



City of Cumming Council Meeting

Regular Scheduled Meeting May 19, 2026

I. Call Meeting to Order – Troy Brumbalow, Mayor

The Regular Meeting of the Mayor and Council of the City of Cumming was held Tuesday, May 19, 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 following the adoption of the meeting minutes. 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 announced that the order of items A and B2 under New Business would be reversed. The applicant for Item B1 at 523 Atlanta Road was postponed. A motion was made by Jason Evans and seconded by Chad Crane to adopt the May 19, 2026 meeting agenda. The motion carried unanimously 5-0.

V. Consider for Adoption the Following Meeting Minutes:

1. Regular Meeting of May 5, 2026

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

2. Executive Session Meeting of April 21, 2026

A motion was requested to adopt the minutes for the May 5, 2026 Executive Session Meeting. A motion was made by Susie Carr and seconded by Chad Crane to adopt the minutes from the May 5, 2026 Executive Session Meeting. The motion carried unanimously 5-0.

VI. Acknowledgements, Proclamations, Resolutions, etc.

1. Eagle Scout Recognition – Sahith Guduri

Mayor Brumbalow read the following letter to Sahith Guduri to recognize his achievement of Eagle Scout.

Dear Sahith:

I am writing today to congratulate you on your achievement of Eagle Scout. It takes much dedication and hard work to reach this goal, but it will be a great service to you throughout your life. Many of our community's finest leaders were once Boy Scouts who earned their Eagle status.

I want to personally thank you for your years of dedicated service to Boy Scout Troop 2000, located at Johns Creek Presbyterian Church. I am sure your fellow Scouts and Troop Leaders were pleased to have you serve as a Troop Guide from January 2024 to October 2024; as an Instructor from October 2024 to May 2025; and as an Assistant Patrol Leader and Quartermaster from May 2025 to December 2025.

I was very moved to hear that your Eagle Scout project benefited Shiloh Elementary School, which you attended as a young student. Your work in the school's courtyard to make this area more functional, accessible, and beautiful is a wonderful way to honor the teachers and friends who helped guide your path as a child.

I am very proud of the young people of our community and will be looking to you and other accomplished Scouts to aid in the leadership of this community in the years ahead.

Best wishes for your continued success as you graduate from Denmark High School this year. May God bless all of your future endeavors!

2. National Gun Violence Awareness Day – June 5, 2026

Every day, nearly 130 people in the U.S. are killed by gun violence, and more than 200 are shot and wounded, with an average of more than 19,000 gun homicides every year. People in the U.S. are 26 times more likely to die by gun homicide than people in other high-income countries, and Georgia has 2,063 gun deaths every year, with a rate of 18.7 deaths per 100,000 people - the 15th highest rate of gun deaths in the U.S. Gun homicides and assaults are concentrated in cities, with more than half of all gun deaths in the nation occurring in 42 cities, and cities across the nation including Cumming are working to end the senseless violence with evidence-based solutions. Protecting public safety in the communities they serve is the highest responsibility of elected officials, while support for Second Amendment rights of law-abiding citizens goes hand-in-hand

*with keeping guns away from those who are a danger to themselves or others. Mayors, City Council Members, and Law Enforcement Officers - in partnership with local violence intervention activists and resources - know their communities best, are the most familiar with local criminal activity and how to address it and are best positioned to understand how to keep their citizens safe. On the first Friday of June people across the U.S. will recognize National Gun Violence Awareness Day by wearing orange in tribute to Hadiya Pendleton, who was tragically shot and killed at age 15 in January of 2013. The idea of **National Gun Violence Awareness Day** was inspired by a group of Pendleton's friends who asked their classmates to commemorate her life by wearing orange, having chosen this color because hunters wear orange to announce themselves to other hunters when in the woods and orange symbolizes the value of human life. The City of Cumming proclaims Friday, June 5, 2026, as National Gun Violence Awareness Day and encourages all citizens to support their local communities' efforts to prevent the tragic effects of gun violence, and to wear orange in honor of human life.*

VII. Old Business:

There was no old business discussed.

VIII. New Business – The order of Items A and B2 were presented in reverse order per adoption.

A. Administration

1. 2025 Audit Report – Rushton Group, Will Merrit

Will Merrit provided a summary of the 2025 audit report. The mayor and council received copied of the audit report to follow during discussion. Mr. Merrit advised that the city was in excellent fiscal condition and that proper controls were reflected in the audit. A copy of the report is included with the council packets.

2. Consider Amicus Brief, City of Milton

City Attorney, Kevin Tallant, presented a resolution authorizing participation in an Amicus Brief in *Chang v. City of Milton* on remand before the Georgia Court of Appeals. The resolution authorizes the following:

- *Participation in, support for, and joinder with an amicus curiae brief or briefs to be filed in Chang v. City of Milton on remand before the Georgia Court of Appeals and authorizes the City's name to be included as an amicus participant.*
- *Support of the position that any purported waiver of a city's sovereign immunity for*

nuisance claims seeking recovery for personal injury is a judicially created doctrine rather than an express waiver grounded in the Georgia Constitution or an act of the General Assembly.

- *Support of the position that, consistent with Sustainable Coast and related sovereign-immunity precedent, no waiver of municipal sovereign immunity exists for an alleged nuisance resulting in personal injury.*
- *The Mayor, City Manager, City Attorney, and such other officers as may be appropriate are authorized to take all actions reasonably necessary to implement this Resolution and to coordinate with counsel for the City of Milton and other participating municipalities.*

A motion was made by Jason Evans and seconded by Joey Cochran to accept the resolution. The motion carried unanimously 5-0.

B. Planning and Zoning

1. Consider Site Plan – 523 Atlanta Road, LLC

Director of Planning and Zoning, Scott Morgan advised that this item had been postponed.

2. Conditional Use Permit #2026039 – Crescent Communities, Veterans Memorial Boulevard (Public Hearing)

Director of Planning and Zoning, Scott Morgan, presented the staff report detailing the CUP request.

The agent has made application, on behalf of the property owner, for a Conditional Use Permit (CUP), to allow warehouse development in the Highway Business (HB) zoning district. The property is approximately ten (10) acres and is located on Veterans Memorial Boulevard (VMB), directly across from Amos Drive. Included in the CUP application are variance requests for increased parking and reduced zoning buffers.

The proposed use is consistent with the goals and objectives of the City's Comprehensive Plan. Off-street parking and loading facilities are adequate in terms of location, design and amount, for the intended use. The number, size and type of signs proposed are compatible with the surrounding area and in conformance with the City Sign Ordinance. Building setbacks and provision of screening are such that buffering of incompatible uses, if any, is achieved. Ingress to and egress from the subject property is adequate, safe and does not adversely affect the traffic flow on VMB.

The location and intensity of outdoor lighting is such that there is no detrimental effect on adjacent properties. Public facilities and utilities are capable of adequately serving the proposed use. The proposed use will not have significant adverse effect on adjacent

property values or the general character of the area. The physical conditions of the subject property, including drainage, shape, size, topography, etc., are suitable for the proposed development.

The Planning Commission held a public hearing on April 21, 2026, and there were no public comments. For the above-mentioned reasons, the Board voted unanimously and recommended approval of the CUP, including the requested variances, with the attached conditions and exhibits.

A motion was made by Christopher Light and seconded by Jason Evans to open the public hearing.

Sean Courtney with Lipscomb Johnson was available to answer any questions as representation for the applicant. There were no attendants that spoke against the request.

A motion was made by Chad Crane and seconded by Susie Carr to close the public hearing.

A motion was made by Christopher Light and seconded by Chad Crane to approve the Conditional Use permit #2026039 based on the condition provided in the staff report including item 18. The motion carried unanimously 5-0.

IX. Announcements

- A. The Annual Memorial Day Ceremony will be held this Friday, May 22nd, beginning at 11 a.m., at the Cumming City Center Lou Sobh Amphitheater.
- B. City of Cumming non-essential facilities and departments will be CLOSED on Monday, May 25th in observance of the Memorial Day holiday (with the exception of the Cumming Aquatic Center, which will be OPEN on Memorial Day from 1-6 p.m.).

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 pending and/or threatened litigation. A motion was made by Susie Carr and seconded by Chad Crane to dismiss to Executive Session. The motion carried unanimously 5-0.

Council members 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 ____ day of June, 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