

City of Cumming
Regular Meeting Agenda
December 17, 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 December 3rd, 2024.
- VI. Acknowledgements, Proclamations, Resolutions, etc.
 - A. Mentor Me North Georgia Proclamation
- VII. Old Business
 - A. Administration
 - 1. 2025 Budget- Resolution to Adopt
 - B. Planning and Zoning
 - 1. Annexation #2024212 E-15, LLC- Market Place Boulevard (Public Hearing- Postponed to January 21, 2025)
 - 2. Annexation #2024127 E-15, LLC- Market Place Boulevard (Postponed to January 21, 2025)
 - 3. Rezoning #2024194 Cameron LR Development-Ronald Reagan Boulevard (Public Hearing)
 - 4. Rezoning #2024241 Cameron LR Development-Ronald Reagan Boulevard (Public Hearing)
- VIII. New Business
 - A. Administrative
 - 1. 2024 Budget Amendment
 - B. Planning and Zoning
 - 1. Application for Alcoholic Beverage License- Super Pho & Boba, 440 Vision Drive, Suite C101
 - 2. 2025 Alcohol License Renewals.
 - C. Utilities
 - 1. RFP Results- Highway 369 & 400 Emergency Sewer Project.
 - 2. Report of Quotes on Gate Installation at AWRP.
- IX. Announcements
- X. Executive Session (If Needed)
- XI. Adjourn.

**CITY OF CUMMING
COUNCIL MINUTES
REGULAR MEETING
DECEMBER 17, 2024**

I. There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, December 17, 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 Jason Evans to adopt the agenda as presented. The motion carried unanimously.

V. Consider for Adoption the Following Meeting Minutes: A. Work Session Meeting of December 03, 2024: A motion was made by Chad Crane and seconded by Susie Carr to approve the minutes of the Work Session Meeting of December 03, 2024. The motion carried unanimously.

VI. Acknowledgements, Proclamations, Resolutions, etc.: A. Mentor Me North Georgia: Mayor Brumbalow read aloud a proclamation proclaiming January 2025 as **Mentor Me North Georgia Month** in the City of Cumming.

VII. Old Business: A. Planning and Zoning: 1. Annexation #2024212 E-15, LLC- Market Place Boulevard (Public Hearing): A motion was made by Christopher Light and seconded by Joey Cochran to postpone any action on this Annexation until the January 21, 2025 regular Council Meeting. The motion carried unanimously. and seconded by Joey Cochran to close the public hearing. A motion was made by Christopher Light to deny Annexation #2024124 by Virtue Investment Group. The motion died due to lack of a second. A motion was made by Jason Evans and seconded by Susie Carr to postpone any decision on this annexation until the December 3, 2024 Work Session. The motion carried unanimously.

2. Annexation #2024127 E-15, LLC- Market Place Boulevard (Public Hearing): A motion was made by Christopher Light and seconded by Joey Cochran to postpone any

action on this annexation until the January 21, 2025 Regular Council Meeting. The motion carried unanimously.

3. Rezoning #2024194 Cameron LR Development- Ronald Reagan Boulevard (Public

Hearing): Planning Director Scott Morgan read into the record the following staff report:

The agent has made application, on behalf of the property owner, to rezone portions of PIN's 153-034 and 153-001, totaling 31.90 acres, more or less, from Highway Business (HB) to Multiple-Family Residential (R-3), to construct a residential townhome development. The proposed development will contain 186 units, a density of 5.83 units per acre. The rezoning application includes multiple variance requests to City stream buffers and building setbacks. The tract is zoned HB and its future land use designation is commercial, therefore; this rezoning request does not conform to the City's Comprehensive Plan.

The Planning Commission held a public hearing on September 17, 2024 and there was no recorded opposition. Staff and Board Members worked with the applicant's agent on several revisions to their draft zoning conditions. The Planning Commission subsequently voted unanimously on November 19, 2024 and recommended approval of the rezoning request, including the final nineteen (19) zoning conditions, as attached.

A motion was made by Chad Crane and seconded by Jason Evans to open the public hearing. The motion carried 4-0 with Christopher Light recused from voting. Representing the applicant was Mr. Joshua Scoggins, with the Law Firm of Miles Hansford, LLC. Mr. Scoggins explained that the conditions on Rezoning Application # 2024194 and Rezoning Application #2024241 were connected in that on certificates of occupancy for residences would be issued until a "white box" certificate of completion or occupancy is issued by the City of Cumming. No other public comments were recorded. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. The motion carried 4-0 with Christopher Light recused. A motion was made by Jason Evans and seconded by Chad Crane to approve Rezoning Request #2024194 with the nineteen (19) conditions submitted. The motion carried 3-1 with Christopher Light recused and Joey Cochran opposed.

4. Rezoning #2024241 Cameron LR Development- Ronald Reagan Boulevard (Public

Hearing): Planning Director Scott Morgan read into the record the following staff report:

The agent has made application, to the proper authorities, to rezone a portion of PIN 153-034, 23.77 acres, more or less, from Highway Business (HB) to Restricted Industrial (M-1), to construct a 200,000 square-foot light manufacturing contractor's establishment, including cabinet shops. The tract is zoned HB and its future land use designation is commercial, therefore; this rezoning request conforms with the City's Comprehensive Plan.

The Planning Commission held a public hearing on November 19, 2024 and there was no recorded opposition. They subsequently voted unanimously and recommended approval of the rezoning request, including the fourteen (14) zoning conditions, as attached.

A motion was made by Joey Cochran and seconded by Jason Evans to open the public hearing. The motion carried 4-0 with Christopher Light recused. Representing the applicant was Mr. Joshua Scoggins, with the law firm of Miles Hansford, LLC. Mr. Scoggins explained that the condition in this commercial development were tied to the development of the previous Rezoning Request #2024194 in that no certificates of occupancy for residences would be issued until a "white box" certificate of completion or occupancy is issued by the City of Cumming. No other public comments were recorded. A motion was made by Chad Crane and seconded by Jason Evans to close the public hearing. The motion carried 4-0 with Christopher Light recused. A motion was made by Susie Carr and seconded by Joey Cochran to approve Rezoning Request 2024241 with the fourteen (14) conditions submitted. The motion carried 4-0 with Christopher Light recused.

VIII. New Business: A. Administration: 1. 2024 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 2024 Budget to account for any increases/decreases in revenue received or any unexpected expenditures. A motion was made by Jason Evans and seconded by Susie Carr approving the 2024 Budget Amendment. The motion carried unanimously.

B. Planning & Zoning: 1. Application for Alcoholic Beverage License- Super Pho & Boba, 440 Vision Drive, Suite C101: The Department of Planning and Zoning has received an Alcoholic Beverage License application for the sale of malt beverages and wine for consumption on the premises for the business of Super Pho & Boba, located at 440 Vision Drive, Suite C101, 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. This information is for your consideration of the applicant to be approved for the requested license by the City of Cumming. A motion was made by Jason Evans and seconded by Susie Carr to approve the Alcoholic Beverage License for the sale of malt beverages and wine for consumption on the premises for the business of Super Pho & Boba. The motion carried unanimously.

2. 2025 Alcohol License Renewals: The Department of Planning and Zoning has compiled a list of sixty-seven City of Cumming businesses who currently hold an alcohol license and who have successfully completed the 2025 renewal process. Attached please find included list (Attachment A), and the fees rendered.

It is the recommendation that the City approve the renewal of the alcohol licenses for all of these businesses for 2025.

Two new businesses (Chichas Café & Grazey Girls) have recently been approved for a 2025 Alcohol License and are included on the attached list. One current licensee (Dice Goblin & Grill) has not completed the renewal process for 2025. The owners have advised that they will be cancelling the alcohol license and no longer serving alcohol at the location. Three other licensees (Big D's BBQ, Mary Lucille's and Wright's Fish & Chips) have permanently closed their businesses within the City limits. The licenses for each of these businesses will be terminated effective January 01, 2025.

A motion was made by Chad Crane and seconded by Joey Cochran to approve the renewal of the 2025 Alcohol Licenses. The motion carried unanimously.

C. Utilities: 1. RFP Results- Highway 369 at 400 Emergency Sewer Project: The sewer line on the western side of the Highway 369 at Highway 400 has had settling issues. The Department of Utilities advertised for proposals for this emergency sewer line replacement project and received 3 proposals. Those results are as follows:

1. JDS, Inc.	\$1,437,122.00
2. Strack, Inc.	\$1,764,712.00
3. North Georgia Pipeline	No Bid

The Department recommends accepting the proposal from JDS, Inc.

A motion was made by Christopher Light and seconded by Chad Crane to accept the proposal from JDS, Inc. in the amount of \$1,437,122.00. The motion carried unanimously.

2. Report of Quotes on Gate Installation at AWRF: The Department of Utilities budgeted in 2024 to install a gate at the Advanced Water Reclamation Facility (AWRF). This was needed due to the subdivision entrance off of our current driveway by way of agreement with the county and city.

Three proposals were received as follows:

1. Sanders Welding and Fabrication	\$27,700.00
2. Power Access Control	\$31,290.96
3. Harrison Fence, LLC	\$54,875.00

The Department requests the Council approve the lowest proposal from Sanders Welding and Fabrication. A motion was made by Christopher Light and seconded by Chad Crane to approve the lowest proposal from Sanders Welding and Fabrication in the amount of \$27,700.00. The motion carried unanimously.

IX. Announcements: none

X. Executive Session: Mayor Brumbalow stated there was a need for Executive Session to discuss the acquisition or sale of real property. A motion was made by Chad Crane and seconded by Joey Cochran to recess into executive session. The motion carried unanimously.

XI. Adjourn: After a brief executive session, a motion was made by Chad Crane and seconded by Susie Carr to reopen the public meeting. The motion carried unanimously. A motion was made by Joey Cochran and seconded by Chad Crane to adjourn the meeting. The motion carried unanimously.

Approved this 7th day of January, 2025.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

Attest:

City Clerk

Councilmember