City of Cumming Council Meeting

Regular Scheduled Meeting

July 21, 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, July 21, 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 added a third proclamation to recognize Planning Commission Member Ricky Noles to the agenda. A motion was made by Jason Evans and seconded by Chad Crane to adopt the July 21, 2026, meeting agenda as presented, with the additional proclamation. The motion carried unanimously 5-0.

V. Consider for Adoption the Following Meeting Minutes:

1. Regular Meeting of June 16, 2026

   A motion was requested to adopt the minutes for the June 16, 2026, Regular Meeting. A motion was made by Susie Carr and seconded by Jason Evans to adopt the minutes from the June 16, 2026, meeting. The motion carried unanimously 5-0.

2. Executive Session Meeting of June 16, 2026

   A motion was requested to adopt the minutes for the June 16, 2026, Executive Session Meeting. A motion was made by Susie Carr and seconded by Chad Crane to adopt the minutes from the June 16, 2026, Executive Session Meeting. The motion carried unanimously 5-0.

VI. Acknowledgements, Proclamations, Resolutions, etc.

A. Little Miss Georgia 2026 – Jayla Ceasar

Mayor Brumbalow presented the following proclamation.

> ***Jayla Ceasar,*** *age 8, has officially been crowned* ***Little Miss of Georgia 2026*** *under the American Pageants Inc. system. Jayla, a third grader at Whitlow Elementary School and the youngest daughter of Zackrey & Angel Ceasar, has already made an extraordinary*

impact in both her community and the pageant world by representing the State of Georgia with grace, leadership, kindness, and compassion. Jayla and her sister, Sonya, are co-founders of the ***Ceasar Sisters Hope & Healing Foundation****, an initiative devoted to helping individuals experiencing homelessness and spreading compassion throughout Georgia by delivering essential resources directly to local homeless communities. Jayla volunteers alongside her sister with the* ***Humane Society of Forsyth County*** *and has also participated in* ***neighborhood lemonade stands****, donating proceeds to charitable causes such as Leukemia research and the American Heart Association. She has received the* ***Whitlow Elementary School 'Alpha Award'*** *for student leadership, character, and academic excellence, and been awarded a* ***Congressional Certificate*** *from Congressman Rich McCormick for her volunteer service, leadership, and dedication to her community. Jayla represented her community by walking in* ***New York Fashion Week*** *and represented the State of Georgia at the* ***American Pageants Inc. National Competition*** *in Las Vegas, Nevada, where she earned the* ***1st Runner-Up Title of Little Miss of America 2026****. Mayor* ***Brumbalow*** *officially recognizes* ***Jayla Caesar, Little Miss of Georgia 2026****, and honors her outstanding leadership, volunteerism, academic success, and positive representation of the City of Cumming.*

B. North Georgia Treasure Hunt – Benefiting Populations with Disabilities

Mayor Brumbalow presented the following proclamation.

In December of 2008, ***"Forsyth Area Sports Teams Organization,"*** *also known as "The Atlanta Volunteers" was formed as a 501(c)(3) nonprofit organization to serve populations born with disabilities. Since its beginning, this nonprofit has organized more than 1,000 events and grown to over 10,000 volunteers to help support citizens in Georgia. The Forsyth Area Sports Teams Organization has begun construction on a vocational group home that will serve special populations in the North Georgia region. The vocation, employment, and fundraising plan for this group home is cheerfully titled the* ***"North Georgia Treasure Hunt". Juke 'N Jive Creamery****, a Cumming City Center tenant business, will serve as a Master of Ceremonies for the "North Georgia Treasure Hunt" annually on* ***National Ice Cream Day****, the third Sunday of July. The City of Cumming is the birthplace of the "North Georgia Treasure Hunt," and our residents should support and recognize the efforts and accomplishments of this organization and its volunteers who provide the labor and time to help make a difference in our community. Mayor Brumbalow issued this proclamation recognizing the "North Georgia Treasure Hunt" and declaring the third Sunday of July be recognized annually as "North Georgia Treasure Hunt Day" in conjunction with National Ice Cream Day.*

C. Ricky Noles- Honoring Service to City of Cumming

Mayor Brumbalow presented the following proclamation.

Ricky Noles has resided in Cumming since 1972. He has been dedicated to giving back to the Cumming and Forsyth County community throughout the past 54 years via various service roles including: A member of Coal Mountain Baptist Church since 1973, Chairman of the Coal Mountain Baptist Board of Deacons from 1996 to 2008, a Lifetime Member of the State Farm President's Club, and President of the Forsyth Lion's Club. Ricky's service has also included stints on the Forsyth County Planning and Zoning Board, Board of Directors of the Chamber of Commerce, Forsyth County Hospital Authority, People's Bank of Forsyth Board of Directors, Advisory Board of Regions Bank, and Board of Directors of Jefferson State Bank. Most recently, Ricky has graciously served the City of Cumming as a member of the City's Planning Commission for the past five years since July of 2021. Ricky has represented the City of Cumming honorably in this role, as well as all others throughout his life of service. Mayor Brumbalow recognized Ricky Noles and expressed sincere gratitude for his five years of service on the City of Cumming Planning Commission (July 2021 – July 2026), as well as for his 54 years of service to our community at-large.

VII. Old Business:

There was no old business discussed.

VIII. New Business

A. Administration

1. Report of Quotes – Fairgrounds Restroom

City Administrator, Phil Higgins, provided the following staff report for the Fairgrounds Restroom Project:

At your last meeting you made the decision to reject proposals on the construction of a new restroom facility on the new property at the Cumming Fairgrounds. The decision was made to solicit quotes on a value engineered, lower cost option. We have received the following quotes on this option and they are as follows:

- *Southern Design Builders* *$398,800.00*

- *North Point Design and Build* *$365,000.00*
- *Beltan Properties* *$350,476.00*
- *Greater Georgia Contracting* *$369,912.00*

After evaluating all quotes, it is my recommendation to approve the low quote from Beltan Properties in the amount of $350,476.00.

A motion was made by Susie Carr and seconded by Chad Crane to accept the bid of $350,476.00 from Beltan Properties based on the conditions provided in the staff report. The motion carried unanimously 5-0.

2. Report of Quotes – Castleberry Road Park Pavillion

City Administrator, Phil Higgins, provided the following staff report for the Castleberry Road Park Pavillion

Demolition of the former Cumming Police Department has been completed, now we can proceed with construction of the new parking lot and passive park area. As part of the greenspace area, we would like to consider the construction of a covered pavilion on the greenspace area. This will include restrooms that will be available during the Cumming Country Fair and Festival, the 4th of July parade and festivities, the Christmas Parade and various other events. The quotes we received on the construction of the pavilion are as follows:

Southern Design Builders	*$164,800.00*
North Point Design and Build	*$169,000.00*
Beltan Properties	*$159,115.30*

After evaluating all quotes; it is my recommendation to approve the low quote from Beltan Properties in the amount of $159,115.30.

A motion was made by Susie Carr and seconded by Jason Evans to accept the bid of $159,115.30 from Beltan Properties based on the conditions provided in the staff report. The motion carried unanimously 5-0.

3. Consider Appointee to Planning Commission

City Administrator, Phil Higgins, provided the following staff report for the Appointee to the Planning Commission

Mr. Ricky Noles has decided to resign from his position on the Planning Commission, thus creating a vacancy. Tonight we need to consider appointing his replacement.

Mayor Brumbalow recommended Bradley Dobbins to replace Commission Member Noles. A motion was made by Joey Cochran and seconded by Christopher Light to accept the appointee recommendation of Bradley Dobbins based on the recommendation of Mayor Brumbalow. The motion carried unanimously 5-0.

4. Consider Appointee to Development Authority and Downtown Development Authority

City Administrator Phil Higgins, provided the following staff report for the Appointee to the Development Authority and Downtown Development Authority

Mr. David Leathers has decided to resign from his position at the Development Authority and Downtown Development Authority, thus creating a vacancy. Tonight we need to consider appointing his replacement.

Mayor Brumbalow recommended Frank Smith to replace DDA Member, David Leathers. A motion was made by Christopher Light and seconded by Susie Carr to accept the appointee recommendation of Frank Smith based on the recommendation of Mayor Brumbalow. The motion carried unanimously 5-0.

5. Consider Reappointment to the Land Bank Authority

City Administrator, Phil Higgins, provided the following staff report for the Reappointment to the Land Bank Authority.

Tonight we need to appoint or reappoint the City representatives to the City of Cumming/Forsyth County Land Bank Authority. Our current appointees are Councilman Cochran and Councilman Light.

Councilmen Cochran and Light agreed to maintain their appointments. A motion was made by Jason Evans and seconded by Chas Crane to accept the reappointment of Councilman Joey

Cochran and Councilman Christopher Light to the City of Cumming/Forsyth County Land Bank Authority. The motion carried unanimously 5-0.

B. Planning and Zoning

1. **Rezoning Application #2018320 – Central Forsyth Properties. Zoning Condition Amendment (Public Hearing)**

   Planning and Zoning Director, Scott Morgan, provided the following staff report for Rezoning Application #2018320 – Central Forsyth Properties.

   The agent, on behalf of the applicant, has requested amending zoning condition 36 of this approved PUD, to allow 35 additional residential units (townhomes) on the 3.88-acre outparcel on Atlanta Road, near the intersection with Buford Dam Road. This proposed project will result in a density of 9.02 units per acre. The adjacent existing land uses are a combination of commercial and residential. Future land use designation of the subject property is mixed_-use, therefore; the residential use resulting from this requested zoning condition amendment is in conformance with the City's Comprehensive Plan.

   The Planning Commission will hold their public hearing for this zoning condition amendment request on July 21 at 5:00 PM. However, according to the Board, they have not had sufficient time to review the amendment information submitted on this date, to make an informed recommendation to the Mayor and Council.

   Mayor Brumbalow requested a motion to open the public hearing. A motion was made by Christopher Light and seconded by Chad Crane to open the public hearing. The motion carried unanimously 5-0. Sean Courtney, Lipscomb Johnson LLP, spoke on behalf of the applicant and was available to answer questions. There were no citizens present opposing the item.
   Mayor Brumbalow requested a motion to close the public hearing. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. The motion carried unanimously 5-0.

   Two sets of conditions were submitted. The conditions submitted by the applicant were discussed and an edit was made to strike letter E of said conditions. Jason Evans made a motion and Chad Crane seconded to approve the rezoning application with the updated conditions from the Applicant, as well as the conditions recommended by the Planning Commission, both of which are attached to these minutes.

The motion carried 3-2 with Joey Cochran and Christopher Light opposing.

2. **Rezoning Application #2026026 – Shree Real Estate Developers, LLC (Public Hearing)**
Planning and Zoning Director, Scott Morgan, provided the following staff report for Rezoning Application ##2026026 – Shree Real Estate Developers, LLC

The agent has made application, to the proper authorities, to rezone 3.57 acres from Office Commercial Multi-Story (OCMS) to Highway Business (HB), to construct a retail center on Market Place Boulevard (MPB). Future Land Use designation in this area is commercial, therefore; this rezoning request is in conformance with the Future Land Use Element of the City's Comprehensive Plan.

Included in this application are variance requests to reduce building setbacks and increased lot coverage. Due to the topography of, and the presence of State waters on, the subject property, these conditions create hardship, necessitating the requested variances.

An issue of concern is that the exit from the retail center onto MPB is proposed as full movement with no signalized control. Given this, the recommendation is for a traffic study to be conducted by the developer, to determine if a signal is warranted here.

The Planning Commission held a public hearing for this rezoning request on April 21, 2026. There was a presentation by the application agent and negative comments from one resident. As a result of that hearing, revisions were made to the zoning conditions and accompanying exhibits. On May 27, 2026, at a special-called meeting, the Planning Commission voted unanimously and recommended approval of this rezoning request, with the revised conditions and exhibits, which are before you now.

Mayor Brumbalow requested a motion to open the public hearing. A motion was made by Joey Cochran and seconded by Susie Carr to open the public hearing. The motion carried unanimously 5-0. Sean Courtney, Lipscomb Johnson LLP, spoke on behalf of the applicant and presented the site plan. The commercial space would include approximately 32,000 square feet of retail space and 2,000 square feet of restaurant totaling 34,000 square feet. Also speaking in favor of the project was Ann Upshaw and Jason Catelist. Speaking in opposition of the application was Katie Asher. Ms. Asher explained the repercussions of the construction to her son’s conditions and to the environment. The time limit defined in the City Ordinance for Public Hearing was reached. Due to the need for additional time to hear others in the gallery, a motion was required to extend time. A motion was made by Jason Evans and seconded by Chad Crane to extend the public hearing extend the hearing an additional two (2) minutes. The motion carried unanimously 5-0. Mrs. Asher continued to speak in opposition and Timothy Reed also spoke to oppose the application. A motion was made by Joey Cochran and seconded by Jason Evans to extend the public hearing to allow Sean Courtney and, those in favor of the application, the same time to address concerns. The motion carried unanimously 5-0. Sean Courtney offered nothing in addition to stating his empathy for the situation but the laws already in place for how the land is currently zoned. Mayor Brumbalow requested a motion to close the public hearing. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. The motion carried unanimously 5-0. Jason Evans asked Director Morgan to explain how encroachment is typically handled based on the mention of this from Ms. Asher. Director Morgan advised that these matters are typically handled between the landowners, not the city. Christopher Light also addressed zoning clarity for all in attendance. Joey Cochran addressed his concern for wanting a full entrance with traffic light based on the current site restrictions from the entrance.

A motion was made by Joey Cochran and seconded by Christopher Light to postpone the decision to the next Work Session Meeting. The motion carried 4-1 with Jason Evans opposing.

3. **Rezoning Application #2026040– Shree Real Estate Developers, LLC (Public Hearing)**

Planning and Zoning Director, Scott Morgan, provided the following staff report for Rezoning Application ##2026040 – Shree Real Estate Developers, LLC.

The agent has made application, to the proper authorities, to rezone 32.67 acres from Office Commercial Multi-Story (OCMS) to Moderate-Family Residential (R-2). The owner will construct an age-restricted residential subdivision of eighty-nine (89) single-family detached units, between Sanders Road and Market Place Boulevard (MPB). Future land use designation is a combination of office-professional, mixed-use and commercial, therefore, an R-2 development at 2.72 units/acre, is a good transition district between the existing commercial and single-family residential development on MPB and Sanders Road, respectively. Consequently, this rezoning request is in conformance with the Future Land Use Element of the City's Comprehensive Plan. Included in this application are variance requests for building *setbacks, lot size and width. Due to the topography of, and the presence of State waters on, the subject property, these conditions create hardship, necessitating the requested variances.*

Given that all through subdivision traffic will have direct access to MPB through the retail center, the recommendation is for a traffic study to be conducted by the developer, to determine if a signal is warranted at this uncontrolled crossing of MPB. The Planning Commission held a public hearing for this rezoning request on April 21, 2026. There was a presentation by the application agent and negative comments from two residents. As a result of that hearing, revisions were made to the zoning conditions and accompanying exhibits. On May 27.2026, at a special-called meeting, the Planning Commission voted unanimously and recommended approval of this rezoning request, with the revised conditions and exhibits, which are before you now.

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

Sean Courtney, Lipscomb Johnson, LLP, spoke in favor on behalf of the applicant and was available to answer any questions. Speaking against the application was George Notel, Joshua Asher, David Hancock, and Daniel Losiere. Mr. Courtney expressed empathy for the situation and advised the process would be as minimally intrusive as possible.

A motion was made by Joey Cochran and seconded by Chad Crane to postpone the decision to the next Work Session Meeting. The motion carried unanimously 5-0.

4. **Alcohol License Transfer – Johnny's Pizza 2115 Marketplace Boulevard**

Planning and Zoning Director, Scott Morgan, provided the following staff report with the alcohol transfer license for Johnny's Pizza located at 2115 Marketplace Boulevard.

M3 STR3 LLC / Mr. Matthew Mestre has applied for a transfer of ownership of the city alcohol license for the business of Johnny's Pizza located at 2115 Market Place Blvd. Cumming, GA 30041. The applicant has met all the requirements of the application transfer process and has paid all fees due to the city. My recommendation therefore is that the applicant be granted the requested license transfer request.

A motion was made by Jason Evans and seconded by Chad Crane to approve the alcohol license transfer for Johnny's Pizza based on the conditions provided in the staff report. The motion carried unanimously 5-0.

5. **Alcohol License Application – Simple Man Distillery, 430 Vision Drive Suite B001-B002**
   Planning and Zoning Director, Scott Morgan, provided the following staff report the alcohol license for Simple Man Distillery located at 430 Vision Drive Suite B001-B002.

   The Department of Planning and Zoning has received an Alcoholic Beverage License application for the manufacture of distilled spirits and for the sale of distilled spirits, malt beverages and wine for consumption on the premises for the business of Simple Man Distillery located in the City Center at 430 Vision Drive - Suite B001-B002, 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 to 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 Susie Carr and seconded by Jason Evans to approve the alcohol license application for Simple Man Distillery based on the conditions provided in the staff report. The motion carried unanimously 5-0.

6. **Consider Appointees to the comprehensive Plan Update Steering Committee**

   Planning and Zoning Director, Scott Morgan, provided the following staff report for Appointees to the comprehensive Plan Update Steering Committee.
   Tonight we need to appoint two citizens to the Comprehensive Plan Update Steering Committee.
   Administrator Higgins recommended Rachel Mooney and Whitney Barnhardt as appointees to this committee. A motion was made by Christopher Light and seconded by Chad Crane to appoint Rachel Mooney and Whitney Barnhardt to the Comprehensive Plan Update Steering Committee. The motion carried unanimously 5-0.

C. Recreation and Parks

1. Report of Quotes – Security Cameras

Recreation and Parks Director, Jeremy Howell, provided the following staff report for Security Cameras.

Mr. Mayor and Members of the City Council, I am writing to request the release of budgeted funds for the purchase and installation of Vitek security cameras at the recreation department's main office building on Pilgrim Mill Road, as well as the playground area which is located adjacent to the main office. This new can1era system will link with the Cumming Police Department's Real Time Crime Center, having the ability to access the cameras when necessary for security purposes, much like the system we currently use at Dobbs Creek Recreation Center. The Vitek cameras where the only brand of camera quoted because Dobbs Creek currently uses Vitek cameras and we wanted the same platform across all our facilities. Plus, the Vitek cameras are highly recommended by the Head of the City of Cumming IT department, Shad Falkner, for their quality and functionality.

Our main office and playground are ve1y busy locations that have many families visiting throughout the day for dance, art, aerobics, and camps in the summe1time. This is also home to the Cumming Event Center in which we host large scale events in om Event Facility. Given the high volume of people accessing these facilities, additional security measures are critical.

The proposed camera system will add a valuable layer of protection by alerting authorities quickly, enabling faster response times from first responders as well as our staff, and providing real-time visual data to guide the actions of law enforcement. This system will significantly enhance our ability to monitor and secure both the inside and outside of the main office as well as our playground area.

To ensure we select the most appropriate solution, I solicited four quotes from reputable security camera companies. Below are the quotes I received:

Spartan Security Systems Inc - $23,654.29

Hi-Tech Systems - $25,646.00

Cable South - $26,859.00

Blue Sky - Chose not to quote Vitek Cameras but gave a quote for another brand of camera.

After reviewing the quotes and considering our needs, I recommend awarding this project to Spartan Security Systems Inc. for their proposal of $23,654.29. Their hardware & cameras offer the best value and meet the requirements of our facility. I appreciate your consideration of this important project, which will significantly improve the security of the City of Cumming Recreation Center and provide peace of mind to the community

A motion was made by Joey Cochran and seconded by Chad Crane to approve the bid from Spartan Security Systems in the amount of $23,654.29 based on the conditions provided in the staff report. The motion carried unanimously 5-0.

D. Utilities

1. Report of Proposals – Metal Storage and Maintenance Building

Director of Utilities, Jon Heard provided the following staff report.

The Department of Utilities advertised for and received 8 Proposals for a Metal Maintenance Building, and the Proposals were as follows:

Company	*Proposal*
• *Edge Homes & Exteriors*	*$219,059.82*
• *Chattahoochee Constr Mgrs*	*$222,350.00*
• *Riley Contracting Inc.*	*$237,000.00*
• *Penco Construction*	*$248497.00*
• *WLM Contracting*	*$256,232.86*
• *Shamrock Building Systems Inc.*	*$266,633.00*
• *David Jordan Enterprises LLC.*	*$276.350.00*
• *Greater Georgia Contracting Inc.*	*$301,014.00*

The Department of Utilities would like to request that the Council accept the low Proposal from Edge Homes and Exteriors in the amount of $219,059.82.

A motion was made by Christopher Light and seconded by Joey Cochran to approve the 2026 budgeted Metal Storage and Maintenance Building and award the bid to Edge Homes and Exteriors in the amount of $219,059.82 as defined in the staff report. The motion carried unanimously 5-0.

2. **Request to Repair AWRF Dyna-Sand Filter**

Director of Utilities, Jon Heard presented the staff report detailing the request to repair AWRF Dyna-Sand Filter…

The Department of Utilities budgeted to renovate our AWRF effluent filters in 2026. The company that we bought these sand filters from is Dyna-Sand and their proposal is as follows:

*The Department of Utilities would like to ask the Council to accept the Proposal to repair and refurbish the City of Cumming Bethelview Road 8 MGD AWRF sand filters in the amount of **$228,817.00.** This price came from the original manufacturer of the filters.*

A motion was made by Jason Evans and seconded by Chad Crane to approve the 2026 budgeted repairs to the AWRF Dyna-Sand Filter in the amount of $228,817.00 as defined in the staff report. The motion carried unanimously 5-0.

IX. Announcements

No announcements were presented.

X. Executive Session (If Needed)

City Attorney, Kevin Tallant, advised that no Executive Session would be required.

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 August 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