

City of Cumming
Regular Meeting Agenda
April 15, 2025

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 March 18th, 2025.

B. Executive Session Meeting of March 18, 2025

VI. Acknowledgements, Proclamations, Resolutions, etc.

1. Donate Life Month - Organ Transplant Awareness

2. State Spelling Bee Runner-Up.

VII. Old Business

A. Planning and Zoning

1. Variance Request #2024292 - Miguel Granados, 302 Patterson Street.

2. Variance Request #2024293 - Miguel Granados, 302 Patterson Street

3. Variance Request #2024291 - Miguel Granados, 302 Patterson Street.

VIII. New Business

A. Cumming Aquatic Center

1. Pool Pak Repairs - Fan Motor Replacement.

B. Park and Recreation

1. Security Cameras - Dobbs Creek Recreation Center.

C. Street Department

1. Report of Quotes - Dump Truck

D. Planning and Zoning

1. Annexation Application #2025002 - Hoff Homes, LLC (Public Hearing).

2. Rezoning Application #2025004 - Webb Property Group, LLC (Public Hearing).

3. Forsyth IL- AI Investors, LLC- Zoning Conditions Amendment (Public Hearing).

E. Utilities

1. Highway 20 West Condemnation of Water Line Easement.

2. AWRF Solids Handling Facility.

F. Administration

1. Amendment to Animal Ordinance.

IX. Announcements

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
APRIL 15, 2025**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, April 15, 2025, 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 amend the agenda by combining under **VII. Old Business: A. Planning and Zoning-Variance Request #2024292, #2024293 and #2024291- Miguel Grandos, 302 Patterson Street** into one item. A motion was made by Susie Carr and seconded by Jason Evans to amend the agenda as requested by Mayor Brumbalow and adopt the remainder of the agenda as presented. The motion carried unanimously.

V. Consider for Adoption the Following Meeting Minutes: 1. Regular Meeting of March 18, 2025: A motion was made by Chad Crane and seconded by Jason Evans to approve the minutes of the Regular Meeting of March 18, 2025. The motion carried unanimously.

2. Executive Session Meeting of March 18, 2025: A motion was made by Jason Evans and seconded by Chad Crane to approve the minutes of the Executive Session Meeting of March 18, 2025.

VI. Acknowledgements, Proclamations, Resolutions, etc.- 1. Donate Life Month- Organ Transplant Awareness: Mayor Brumbalow read aloud a proclamation proclaiming April 2025 as **Donate Life Month- Organ Transplant Awareness** in the City of Cumming and to encourage all Cumming, Georgia residents to consider leaving an infinite legacy through organ donation and sign up when renewing their driving or hunting/fishing license.

2. State Spelling Bee Runner-Up: Mayor Brumbalow read a proclamation recognizing the fourth place Georgia Spelling Bee Runner-Up: **Vikram Venkiteswaran**.

VII. Old Business: A. Planning and Zoning: 1. Variance Request #2024292,

#2024293, and #2024291- Miguel Granados, 302 Patterson Street: After discussion with his client, the applicant's representative, Mr. Ethan Underwood, offer a potential compromise. The applicant would be agreeable to combining Lots 80 and 81 to facilitate the single existing home, if he could build a second home on Lot 82. Lot 82 is located north of the other lots- the new house would be built between the existing home and City Park, so the streetscape view along Patterson Street would remain the same as today, stated Underwood. To facilitate this proposal the following variance would be requested:

Tax Parcel: C25-036

- 1. A variance to increase the maximum dwelling units per acre from 2.5 units per acre to 4.34 units per acre.*
- 2. A variance to reduce the minimum lot size from 18,000 sq. feet to 13,114.81 sq. Feet.*
- 3. A variance to reduce the minimum rear setback from 20 feet to 3 feet.*
- 4. A variance to reduce the minimum front setback from 30 feet to 19 feet (only Along Park Street)*

Tax Parcel: C25-056

- 1. A variance to increase the maximum dwelling units per acre from 2.5 to 4.34.*
- 2. A variance to reduce the minimum lot size from 18,000 sq. feet to 6,500 sq. feet.*
- 3. A variance to reduce the minimum lot width from 80 feet to 53 feet.*

After further discussion, a motion was made by Christopher Light and seconded by Jason Evans to approve Variance Request #2024292, #2024293 and #2024291 by Miguel Granados with the revised variances requested and the condition that the lots be replatted. The motion carried 4-1 with Joey Cochran in opposition.

VIII. New Business: A. Cumming Aquatic Center: 1. Pool Pak Repairs- Fan Motor

Replacement: Cumming Aquatics Center Director Carla Sordoni requested the approval to replace the Pool Pak unit's six (6) fan motors. Some of these are 14 years old.

Southeastern Heating and Air is a sole source provider for this work as they have a Pool Pak trained tech on staff who can perform the work. The quote to complete the repairs is \$28,780.00. A motion was made by Joey Cochran and seconded by Susie Carr to authorize Southeastern Heating and Air to replace six (6) Pool Pak fan motors at the

Cumming Aquatics Center for the quoted price of \$28,780.00. The motion carried unanimously.

B. Park and Recreation: 1. Security Cameras- Dobbs Creek Recreation Center: Park Director Jeremy Howell requested to use SPLOST VIII funds for the purchase and installation of Security Cameras at Dobbs Creek Recreation Center. This project aligns with the new security program being introduced by the Cumming Police Department allowing them access to the cameras through the Real Time Crime Center, when necessary for security purposes. The quotes were as follows:

- Hi-Tech Systems- \$35,684.69 for 6MP cameras**
- Spartan Security Systems, Inc.- \$37,873.78 for 4MP cameras**
- Goodlife Security Solutions-\$37,691.45 for 4MP cameras**
- Callaway Security & Sound- \$95,578.00 for 8MP cameras**

His recommendation was to accept the lowest quote from Hi-Tech Systems. A motion was made by Joey Cochran and seconded by Christopher Light to accept low quote from Hi-Tech Systems in the amount of \$35,684.69. The motion carried unanimously.

C. Street Department: 1. Report of Quotes- Dump Truck: City Administrator Phil Higgins reported the following quotes for the purchase of a F-750 dump truck to replace a 1998 F-750 with 119,000 miles.

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| 1. Peach State Truck Centers- 2026 Ford F-750 - | \$87,734.68 |
| 2. Wade Ford- 2024 F-750 | \$91,000.00 |
| 3. Akins Ford- 2026 F-750 | \$92,715.00 |
| 4. Loganville Ford- 2026 F-750 | \$90,545.00 |

It is the recommendation of the staff to accept the low quote from Peach State Truck Center. An additional \$31,905.00 would be needed to install a 16’ dump bed from Ingram Truck Body. A motion was made by Jason Evans and seconded by Chad Crane to authorize the purchase of a 2026 Ford F-750 from Peach State Truck Centers for \$87,734.00 and \$31,905.00 for a 16’ dump bed for a total of \$119,639.68. The motion carried unanimously.

D. Planning and Zoning: 1. Annexation Application #2025002- Hoff Homes, LLC (Public Hearing): Planning Director Scott Morgan read into the record the following staff report: *The property owner has submitted an annexation petition, to the proper*

authorities, to annex two parcels, totaling 5.05 acres, more or less, and rezone from County Multi-Family Residential (R-3) and Agricultural (A-1), to City Multi-Family Residential (R-3). The parcels are PIN's 128-071 and 128-068 and are more commonly know as 3300 Hutchinson Road and 3215 Castleberry Road, respectively. The parcels have contiguity to the existing City boundary, so, they are eligible to be annexed. Existing City zoning across Hutchinson Road is R-3 and future land use designation is high-density residential, therefore; this annexation/rezoning request is in conformance with the City's Comprehensive Plan.

The owners are proposing to add ten (10) additional units to the property, resulting in an overall density of 5.94 units per acre, which is the maximum allowed in the R-3 zoning district.

Forsyth County has stated they have no objection to this proposed annexation.

The Planning Commission held a public hearing on March 18, 2025 and there were no comments from the general public. For the above-mentioned reasons, the Board voted unanimously to recommend approval to this requested annexation and rezoning to R-3 zoning, with the following conditions:

- 1. Prior to construction, a site plan must be approved by the City Council. The site plan shall show site configuration, setbacks, buffers and any other details deemed necessary by the Department of Planning and Zoning.*
- 2. There shall be no more than ten (10) additional units allowed, for a maximum of thirty (30) units within the entire development.*
- 3. There shall be no more than four (4) units in any building.*
- 4. Building elevations and landscape plans must be approved by the City's Design Review Committee, prior to the issuance of grading permit.*
- 5. The project must connect to the City's utilities, i.e. water and sewer.*
- 6. Each unit must have a minimum of nine-hundred (900) square feet of living space.*

A motion was made by Chad Crane and seconded by Jason Evans to open the public hearing. The motion carried unanimously. Mr. Todd Vanderhoff answered questions about the proposed site plan of the proposed new building. No other public comments were recorded. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. The motion carried unanimously. A motion was made by Christopher

Light and seconded by Joey Cochran to postpone Annexation Request #2025002 by Hoff Homes, LLC. until the May 20th regular meeting. The motion carried unanimously.

2. Rezoning Application #2025004- Webb Property Group, LLC (Public Hearing):

Planning Director Scott Morgan read into the record the following staff report:

The property owner has made application, to the proper authorities, to rezone 23.179 acres, more or less, from Institutional (INST) to Single-Family Residential (R-1A), for the purpose of constructing a single-family detached home. The property is currently vacant. Adjacent properties are zoned R-1A and R-1 and future land use designation is low-density residential and parks/recreation/conservation, therefore; this rezoning is in conformance with the City's Comprehensive Plan.

The Planning Commission held a public hearing on March 18, 2025 and there were no comments from the general public. The Board voted, with Chairman Webb recusing, to recommend approval of the rezoning, as requested. Prior to site work and subsequent construction of the home, plans must be submitted, approved and necessary permits issued 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. Mr. Ralph Webb explained that his plans were not to subdivide the property for development, but to build personal family homes on the property. Christopher Light questioned why he requested R-1A and not R-1. No other public comments were recorded. A motion was made by Jason Evans and seconded by Chad Crane to close the public hearing. A motion was made by Christopher Light and seconded by Joey Cochran to approve Rezoning Application #2025004 by Webb Properties Group, LLC. to R-1, not R-1A, as requested, with the condition that if Ralph intended to develop a major subdivision, effectively 7 or more lots, he would have to come back to the Council for site plan approval. The motion carried unanimously.

3. Forsyth IL-AI Investors, LLC- Zoning Condition Amendment (Public Hearing):

Planning Director Scott read into the record the following staff report:

The agent has requested, on behalf of the property owner, for a zoning condition amendment, to conditions as part of a rezoning approved by the City Council on March 5, 2024. Specifically, the request is for a deletion of condition 5 and modifications to what is now condition 6. Reference to a thru road will be deleted and the now private

drive will be constructed from Sanders Road and terminate at the proposed institutional facility, instead of going thru to Market Place Boulevard.

The Planning Commission held a public hearing on March 18, 2025 and there were no comments from the general public. Given there will still be both primary and secondary entrance points to the proposed institutional facility, the Board voted unanimously to recommend approval of the amendment, adding Condition 16, to read: "If possible, any new development should connect to this institutional development to create a thru-road from Sanders Road to Market Place Boulevard."

Christopher Light announced he would have to recuse from voting. A motion was made by Jason Evans and seconded by Susie Carr to open the public hearing. The motion carried 4-0 with Christopher Light recused. Representing the applicant was Mr. Emory Lipscomb. Mr. Lipscomb stated that the end user for the remainder of the property would dictate the need for a thru-road being built. Also, Mark Morgan stated the thru-road would be built at a later time and with a design, as dictated by the Phase 3 end user. No other public comments were recorded. A motion was made by Susie Carr and second ed by Chad Crane to close the public hearing. The motion carried 4-0 with Christopher Light recused. A motion was made by Joey Cochran and seconded by Susie Carr to postpone any action on the Zoning Condition Amendment for Forsyth IL-AI Investors, LLC until the May 20th regular meeting. The motion carried 4-0 with Christopher Light recused.

E. Utilities: 1. Highway 20 West Condemnation of Water Line Easement: City

Attorney Kevin Tallant explained that after numerous failed attempts to obtain the necessary easements for the Highway 20 West road widening project, it is necessary to proceed with the condemnation process under eminent domain proceedings. A motion was made by Christopher Light and seconded by Jason Evans to authorize City Attorney Kevin Tallant to begin the condemnation process to obtain the necessary easements for the Highway 20 West road widening project. The motion carried unanimously.

2. AWRP Solids Handling Facility: The Department of Utilities budgeted to construct a new Wastewater Solids Handling Facility to replace the existing small and worn out equipment. The Department advertised for proposals on the State Procurement website and received the following three proposals:

●Reeves Young, LLC	\$22,075,000.00
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●PC Construction \$22,220,000.00

●Reynolds Construction, LLC- Withdrew Proposal on 4/10/25

After negotiating with the contractor on the scope of the project, the Department of Utilities recommends approval of the proposal from Reeves Young, LLC in the amount of \$19,280,000.00. A motion was made by Joey Cochran and seconded by Susie Carr to approve the proposal from Reeves Young, LLC in the amount of \$19,280,000. The motion carried unanimously.

F. Administration: 1. Amendment to Animal Ordinance: City Attorney Kevin Tallant explained that Forsyth County had requested the City of Cumming amend its Animal Ordinance to mirror the County ordinance. This would prevent any problems with enforcement of the ordinance within the City of Cumming. A motion was made by Jason Evans and seconded by Chad Crane to amend the City Animal Ordinance to mirror the Forsyth County ordinance. The motion carried unanimously.

IX. Announcements: none

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

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

Approved this 6th day of May, 2025.

Mayor

Councilmember Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember