

City of Cumming
Regular Meeting Agenda
May 21, 2024

- 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. Work Session Meeting of May 7, 2024
 - B. Executive Sessions Minutes of April 16, 2024
- VI. Acknowledgements, Proclamations, Resolutions, etc.
- VII. Old Business
 - A. Planning and Zoning
 - 1. Rezoning Application #2023156- Providence Group.
 - B. Administration
 - 1. Consider Agreement with Beltan Properties- Construction of New Police and Municipal Court Building
- VIII. New Business
 - A. Planning and Zoning.
 - 1. Alcohol License Application- Beverage World of Cumming, 745 Lanier 400 Parkway.
 - 2. Rezoning Application #2024105- City-Initiated
 - B. Administration
 - 1. 2023 Audit Report- Rushton Group.
 - 2. 2023 Budget Amendment
- IX. Announcements
 - A. Memorial Day Ceremony is this Friday, May 24th, at 11 a.m. at the Cumming City Center
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
MAY 21, 2024**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, May 21, 2024, 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: A motion was made by Susie Carr, and seconded by Chad Crane to adopt the agenda as presented. The motion carried unanimously.

V. Consider for adoption the following meeting minutes: A. Work Session Meeting of May 7, 2024: A motion was made by Chad Crane, and seconded by Jason Evans to approve the minutes of the Work Session Meeting of May 7, 2024 as presented. The motion carried unanimously.

B. Executive Session Meeting of April 16th, 2024: A motion was made by Susie Carr and seconded by Jason Evans to approve the minutes of the Executive Session Meeting of April 16th, 2024. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.: None

VII. Old Business: A. Planning and Zoning 1. Rezoning Application #2023156-Providence Group: Planning Director Scott Morgan read the following staff report into the record: *The applicant has made application, on behalf of the property owners, to rezone 93.393 acres, more or less, from Highway Business (HB) to Multiple-Family Residential (R-3), to construct a townhome and single-family detached residential subdivision.*

The City Council held a public hearing for this rezoning on April 16, accepted public comments and subsequently postponed action on this item, until the May 21 meeting.

The applicant has revised the zoning plan, reducing the total number of units to 444.

The revised plan, conditions and exhibits are in your packet, for your consideration.

A motion was made by Christopher Light and seconded by Chad Crane to approve Rezoning Application #2023156- Providence Group, with the conditions submitted but revising Condition #28 to read "*Townhomes sides facing Market Place Boulevard shall be brick. Final designs shall be approved by the Design Review Board.*" Also Condition #31 shall read "*A minimum of 50% of single-family units shall be three-sided brick, and be approved by the Design Review Board.*" The motion carried 4-1 with Jason Evans in opposition.

B. Administration: 1. Consider Agreement with Beltan Properties- Construction of New Police and Municipal Court Building: City Administrator Phil Higgins presented a Supplemental Construction Agreement with Beltan Properties. Under the original contract for the construction of the City Center, this municipal building was part of that contract, but it was removed when we added the two buildings (Building L and M) to the project. Beltan is willing to act as the GC for the Municipal Building Project. The terms of the contract are that they will act as GC for 12.5% of the project cost, not to exceed \$10,416,664.12. The City will control that cost as all procurement will be consistent with our procurement policy. All material and labor will be competitively quoted as needed. The project is estimated to be no more than 18 months. A motion was made by Jason Evans and seconded by Chad Crane to enter into an agreement with Beltan Properties for the construction of the municipal building. The motion carried unanimously.

VIII. New Business: A. Planning and Zoning: 1. Alcohol License Application- Beverage World of Cumming, 745 Lanier 400 Parkway. Planning Director Scott Morgan, reported on the application for the transfer of ownership of the City alcohol license for the business of Beverage World of Cumming, located at 745 Lanier 400 Parkway. Mr. Tejas Patel has met all the requirements of the application transfer process and has paid all fees due the City. It is Staff's recommendation that the applicant be granted the license transfer request. A motion was made by Joey Cochran and seconded by Susie Carr to approve the license transfer request for Beverage World of Cumming, located at 745 Lanier 400 Parkway. The motion carried unanimously.

2. Rezoning Application #2024105- City Initiated: Planning Director Scott Morgan, read into the record the following staff report: *The City is proposing to rezone 6.101 acres, more or less, from Single-Family Residential (RIA) to Restricted Industrial (M-1). The*

subject property is made up of portions of two other parcels (PIN's 128-079 and 128-610), both of which were previously rezoned to M-1. This rezoning, if approved, will correct an oversight and result in the entire portion of both parcels assigned to the same zoning category.

A motion was made by Christopher Light and seconded by Jason Evans to open the public hearing. The motion carried unanimously. No public comments were recorded. A motion was made by Jason Evans and seconded by Christopher Light to close the public hearing. The motion carried unanimously. A motion was made by Jason Evans and seconded by Susie Carr to approve Rezoning Application #2024105- City Initiated. The motion carried unanimously. Christopher Light left the meeting at 6:17 p.m.

B. Administration: **1. 2023 Audit Report- Ruston Group:** Clay Pilgrim with the Rushton Group presented the 2023 Audit of the City of Cumming's financial statements.

2. 2023 Budget Amendment: City Administrator Phil Higgins explained that the City of Cumming, in order to comply with State of Georgia Audit regulations, has to amend its 2023 Budget to account for any increases/decreases in revenue received or any unexpected expenditures. City Administrator Phil Higgins presented the Final Budget Amendment for the 2023 Budget. A motion was made by Jason Evans and seconded by Chad Crane to adopt the 2023 Budget Amendment as presented by City Administrator Phil Higgins. The motion carried 4-0 with Christopher Light absent.

IX. Announcements: none

X. Executive Session: Mayor Brumbalow stated there was no need for Executive Session.

XI. Adjourn: A motion was made by Chad Crane and seconded by Jason Evans to adjourn the meeting. The motion carried 4-0 with Christopher Light absent.

Approved this 4th day of June, 2024.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember