

City of Cumming
Regular Meeting Agenda
January 16, 2024

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 January 2, 2024

VI. Acknowledgements, Proclamations, Resolutions, etc.

A. Dr. Leila Denmark Day

VII. Old Business

A. Cumming Fairgrounds

1. Livestock Barn

VIII. New Business

A. Administration

1. New Appointment to the Cumming Downtown Development Authority and
Development Authority

2. Statewide Mutual Aid and Assistance Agreement

3. Georgia Transportation Infrastructure Bank Grant

B. Planning and Zoning

1. Rezoning Application #2023216- Inline Communities (Public Hearing)

IX. Announcements

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
JANUARY 16, 2024**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, January 16, 2024, 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 Jason Evans, 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 January 2, 2024: A motion was made by Chad Crane, and seconded by Joey Cochran to approve the minutes of the Work Session Meeting of January 2, 2024 as presented. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.: A. Dr. Leila Denmark Day: Mayor Brumbalow read aloud a proclamation proclaiming, her birthday, February 1, 2024 as “**Dr. Leila Denmark Day**” in the City of Cumming.

VII. Old Business: 1. Cumming Fairgrounds: 1. Livestock Barn: City Administrator Phil explained that at the January Work Session the Council approved an RFP to seek proposals on the construction of a new Multipurpose Barn at the Cumming Fairgrounds. After more investigation on the existing barn more damage was found that simply made the existing livestock barn not repairable. For safety concerns the decision was made to take the existing structure down. Approval is needed under an emergency repair situation for the removal of the existing livestock barn by our on-call contractor. A motion was made by Christopher Light and seconded by Chad Crane to authorize on-call contractor, Jasper Grading and Pipeline, Inc. to remove the existing livestock barn. The motion carried unanimously.

Mayor Brumbalow requested to amend the agenda to add the appointment of a member to the Development Authority. A motion was made by Christopher Light and seconded by Jason Evans to amend the agenda as requested by Mayor Brumbalow. The motion carried unanimously.

VIII. New Business: A. Administration: 1. New Appointment to the Cumming Downtown Development Authority and the Development Authority: City Administrator Phil Higgins explained that one of our existing DDA and DA members, Eric Kimbral has notified the City that his business is relocating outside the City Limits. We will need to replace him on the DDA and DA board. Mr. Shakeeb Ali, a resident of the City has been mentioned as a replacement to Mr. Kimbral. A motion was made by Chad Crane and seconded by Jason Evans to appoint Mr. Shakeeb Ali to the Cumming Downtown Development Authority Board and the Development Authority Board, replacing Eric Kimbral. The motion carried unanimously.

2. Statewide Mutual Aid and Assistance Agreement: City Administrator Phil Higgins explained that each year the City restates our commitment to work with and partner with the Georgia Emergency Management and Homeland Security Agency. This is in conjunction with Forsyth County EMS. This agreement states that in the event of a declared emergency, we may work together in pursuit of aid should the need arise. In the agreement individuals are identified as the City's Authorized Representative and Designated Fiscal Officers. A motion was made by Christopher Light and seconded by Susie Carr to approve the Statewide Mutual Aid Agreement. The motion carried unanimously.

3. Georgia Transportation Infrastructure Bank Grant: City Administrator Phil Higgins explained that the State Road and Toll Way Authority has made available funding for road projects in 2024. I would like to submit the upcoming Sawnee Drive Extension project for consideration. If approved, we may be eligible for up to 33% of the project costs. To apply for this grant we need an approved resolution from the elected board showing their support of the project. A motion was made by Joey Cochran and seconded by Jason Evans to authorize Mayor Brumbalow to sign the necessary documentation to apply for the Georgia Transportation Infrastructure Bank Grant. The motion carried unanimously.

B. Planning and Zoning: 1. Rezoning Application #2023216- Inline Communities:

The applicant has made application, on behalf of the property owner, to rezone 31.416

acres, more or less, from a combination of Highway Business (HB) and Restricted Industrial (M-1), to Multiple-Family Residential (R-3), for the purpose of constructing a 186-unit, residential subdivision, consisting of 179 townhomes and 7 detached homes. The future land use designation for this property is public institutional. Surrounding adjacent properties' future land use is a combination of commercial, industrial and residential. This requested rezoning is not in conformance with the future land use map of the City's Comprehensive Plan.

The Planning Commission held a public hearing on December 19, 2023 and there was a presentation made by the applicant's representative. There were no other public comments. Due to the proposed rezoning not conforming to future land use, the Planning Commission voted unanimously and recommended denial of this rezoning request.

Councilman Christopher Light recused from voting due to a business conflict. A motion was made by Jason Evans and seconded by Chad Crane to open the public hearing. The motion carried 4-0. The applicant gave a presentation on the proposed development of the property. After the allotted time for discussion expired, the motion was made by Jason Evans and seconded by Chad Crane to extend the discussion time another ten minutes. The motion carried 4-0. No opposition to the project was recorded. A motion was made by Jason Evans and seconded by Chad Crane to close the public hearing. The motion carried 4-0. A motion was made by Jason Evans and seconded by Joey Cochran to table any decision on Rezoning Application #2023216 by Inline Communities until the February 6, 2024 Work Session. The motion carried 4-0.

IX. Announcements: none

X. Executive Session: Mayor Brumbalow stated there a need for Executive Session to discuss pending or threatened litigation. A motion was made by Jason Evans and seconded by Joey Cochran to recess into Executive Session. The motion carried unanimously. After a brief Executive Session, a motion was made by Chad Crane and seconded by Joey Cochran to reopen the regular meeting. The motion carried unanimously.

A motion was made by Chad Crane and seconded by Joey Cochran to approve the settlement agreement in the amount of \$87,000.00 to Burruss Family Properties for a sanitary sewer easement off of John Burruss Road. 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 6th day of February, 2024.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember