

**City of Cumming
Work Session Agenda
February 5, 2019**

- 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 January 15, 2019
 - B. Executive Session Meeting of January 15, 2019
 - C. Add-on: Special Called Joint Meeting with FC Commissioners on January 31, 2019
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. Future Business Leaders of America (FBLA) Week
- VII. Old Business
 - A. Planning & Zoning
 - 1. Conditional Use Permit #2018442- Nine Motors Inc.
 - 2. Annexation #2018451- City of Cumming
- VIII. New Business
 - A. Administration
 - 1. Request to Approve Surveying for City Center Project
 - B. Planning & Zoning
 - 1. Amendment to Zoning Ordinance
 - C. Utilities
 - 1. Water Tank Logo Samples
- IX. Announcements-None
- X. Executive Session (If needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
WORK SESSION
FEBRUARY 5, 2019**

I. There was a Work Session meeting of the Mayor and Council of the City of Cumming on Tuesday, February 5, 2019, 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 add to the agenda under **V. Adoption of Minutes C. Special Called Joint Meeting with FC Commissioners.** A motion was made by Christopher Light, seconded by Jason Evans, and unanimously passed to amend the agenda as requested by Mayor Brumbalow and to adopt the agenda as amended.

V. Consider for adoption the following meeting minutes: A. Regular Meeting of January 15, 2019: A motion was made by Lewis Ledbetter, seconded by Chad Crane, and unanimously passed to approve the minutes of the Regular Meeting of January 15, 2019 as presented.

B. Executive Session Meeting of January 15, 2019: A motion was made by Lewis Ledbetter, seconded by Christopher Light and unanimously passed to approve the minutes of the Executive Session Minutes of January 15, 2019.

C. Add-on: Special Called Joint Meeting with FC Commissioners on January 31, 2019
A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to approve the minutes of the Special Called Joint Meeting with FC Commissioners held on January 31, 2019.

VI. Acknowledgements, Proclamations, Resolutions, etc. – A. Future Business Leaders of America (FBLA) Week Mayor Brumbalow read aloud and presented a proclamation to South Forsyth High School students proclaiming the second week in February as **NATIONAL FBLA-PBL WEEK** in the City of Cumming.

VII. Old Business A. Planning & Zoning 1. Conditional Use Permit #2018442- Nine

Motors Inc. Planning Director Scott Morgan read into the record the following staff report: *The applicant has made application to the proper authorities for a Conditional Use Permit (CUP), in order to establish an automobile sales establishment in the Highway Business (HB) zoning district. The City Council held a public hearing on January 15, 2019 and voted 4-1 to postpone approval of the CUP, until a scaled parking plan could be provided. A revised plan has been provided (attached), however; upon further review, this plan does not reflect the actual property available for parking, as an incorrect plat survey was utilized to develop the plan. The survey provided, Exhibit A (attached), is actually for an adjacent billboard, located at the northwest corner of the subject property. The correct plat survey for Shannon Eyecare (attached) shows the billboard property. Given the reduction of the 1,569 square feet for the billboard, inventory parking shown on the revised plan will not be allowed in that area. Also, there will not be sufficient distance between the billboard property and the existing building to have a 20' access around the building, as shown on the revised plan. For the above reasons, staff recommends denial of the CUP as presented.*

A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to deny Conditional Use Permit #2018442 by Nine Motors Inc.

2. Annexation #2018451- City of Cumming- City Attorney Kevin Tallant explained that the City of Cumming accepted an application to annex, via the 60% method, 39 parcels, totaling 46.631 acres, more or less, and rezone them to a combination of Moderate-Family Residential (R-2), Multiple-Family Residential (R-3) and Office Commercial Multi-Story (OCMS). These properties are currently a combination of institutional, residential and vacant land uses. The Future Land Use Plan shows a combination of commercial, recreation and residential uses, therefore; this proposed annexation is in conformance with the City's Comprehensive Plan. The Forsyth County Board of Commissioners made no objections to the annexation. The public hearing requirements for annexation and rezoning as requested in the application have already been held at previous meetings.

A motion was made by Chad Crane, seconded by Jason Evans, and unanimously passed to approve Annexation Application #2018451 as requested in the application by the City of Cumming.

VIII. New Business A. Administration 1. Request to Approve Surveying for City

Center Project City Administrator Phil Higgins requested to approve funding for surveying the City Center Property. As we move forward with this project, a need for surveys of the property will be required. Boundary, Geo-Technical and Topographical surveys will be needed. The request is for funding up to \$100,000.00 to complete this work. A motion was made by Christopher Light, seconded by Chad Crane, and unanimously passed to approve up to \$100,000.00 for the necessary surveys of the City Center Project.

B. Planning & Zoning 1. Amendment to Zoning Ordinance.

Assistant City Attorney Molly Anderson presented an ordinance with the preamble as follows: **AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CUMMING, GEORGIA, TO PROVIDE FOR PERMISSIBLE USES; TO ESTABLISH DEFINATIONS; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.** Ms. Anderson explained that the purpose of the Ordinance was to amend the section “**Automobile sales and service establishment**” to read “**Automobile financing, sales and/or service establishments**” and to update the “**Zoning District Chart**” for establishments requiring a Conditional Use Permit. Assistant City Attorney Molly Anderson stated that the requested amendment would require a public hearing. A motion was made by Christopher Light, seconded by Jason Evans, and unanimously passed to open the public hearing. No one spoke in favor of or in opposition to the Amendment to the Zoning Ordinance. A motion was made by Jason Evans, seconded by Chad Crane, and unanimously passed to close the public hearing. A motion was made by Jason Evans, seconded by Christopher Light, and unanimously passed to approve the Amendment to the Zoning Ordinance.

C. Utilities 1. Water Tank Logo Samples

Director of Utilities Jon Heard stated that the 2 Million Gallon Elevated Storage Tank is beginning to come out of the ground. The face of the tank will be an excellent location to welcome people to Cumming stated Heard. Utility Engineer Andy Lovejoy presented drone footage of the tank location and the view from that elevation. He and Director Heard presented the Mayor and Council samples of the Water Tank Logos, requesting their recommendation. A motion was made by Linda Ledbetter, seconded by Christopher Light, and unanimously passed to seek public input on logo options.

IX. Announcements-none

X. Executive Session Mayor Brumbalow stated there was no need to have Executive Session.

XI. Adjournment: A motion was made by Linda Ledbetter, seconded by Chad Crane, and unanimously passed to adjourn the meeting.

Approved this 19th day of February, 2019.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember