

City of Cumming
Regular Meeting Agenda
November 21, 2023

- 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 October 17, 2023
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. Harvesting Hope for Jessie's House
 - B. National American Indian Heritage Month
- VII. Old Business
- VIII. New Business
 - A. Fairgrounds
 - 1. 2023 Cumming Country Fair and Festival Recap
 - B. Planning and Zoning
 - 1. 2024 Alcohol License Renewals
 - 2. Alcohol Beverage License Application- Mary Lucille's, 431 Vision Drive, Suite F104
 - C. Police
 - 1. Avive AED Presentation
 - D. Administration
 - 1. 2024 Budget (Information Only)
 - 2. Purchase of Mitigation Credits- Sawnee Drive Extension
 - 3. Consider Update to Parking Ordinance
 - E. Utilities
 - 1. Report of RFP-Site Work for Heirloom Subdivision Water Booster Station
 - 2. Report of RFP- Water Booser Pump, Heirloom Subdivision
- IX. Announcements
 - A. City Hall and other non-essential City facilities will be closed Thursday, November 23rd and Friday, November 24th for Thanksgiving.
 - B. City of Cumming Christmas Parade will be Saturday, December 9th at 5:00 p.m.
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
NOVEMBER 21, 2023**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, November 21, 2023, 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 Jason Evans to adopt the agenda as presented. The motion carried unanimously.

V. Consider for adoption the following meeting minutes: A. Regular Meeting of October 17, 2023: A motion was made by Joey Cochran, and seconded by Christopher Light to approve the minutes of the Regular Meeting of October 17, 2023 as presented. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.: A. Harvesting Hope for Jessie's House- Mayor Brumbalow read aloud and presented a proclamation proclaiming October 14, 2023 as **Harvesting Hope for Jessie's House Day** in the City of Cumming.

B. National American Indian Heritage Month: Mayor Brumbalow read aloud a proclamation proclaiming November 2023 as **National Native American Heritage Month** in the City of Cumming.

VII. Old Business: None

VIII. New Business: A. Fairgrounds: 1. 2023 Cumming Country Fair and Festival Recap: Fairgrounds Director Tracy Helms gave a recap on the success of the 2023 Cumming Country Fair and Festival.

B. Planning and Zoning: A motion was made by Christopher Light and seconded by Chad Crane to take action on **"2. Alcoholic Beverage License Application- Mary Lucille's, 431 Vision Drive, Suite F104"** first and then the renewals. The motion carried unanimously.

2. Alcoholic Beverage License Application- Mary Lucille's, 431 Vision Drive, Suite

F104: The Department of Planning and Zoning 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 Mary Lucille's, located at 431 Vision Drive- Suite F104 in the Cumming City Center. City Code Enforcement Officer, Lenny Mancinelli, stated that in accordance with the City's alcohol ordinance, a background check was conducted on the license applicants and no issues were found to deny the applicants the licenses. Additionally, the applicants have met all the requirements of the application process and have paid all fees due the City. A motion was made by Jason Evans and seconded by Joey Cochran to approve the 2024 Alcoholic Beverage License for the sale of distilled spirits, malt beverages and wine for consumption on the premises to Mary Lucille's located at 431 Vision Drive- Suite F104 in the Cumming City Center. The motion carried unanimously.

1. 2024 Alcohol License Renewals: City of Cumming Code Enforcement Officer, Lenny Mancinelli presented the Mayor and Council a list (Attachment A) of sixty-one (61) businesses which currently hold an alcohol license and who have successfully completed their renewal applications for their 2024 alcohol license. Investigations have been completed and all appropriate fees have been paid. All of these businesses are complying with the alcohol ordinance adopted by the City of Cumming stated Mancinelli. Two current licensees (O'Charley's and Old Harbor Seafood) have not completed the renewal process. O'Charley's, has permanently closed the location within the City limits. The owners of Old Harbor Seafood have advised they will not be renewing the alcohol license at this location. It is the recommendation of the Cumming Planning Department that each of these licenses be approved. Then a motion was made by Jason Evans and seconded by Chad Crane approving the renewal of sixty-one (61) alcohol licenses as presented by of the Cumming Planning Department. The motion carried unanimously.

C. Police: 1. Avive AED Presentation: Cumming Chief of Police P.J. Girvan introduced a representative of Avive Solutions, Inc. who updated the Mayor and Council on "The 4 Minute City". They work with the citizens of Forsyth County to create a culture of saving lives from cardiac arrest through free training, educational resources, and the placement of intelligent AEDs across the City of Cumming.

D. Administration: 1. 2024 Budget (Information Only): City Administrator Phil Higgins presented the Mayor and City Council a 2024 Budget Summary of revenues and expenses for the General Fund and Water Fund for their review. A public hearing would be held at the December 05, 2023 Work Session for discussion concerning the 2024 budget.

2. Purchase of Mitigation Credits- Sawnee Drive Extension: City Administrator Phil Higgins explained that the updated mitigation cost breakdown for the Sawnee Drive Extension Corp permit revisions is Wetland (west) \$318,000 City, Stream (west) \$486,000 City, and Stream (east) \$187,000 Developer. After some discussion, a motion was made by Christopher Light and seconded by Joey Cochran to authorize the purchase of Stream Mitigation Credits for the Sawnee Drive Extension Project. The motion carried unanimously.

3. Consider Update to Parking Ordinance: City Attorney Kevin Tallant presented an update to the Parking Ordinance with a preamble as follows:

AN ORDINANCE OF THE CITY OF CUMMING, GEORGIA TO REGULATE THE PARKING OF VEHICLES; TO IMPOSE TIME LIMITS ON VEHICLES PARKED ON PUBLIC PROPERTY; TO PROVIDE FOR RESTRICTIONS ON OVERNIGHT PARKING; TO PROVIDE FOR THE REMOVAL OF VEHICLES THAT ARE PARKED BEYOND TIME LIMITS, PARKED OVERNIGHT, OR PARKED FOR AN UNAUTHORIZED PURPOSE; TO PROVIDE FOR REGULATIONS AS TO USE OF PARKING FACILITIES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

After some discussion, a motion was made by Chad Crane and seconded by Jason Evans to approve the update to the parking ordinance. The motion carried unanimously.

E. Utilities: 1. Report of RFP- Site Work for Heirloom Subdivision Water Booster Station: The Department of Utilities budgeted for a water booster pumping system for the Heirloom Subdivision off of Spot Road. The following bids were received for the site work for the pump station.

1. Jasper Grading and Pipeline	\$168,700.00
2. Townley Construction Co, Inc.	\$151,145.00
3. Vertical Earth	\$No Bid

The Department of Utilities recommends accepting the low bid of \$151,145.00 from Townley Construction Co, Inc. A motion was made by Christopher Light and seconded by Jason Evans to award the RFP to Townley Construction Co, Inc. for the site work for Heirloom Subdivision Water Booster Station.in the amount of \$151,145.00. The motion carried unanimously.

2. Report of RFP- Water Booster Pump, Heirloom Subdivision: The Department of Utilities budgeted for a water booster pumping system for the Heirloom Subdivision off of Spot Road. The following bids were received for the pump equipment.

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| 1. Goforth Williamson Inc. | \$287,720.00 |
| 2. Alan J. Harris Company, Inc. | \$307,430.00 |
| 3. Wascon Sales and Service | \$345,264.00 |

The Department of Utilities recommends accepting the low bid of \$287,720.00 from Goforth Williamson Inc. A motion was made by Jason Evans and seconded by Chad Crane to award the RFP to Goforth Williamson Inc. for the Heirloom Subdivision pump equipment in the amount of \$287,720.00. The motion carried unanimously.

IX. Announcements:

- A. City Hall and other non-essential City facilities will be closed Thursday, November 23rd and Friday, November 24th for Thanksgiving.
- B. City of Cumming Christmas Parade will be Saturday, December 9th at 5:00 p.m.

X. Executive Session: Mayor Brumbalow stated there was a need for Executive Session to discuss pending litigation and the sale or purchase of real property. 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 4-0.

XI. Adjourn: A motion was made by Chad Crane and seconded by Jason Evans to adjourn the meeting. The motion carried 4-0.

Approved this 5th day of December, 2023.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember