular meeting. The motion carried unanimously. A motion was made by Christopher Light and seconded by Chad Crane to authorize the payment of \$135,000.00 to resolve the condemnation of two parcels of property on John Burruss Road and Karr Road for utility projects. The motion carried unanimously.

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

Approved this 18th day of October, 2022.

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**Mayor**

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**Councilmember**

**Councilmember**

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**Councilmember**

**Councilmember**

**Attest:**

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**City Clerk**

**Councilmember**