



**City of Cumming Council Meeting
Regular Scheduled Meeting
March 17, 2026**

I. Call Meeting to Order – Troy Brumbalow, Mayor

The regular scheduled meeting of the Mayor and Council of the City of Cumming was held Tuesday, March 17, 2026, 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 Administrator 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 advised that there would be an addition to the agenda, adding item 5, *Alcohol Ordinance Revision*, under New Business, Planning and Zoning. A motion was requested to adopt the agenda for the March 17, 2026 meeting with the addition of item to consider Alcohol Ordinance Revision. A motion was made by Jason Evans and seconded by Christopher Light to adopt the March 17 meeting agenda. The motion carried unanimously 5-0.

V. Consider for Adoption the Following Meeting Minutes:

1. Regular Meeting of February 17, 2026

A motion was requested to adopt the minutes for the February 17, 2026 Regular Meeting. A motion was made by Susie Carr and seconded by Chad Crane to adopt the February 17 Regular Meeting minutes. The motion carried unanimously 5-0.

2. Executive Session Meeting of February 17, 2026

A motion was requested to adopt the minutes for the February 17, 2026 Executive Session Meeting. A motion was made by Susie Carr and seconded by Jason Evans to adopt the February 17 Executive Session minutes. The motion carried unanimously 5-0.

VI. Acknowledgements, Proclamations, Resolutions, etc.

A. Colorectal Cancer Awareness Month

Mayor Brumbalow presented a Proclamation to Adam Rodes and Kim Jette to acknowledge Colorectal Awareness Month.

*Colorectal Cancer is the 2nd leading cause of cancer death among men and women combined in the United States; and Colorectal Cancer is increasing at an alarming rate among young people and is now the leading cause of cancer death for men and women under the age of 50; and screening tests can discover precancerous polyps so that they can be removed before they turn into cancer, and screenings can also find Colorectal Cancer early, when treatment works best; and anyone who believes they may be at increased risk for Colorectal Cancer should learn their family history and ask their doctor if they should begin screenings before age 45; and millions of people in the United States are not getting screened as recommended, which can result in missing the chance to prevent Colorectal Cancer or to find it early, when treatment is most likely to lead to a cure; and observing **Colorectal Cancer Awareness Month** during March provides a special opportunity to increase awareness and offer education on the importance of early detection and screening of colorectal cancer. The City of Cumming now proclaims March 2026 as **Colorectal Cancer Awareness Month**.*

VII. Old Business:

There was no old business discussed.

VIII. New Business

A. Administration

1. 2026 Property and Casualty Insurance Renewal – Gail Petree, Apex Insurance

Gail Petree with Apex Insurance presented the 2026 Property and Casualty Insurance to council for review. The City of Cumming Property and Casualty policy was marketed to twelve carriers to quote. Six of the carriers declines for reasons due to terms and losses.

The remaining quotes included specific terms that weren't deemed as advantageous upon review by Apex Insurance. In addition, the renewal quote from the incumbent, Travelers Insurance, was the most competitive price based on the changes in property that have been added since prior year. The renewal quote was presented at \$882,324. A motion was made by Jason Evans and seconded by Chad Crane to accept the renewal quote for the 2026 Property and Casualty Insurance Renewal of \$882,324. with Travelers Insurance as presented by Gail Petree. The motion carried unanimously 5-0.

2. Purchase and Sales Agreement – ForCAST Real Estate Development, LLC

City Administrator, Phil Higgins presented the staff report detailing the agenda item.

The purpose of this item is to consider the Purchase and Sale agreement with ForCAST Real Estate Development, LLC. This is for approximately 8.48 acres on Lanier 400 Parkway. As part of the transaction, the developer is responsible for all the site work on the adjacent property that is to be retained by the City.

Administrator Higgins advised that the selling price of this property would be \$2,175,000.

A motion was made by Jason Evans and seconded by Joey Cochran to approve the purchase and Sale Agreement of 8.48 acres on Lanier 400 Parkway for \$2,175,000 and authorize the Mayor to execute the document. The motion carried unanimously 5-0.

3. Consider IGA with Forsyth County

Mayor Brumbalow opened the discussion explaining a need to provide truth and clarity to the recent accusations that have been publicly shared in recent days. He provided time for the council to speak about the matter prior to discussing the timeline of events. Jason Evans thanked all guests for attending the meeting and explained that as elected officials, the responsibility of the council is to look after the City of Cumming and its residents. He

continued by advising it is important to maintain healthy relationships with the county but

that relationship must be built on mutual respect for the city, county, residents, and the law. Christopher Light expressed that he was disheartened by the civil discourse in the community and commended the mayor, council, and staff for always finding a way to be civil even when everyone is not in agreement. Susie Carr shared that after speaking with city and county residents, she felt the distress from the issue is in large part to not having a voice. Joey Cochran shared that, like other council members, he is disheartened by the discourse and is unhappy that the City of Cumming has been made to be evil. He continued to explain that while he has no problem where the county builds their buildings, the law states that this building must be positioned within the county seat and that while they knew there was property within this boundary, they chose to build outside of where the law defines. Chad Crane also expressed his disappointment that the City of Cumming was receiving backlash over issues they didn't create.

Mayor Brumbalow continued the discussion by addressing the most recent issue relating to public accusations of extortion from members of the Forsyth County Board of Commissioners. In addition to providing a definition of extortion, *the practice of obtaining something, especially money, through force or threats*, the mayor advised that the accusation was not only inaccurate but that the details outlining the timeline of events would reveal the City of Cumming's willingness to discuss the matter. The mayor advised of at least two meetings where Forsyth County Board of Commissioner Chairman, Alfred John, presented offerings of projects to the City in exchange for a plan to allow business operations in the Administration Building on Pilgrim Mill Road. At the request of Forsyth County Commission Chairman Alfred John, a meeting was held with Mayor Brumbalow where Chairman John offered \$6 million dollars for a turning lane outside of Dunkin

Donuts located on Highway 20 up to Castleberry Road. At another meeting requested by Commissioner John, the county offered to give the city the Recycling Center on Tolbert Street to “expand the fairgrounds”. Mayor Brumbalow expressed that these meetings were at the request of the Forsyth County, not the city, and that the city never reached out to obtain funding for projects in exchange for annexation with the county. He continued by reading a signed resolution adopted unanimously by the Forsyth County House Delegation of the Georgia House of Representatives...

Urging the Forsyth County Board of Commissioners to continue to conduct official business within the designated county site and to coordinate with the City of Cumming to have the new administration center annexed into such city; and for other purposes.

WHEREAS, Georgia law requires that the official business of a county government is conducted within the designated county site, also known as the county seat; and

WHEREAS, an Act to make permanent the public buildings in the town of Cumming in the county of Forsyth, and to incorporate the same, approved December 18, 1834 (Ga. L. 1834, p. 253) and an Act to incorporate the town of Cumming in the county of Forsyth, and to make permanent the site of public buildings of said county, approved December 22, 1843 (Ga. L. 1834, p. 255) designated the City of Cumming as the county site for Forsyth County; and

WHEREAS, in recent years the Forsyth County Board of Commissioners has planned and constructed a facility located outside the corporate limits of the City of Cumming to serve as the new administration center of the county government; and

WHEREAS, based on knowledge and understanding, it is the stated intention of the Forsyth County Board of Commissioners to conduct its official business, including voting upon and approval of ordinances and resolutions, at said new administration center; and

WHEREAS, the Georgia Supreme Court in Brewster v. Houston County, 235 Ga. 68, 69 (1975), found that "official county business is defined as the decision making process of the board [of commissioners] which includes the deliberation and voting on any issue of county business. Deliberation and voting on any issue must be conducted in the county site and citizens of the county must be afforded an opportunity to be heard at the county site as to any issue of county business"; and

WHEREAS, if the Forsyth County Board of Commissioners proceeds to conduct official county business at the new administration center located outside the designated county site, it runs the risk of placing a cloud of illegality and voidability over any such official county business that could lead to large swaths of its actions declared invalid and unenforceable; and

WHEREAS, such actions would place the citizens and taxpayers of Forsyth County at substantial risk, both to matters of public safety and affecting the county treasury.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the members of this body urge the Forsyth County Board of Commissioners to reconsider its decision to conduct official county business outside of the designated county site and to coordinate with the City of Cumming to have the new administration center annexed into such city.

BE IT FURTHER RESOLVED that the members of this body urge the Forsyth County Board of Commissioners to continue to conduct official county business at county buildings located within the corporate limits of the City of Cumming.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to make appropriate copies of this resolution available for distribution to the Forsyth County Board of Commissioners.

Mayor Brumbalow, City Administrator, Phil Higgins, and City Attorney Kevin Tallant to provide brief timelines and other important discussions relevant to the issues with Forsyth County. Both representatives reiterated the facts stated previously by Mayor Brumbalow.

B. Planning and Zoning

1. Alcoholic Beverage License – Beto’s Tacos, 125 Tribble Gap Road

Director of Planning and Zoning, Scott Morgan, presented the staff report detailing the proposal for this application.

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 Beta's Tacos located at 125 tribble Gap Rd - Suite 101, Cumming GA.

In accordance with the City's alcohol ordinance, a background check was conducted on the license applicant 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 recommended that the applicant to be approved for the requested license by the City of Cumming.

A motion was made by Christopher Light and seconded by Jason Evans to approve the Alcoholic Beverage License for Beto's Tacos as presented in staff report. The motion carried unanimously 5-0.

2. Alcoholic Beverage License – Tijon Perfume, 441 Vision Drive, Suite G 104

Director of Planning and Zoning, Scott Morgan, presented the staff report detailing the proposal for this application.

The Department of Planning and Zoning has received an Alcoholic Beverage License application for the sale malt beverages and wine for consumption on the premises for the business of Tijon Perfume located in the Cumming City Center at 441 Vision Drive - Suite G104, Cumming GA.

In accordance with the City's alcohol ordinance, a background check was conducted on the license applicant 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 recommended that consideration be given for the applicant to be approved for the requested license by the City of Cumming.

A motion was made by Christopher Light and seconded by Jason Evans to approve the Alcoholic Beverage License for Tijon Perfume as presented in staff report. The motion carried unanimously 5-0.

3. Rezoning Application #2026008 – Melda Duckworth, 514 Kelly Mill Road (Public Hearing)

Director of Planning and Zoning, Scott Morgan, presented the staff report detailing the proposal for this application.

The applicant has made application, on behalf of the property owner, to rezone 0.79 acres, more or less, from Office Professional (OP) to Single-Family Residential (R-1), for the purpose of constructing a single-family detached (SFD) residence. The adjacent properties are zoned R-1, R-1A, OP and Restricted Industrial (M-1), future land designations are Low-Density Residential and Recreation/Parks/Conservation, so this rezoning is in conformance with the Future Land Use Element of the City's Comprehensive Plan.

The owner has obtained a minor LDP, graded and graveled the site and plans to live in the SFD residence, after construction is complete. The Planning Commission held a public hearing on February 17 and there were no public comments. The Board then voted unanimously and recommended approval of this rezoning to R-1, with the following conditions:

- 1. The home will be a minimum of 1,500 square feet, heated and cooled space.*
- 2. The home will be a maximum height of 2 stories or 20'.*
- 3. The building setbacks will be a minimum of 40' front, 15'side and 20' rear.*
- 4. All exterior siding will be masonry materials, such as brick, hardie plank, stucco, etc.*
- 5. Driveway access will be direct from Kelly Mill Road to the subject*

property.

Mayor Brumbalow requested a motion to open the public hearing. A motion was made by Chad Crane and seconded by Jason Evans to open the public hearing. The motion carried unanimously 5-0. There were no individuals present to speak for or against this item.

Mayor Brumbalow requested a motion to close the public hearing. A motion was made by Jason Evans and seconded by Susie Carr to close the public hearing. The motion carried unanimously 5-0.

A motion was made by Jason Evans and seconded by Christopher Light to approve Melda Duckworth Rezoning Application 2026008 as outlined in staff report. The motion carried unanimously 5-0.

4. Rezoning Application #2025119 – Shree Real Estate Developers, LLC (Withdrawal)

The applicant requested to withdraw the rezoning application.

5. Ordinance to City of Cumming to Revise Provisions Relating to Per Drink Excise Tax

City Attorney, Kevin Tallant, presented a request to revise the provisions related to Per Drink Excise Tax Requirements; Requirements for Timely Payment of Taxes; and Enforcement of Credit Provisions. Due to ongoing issues with incorrect monthly filing reports, additional revisions are requested to remedy these issues and hold all alcohol licensees accountable for their required monthly reporting. A motion was made by Christopher Light and seconded by Chad Crane to approve the revise to the City of Cumming Per Drink Excise Tax Ordinance as described by City Attorney Kevin Tallant. The motion carried unanimously 5-0.

C. Street Department

1. Request to Purchase – Bucket Truck

City Administrator, Phil Higgins presented the staff report detailing the agenda item.

The Street Department has solicited quotes on a Bucket Truck. This would replace the truck that is currently used for this purpose since 1988. The quotes received are as follows for a 2026 Bucket Truck:

- | | |
|-------------------------------------|--------------|
| 1. Global Rental (Freightliner) | \$238,933.00 |
| 2. Terex (Freightliner) | \$296,477.00 |
| 3. Fouts Commercial (International) | \$305,256.00 |

Tonight, I would like to recommend the quote from Global Rental Ford in the amount of \$238,933.00 for the purchase of this vehicle. This price includes the cost for the accessories needed.

A motion was made by Chad Crane and seconded by Susie Carr to approve the purchase of the bucket truck from Global Rental in the amount of \$238,933. The motion carried unanimously 5-0.

D. Cumming Police Department

1. Request to Purchase – Patrol Vehicles (3)

Cumming Police Chief, PJ Girvan, presented the staff report:

I am requesting approval to purchase three new patrol vehicles for the police department. To ensure we received the best value, I obtained quotes from three different dealerships. The lowest quote was submitted by Akins Ford and Dodge for three Dodge Durangos.

The total cost for the three vehicles is \$205,951.97. This price includes the vehicles fully outfitted for patrol use, including emergency lights, cages, and radios.

These vehicles will support our officers in safely and effectively serving the community.

Police Chief Girvan also advised that funding for these vehicles would be issued through the City of Cumming Police Foundation and not the general budget.

A motion was made by Joey Cochran and seconded by Susie Carr to approve the purchase of three Dodge Durangos for the total cost of \$205,951.97. The motion carried unanimously 5-0.

IX. Announcements

No announcements were presented.

X. Executive Session (If Needed)

City Attorney, Kevin Tallant, with Tallant Howell Law Firm, advised that Executive Session would be required for the purpose of Real Property, Acquisition, and Disposal. A motion was made by Chad Crane and seconded by Christopher Light to dismiss to Executive Session. The motion carried unanimously 5-0.

Council returned to chambers following Executive Session. A motion was made by Chad Crane and seconded by Jason Evans to adjourn Executive Session and reconvene to regular session. The motion carried unanimously 5-0.

XI. Adjourn

A motion was made by Chad Crane and seconded by Jason Evans to adjourn. The motion carried unanimously 5-0.

Approved this 6th day of April, 2026.

Troy Brumbalow, Mayor

Councilmember, Chad Crane

Councilmember, Jason Evans

Councilmember, Joey Cochran

Councilmember, Christopher Light

Councilmember, Susie Carr

Attest:

City Clerk, Alison B. Smith