

**City of Cumming**  
**Regular Meeting Agenda**  
**January 21, 2025**

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 December 17th, 2024.

B. Executive Session Meeting of December 17<sup>th</sup>, 2024.

VI. Acknowledgements, Proclamations, Resolutions, etc.

VII. Old Business

A. Planning and Zoning

1. Annexation #2024212 E-15, LLC- Market Place Blvd. (Public Hearing)

2. Annexation #2024127 E-15, LLC- Market Place Blvd.

B. Utilities

1. RFP Results- Highway 369 & 400 Emergency Sewer Project

VIII. New Business

A. Administrative

1. Re-Appointment to Health Board- Jason May

2. 2025 Municipal Election- Set Qualifying Fees and Dates.

B. Planning and Zoning

1. Conditional Use Permit #2024265- Costco Fuel Station (Public Hearing)

IX. Announcements

X. Executive Session (If Needed)

XI. Adjourn.

**CITY OF CUMMING  
COUNCIL MINUTES  
REGULAR MEETING  
JANUARY 21, 2025**

**I.** There was a regular meeting of the Mayor and Council of the City of Cumming on Tuesday, January 21, 2025, 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 Chad Crane and seconded by Jason Evans to adopt the agenda as presented. The motion carried unanimously.

**V. Consider for Adoption the Following Meeting Minutes: A. Regular Meeting of December 17, 2024:** A motion was made by Joey Cochran and seconded by Susie Carr to approve the minutes of the Regular Meeting of December 17, 2024. The motion carried unanimously.

**B. Executive Session Meeting of December 17, 2024:** A motion was made by Jason Evans and seconded by Chad Crane to approve the minutes of the Executive Session meeting of December 17<sup>th</sup>, 2024. The motion carried unanimously.

**VI. Acknowledgements, Proclamations, Resolutions, etc.-none**

**VII. Old Business: A. Planning and Zoning: 1. Annexation #2024212 E-15, LLC-**

**Market Place Boulevard (Public Hearing):** Planning Director Scott Morgan read into the record the following staff report: *The applicant, on behalf of the property owner, has filed a petition to annex PIN's 196-482, 196-498, 196-561, and 196-394, totaling 18.292 acres, more or less, and rezone from County Commercial Business District (CBD) to City Highway Business (HB). The four (4) subject properties are located along Market Place Boulevard and have continuity with City boundary, across Bald Ridge Marina Road. Three of the four subject parcels are vacant and one contains an office building. Adjacent City property is zoned Multiple Use (MU) and future land use designation is commercial, therefore; the proposed HB zoning of the properties, is in*

*conformance with the City's Comprehensive Plan. Forsyth County has stated they have no objection to the proposed annexation.*

*The Planning Commission held a public hearing on October 15, 2024 and there were no recorded opposition. Staff and Board members worked with the applicant on several revisions to their draft zoning conditions. The Planning Commission subsequently voted unanimously on November 19, 2024 and recommended approval of the annexation and rezoning request, including the final (13) zoning conditions, as attached.*

A motion was made by Jason Evans and seconded by Chad Crane to open the public hearing. The motion carried unanimously. Representing the applicant was Mr. Ethan Underwood with the law firm of Miles Hansford, LLC. Mr. Underwood and Mr. Phil Christian, with E-15, LLC explained the annexation request and conditions. Mr. George Notel, a resident of the Adair Park Subdivision, spoke in opposition of building additional storage units within the City. No other public comments were recorded. A motion was made by Christopher Light and seconded by Jason Evans to close the public hearing. The motion carried unanimously. A motion was made by Jason Evans and seconded by Joey Cochran to approve Annexation #2024212 by E-15, LLC with the thirteen (13) zoning conditions presented. The motion carried 4-1 with Councilman Light opposed.

**2. Annexation #2024127 E-15, LLC- Market Place Boulevard:** Planning Director Scott Morgan, read into the record the following staff report, *The applicant, on behalf of the property owner, has filed a petition to annex 2.00 acres, more or less, and rezone from County Office & Institutional (O&I) to City Office Professional (OP). The subject property is vacant, located on Turner Road, west of the intersection with Market Place Boulevard, across from the Westshore development, which creates continuity with the existing City boundary. The adjacent City zoning is PUD and the future land use designation is mixed use-suburban, so the proposed OP zoning, as a transitional district, is in conformance with the City's Comprehensive Plan. Forsyth County has stated they have no objection to this proposed annexation/rezoning.*

*The Planning Commission held a public hearing on September 17 and there were no public comments. Therefore, they voted unanimously to recommend approval of the annexation, with the twelve (12) zoning conditions submitted.*

A motion was made by Jason Evans and seconded by Susie Carr to approve Annexation #2024127 by E-15, LLC with the twelve (12) zoning conditions submitted. The motion carried 4-1 with Councilman Light opposed.

**B. Utilities: 1. RFP Results- Highway 369 & 400 Emergency Sewer Project: Mr.**

Heath Martin, with the Department of Utilities, explained that at the December 17 meeting the Department of Utilities requested permission to repair a sewer line sag under Highway 369 near the new Georgia 400 bridge. Under further investigation, it appears that the main issue and sag lies within the Forsyth County Water and Sewer Service Area as per the most recent Service Delivery Strategy Service Area Boundary map submitted by Forsyth County to DCA. Also, there are as-built drawings that state the County owns the sewer line to the north of Highway 369 and the City owns the sewer line to the south of Highway 369. The Department of Utilities requests guidance on how to proceed. A motion was made by Joey Cochran and seconded by Susie Carr to not execute the contract to repair the sewer line sag. Then instruct City Attorney Kevin Tallant to send notice to Forsyth County on the City's decision. The motion carried unanimously.

**VIII. New Business: A. Administration: 1. Re-Appointment to Health Board- Jason**

**May:** City Administrator Phil Higgins recommended the City Council re-appoint Mr. Jason May as the City's representative to the Health Board for an additional six-year term. A motion was made by Jason Evans and seconded by Chad Crane to re-appoint Mr. Jason May to the Health Board for a six-year term. The motion carried unanimously.

**2. 2025 Municipal Election- Set Qualifying Fees and Dates:** City Administrator Phil Higgins recommended to set the Qualifying Fees for the upcoming Municipal Election at \$360 for the Mayor and \$180 for the Council seats. The Qualifying dates begin on August 18 and continue through August 20, 2025, 8:30 am to 4:30 pm. A motion was made by Joey Cochran and seconded by Christopher Light to set the qualifying fees and dates for the Municipal Election. The motion carried unanimously.

**B. Planning & Zoning: 1. Conditional Use Permit #2024265- Costco Fuel Station (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, for a Conditional Use Permit (CUP) to expand the fuel station at the Costco Warehouse. They are requesting to add four (4) fuel islands (8 fuel pumps) to bring the total to 12 islands (24 pumps). Currently the demand for fuel has, at peak times, caused traffic to back-up into the warehouse access drive. This expansion, if approved, will improve gasoline operations, by reducing vehicle queuing during peak times, improving traffic movement and, as a result, increasing public safety. Costco's traffic engineering consultant has produced a report, which verifies these improved gasoline operations, with the proposed fuel station expansion. Costco will also add lighted pump signage, increased island spacing and longer fuel hoses, to further improve fuel station efficiency. These improvements will not have an adverse effect on the adjacent properties or the land use character in the general area.*

*The Planning Commission held a public hearing on December 17 and there were no recorded comments. They subsequently voted unanimously and recommended approval of the CUP, as requested.*

A motion was made by Chad Crane and seconded by Joey Cochran to open the public hearing. The motion carried unanimously. No public comments were recorded. A motion was made by Chad Crane and seconded by Joey Cochran to close the public hearing. The motion carried unanimously. A motion was made by Susie Carr and seconded by Chad Crane to approve Conditional Use Permit #2024265 by Costco Fuel Station as requested. 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 and threaten or pending litigation. A motion was made by Christopher Light and seconded by Joey Cochran to recess into executive session. The motion carried unanimously.

**XI. Adjourn:** After a brief executive session, Mayor Pro-tem Christopher Light called the meeting to order. A motion was made by Chad Crane and seconded by Jason Evans to reopen the public meeting. The motion carried 4-0. A motion was made by Joey Cochran and seconded by Susie Carr to adjourn the meeting. The motion carried 4-0.

**Approved this 18th day of February, 2025.**

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**Mayor**

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**Councilmember**

**Councilmember**

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**Councilmember**

**Councilmember**

**Attest:**

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**City Clerk**

**Councilmember**