

OFFICIALS PRESENT: Sam Couvillon, Zack Thompson, Barbara Brooks, Juli Hayes, Abigail Guzman, Danny Dunagan
STAFF PRESENT: Angela Sheppard, Abb Hayes, Alisa Grayson
STAFF ABSENT: Bryan Lackey

Mayor Couvillon called the meeting to order at 5:30 PM and served as the presiding officer.

Reverend Whit Martin, Asbury Chapel, provided the invocation after which the Pledge of Allegiance was recited in unison.

PRESENTATIONS / RECOGNITIONS:

You're the Reason Scholarship Awards

Mayor Couvillon announced and recognized the 2025 You're the Reason Scholarship award recipients as Katelyn Seabolt (\$1,000), Ashley Garbacz (\$1,000), Kasiya Moore (\$1,000), Jakob Lunsford (\$1,000), Antonio Hunt (\$1,000), Madison Ford (\$1,000), Tristan Hill (\$1,000), Kaylana Curry (\$1,500), and Madeline Martin (\$2,000).

Gainesville Chicken Scholarship Awards

Mayor Couvillon announced and recognized the following 2025 Gainesville Chicken Scholarship award recipients as Madison Chastain (\$1,500), Kylianne Brown (\$1,500) (not present), and Jackson Daniel (\$2,000).

COUNCIL ANNOUNCEMENTS:

Mayor Couvillon

Was thankful for the opportunity to recognize the youth in the community.

Council Member Brooks

Expressed appreciation for the youth in our community.

Council Member Hayes

Reported Gainesville High School's work-based learning students earned \$1.6M as of March 2025.

CONSENT AGENDA:

Minutes: March 27, 2025 Work Session

Minutes: April 1, 2025 Mayor/Council Meeting

Minutes: April 17, 2025 Called Mayor/Council Meeting

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Thompson

Votes favoring the motion: Thompson, Brooks, Hayes, Guzman, Dunagan

Resolutions

A. AR-2025-03 Second Quarter Budget Adjustment for Fiscal Year 2025

- B. AR-2025-04 Third Quarter Budget Adjustment for Fiscal Year 2025
- C. BR-2025-15 Fair Street Area-Newtown-New Holland Neighborhood Revitalization Plan

Deputy City Manager Angela Sheppard provided a brief overview of the resolutions.

Motion to approve the minutes accepting edits as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Hayes

Votes favoring the motion: Thompson, Brooks, Hayes, Guzman, Dunagan

PUBLIC HEARING:

Request from Gainesville Housing Authority to rezone a 2.6± acres tract located on the southwest side of the intersection of Jesse Jewell Parkway and Downey Boulevard and the southeast side of the intersection of Jesse Jewell Parkway and Summit Street (a/k/a 1120 Jesse Jewell Parkway, SE) from Residential-II (R-II) to Planned Unit Development (P-U-D). Ward Number: Three. Tax Parcel Number(s): 01-035-002-004. Request: Multi-family housing.

- ***Proposed Rezoning Ordinance 2025-06***

City Attorney Abb Hayes stated the applicant requested to withdraw the application without prejudice.

Motion to accept the request for withdrawal without prejudice as presented.

Motion made by Council Member Hayes

Motion seconded by Council Member Dunagan

Votes favoring the motion: Thompson, Brooks, Hayes, Guzman, Dunagan

Request from Gainesville Housing Authority to rezone a 4.13± acres tract located on the northwest side of the intersection of Myrtle Street and Osborne Street and the northeast side of the intersection of Myrtle Street and Wall Street, south of Jesse Jewell Parkway (a/k/a 1197 and 1235 Myrtle Street, SE; 452, 474 and 492 Osborne Street, SE; 465, 471 and 481 Wall Street, SE) from Residential-II (R-II) to Planned Unit Development (P-U-D). Ward Number: Three. Tax Parcel Number(s): 01-035-001-005, 007, 008, 013, 013A, 017, 019 and 020. Request: Multi-family housing.

- ***Proposed Rezoning Ordinance 2025-07***

City Attorney Abb Hayes opened the public hearing, confirmed the public notice was properly advertised and outlined the public hearing process.

Community and Economic Development Deputy Director Matt Tate summarized the request. The Planning and Appeals Board and staff recommended approval with the following six conditions:

1. The development standards within the narrative, site plan and architectural rendering submitted with the applicant's rezoning application shall be made part of the zoning ordinance and shall be subject to the approval of the Director of the Community and Economic Development Department.

2. The owner/developer shall plant a minimum 10-foot-wide evergreen buffer adjacent to the single-family home and church property that front Wall Street. The location, spacing, size and type of trees planted shall be subject to the approval of the Director of the Community and Economic Development Department.
3. The owner/developer shall construct a minimum 5-foot-wide sidewalk on the western side of Osborne Street and the northern side of Myrtle Street, to connect to the existing sidewalk network.
4. Any proposed dumpster shall be enclosed and screened from view from the adjoining properties, roads and parking areas.
5. All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner. The developer/property owner shall coordinate with the Gainesville Public Works Director to explore an alternate driveway plan that limits vehicular access to Wall Street as opposed to Osborne Street.
6. An updated as-built survey/plat of the subject property, indicating all improvements shall be recorded prior to obtaining a Certificate of Occupancy for the use.

City Attorney Hayes opened the floor for public comments.

FAVOR:

Joy Griffin, 915 Green Street Circle, Gainesville Housing Authority Board Member spoke in support of the rezoning project noting it provides a safety option as well as walkability, healthcare access and employment/transportation options. She thanked the Northeast Georgia Health System and city staff for their collaboration and consideration for use of the property.

Josh Marx, Atlanta resident, with Region Partners (development partner for the Gainesville Housing Authority) stated they were honored to be a part of this opportunity. He was available to answer questions.

OPPOSITION

Jennifer Gibbs, Hall County resident, represented and spoke on behalf of the 1240 Jesse Jewel Parkway Guilford Clinics Owners Association, Specialty Properties and Specialties Orthopedics clinics and the specialty groups owners. She stated they were not opposed to the property development but had safety concerns for the patients and staff. She expressed specific concerns about the proposed plan for the ingress/egress for Osborne Street, the clinic's parking lot used as a cut-through, pedestrian traffic and inadequate planned parking spaces for the development. To address the concerns, they requested conditions be added to 1) require the ingress/egress to be on Wall Street, and 2) require fencing around the development to allow for increased safety measures.

REBUTTAL

Mr. Marx commented on their goal for the property noting they were happy to conduct a study for the potential paths but preferred not to have the ingress/egress on Wall Street as a requirement. He also commented on the fencing noting the property will be fenced and gated similar in design to the other partnered housing authority properties. He asked Council to consider the future development phase.

Mayor Couvillon felt a condition for entrance on Wall Street would be beneficial due to the heavy traffic in the area. He also commented on the need for the fencing.

Upon Council Member Thompson's inquiry, Mr. Tate reviewed the conditions regarding fencing and controlled access and shared possible updates to the conditions. Ms. Griffin confirmed the fencing and controlled access similarities of this project with the Walton products.

There being no further comments, the hearing was closed and the matter was returned to the governing body for consideration.

Motion to approve the Ordinance 2025-07 with conditions as presented in addition to the update to condition 5 to read as follows: "All access point design for the subject property shall require review and approval by the Gainesville Public Works Department Director. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner. The vehicular access shall be limited to Wall Street and Myrtle Street."; and to add a condition 7 to read as follows: "The entire property shall be fenced and gated.".

Motion made by Council Member Hayes

Motion seconded by Council Member Dunagan

Votes favoring the motion: Thompson, Brooks, Hayes, Guzman, Dunagan

Request from GVAR Gainesville Landfill, LLC to annex a 105.076± acres tract located on the south side of the intersection of Athens Highway, Old County Dump Road and Athens Street, including all of Old County Dump Road (a/k/a 0 Athens Highway; 0, 2033 and 2045 Old County Dump Road;) and to establish a zoning of Heavy Industrial (H-I), with a special use. Ward Number: Three. Tax Parcel Number(s): 15-032-000-038, 070, 071 and 081. Request: Landfill (Construction & Demolition) and composting facility.

- ***Proposed Annexation Ordinance 2025-08***
- ***Proposed Zoning Ordinance 2025-09***
- ***Proposed Zoning Resolution 2025-02***

Request from the City of Gainesville to rezone a 134.0± acres tract located on the east side of Monroe Drive, north of Allen Creek Road (a/k/a 1701 Fulenwider Road, SW) from Residential-I-A (R-I-A) and Planned Unit Development (P-U-D) to Heavy Industrial (H-I) with a special use. Ward Number: Three. Tax Parcel Number(s): 15-032-000-038, 070, 071 and 081. Request: Landfill (Construction & Demolition) and composting facility.

- ***Proposed Rezoning Ordinance 2025-10***
- ***Proposed Zoning Resolution 2025-03***

City Attorney Abb Hayes opened the public hearing and confirmed the public notice was properly advertised.

Community and Economic Development Deputy Director Matt Tate summarized the request from GVAR Gainesville Landfill, LLC. The Planning and Appeals Board and staff recommended approval with the following eight (8) conditions:

1. The development standards within the narrative and approved site plan submitted with the applicant's annexation application shall be made part of the zoning ordinance and shall be subject to the approval of the Community and Economic Development Director.

2. The use of the subject property shall be restricted to the Landfill (Construction & Demolition) and composting facility. A metal recycling facility is not an approved use for the property.
3. The size of the Landfill (Construction & Demolition) and composting facility shall be in substantial conformance with the Design and Operation Plan submitted with this annexation application.
4. Landfill activity height shall not exceed 100 feet above existing grade.
5. A detailed odor control plan and ground and surface water monitoring plan shall be required per the review and approval of the Environmental Protection Division (EPD) and the Gainesville Department of Water Resources.
6. A minimum 200-foot wide natural buffer shall be maintained around the perimeter of the property as depicted on the site plan in accordance with Environmental Protection Division approval.
7. Access to any landfill or composting facility shall be limited to Old County Dump Road.
8. Within one year from the annexation date, the property owner shall repave and stripe Old County Dump Road a distance of 300 linear feet as measured from the Athens Highway right-of-way, per the review and approval of the Gainesville Public Works Director.

Mr. Tate summarized the request from the City of Gainesville noting there is an existing intergovernmental agreement with the Redevelopment Authority to allow the subject property to be utilized to aid the City in the provision of a long-term waste management strategy and construction of a fire station. The Planning and Appeals Board and staff recommended approval with the following 6 conditions. Mr. Tate noted an amendment to condition 4:

1. The size and location of any future construction & demolition landfill and composting facility shall be in substantial conformance with the site plan submitted with this rezoning application.
2. The subject property shall be limited to the Landfill (Construction & Demolition) and composting facility and those uses permitted within the Light Industrial (L-I) zoning district, excluding a metal recycling facility, wrecked motor vehicle compound, truck stop or truck lot.
3. A detailed odor control plan and ground and surface water monitoring plan shall be required per the review and approval of the Environmental Protection Division (EPD) and the Gainesville Department of Water Resources.
4. A minimum 200-foot wide natural buffer shall be maintained around the perimeter of the property as depicted on the site plan in accordance with Environmental Protection Division approval. The buffer zone must be free of any waste disposal activities and shall be used only for purposes such as landscaping, environmental monitoring, and access roads.
5. Landfill activity height shall not exceed 100 feet above existing grade.
6. Access to any landfill or composting facility shall be limited to Old County Dump Road.

City Attorney Hayes opened the floor for public comments.

FAVOR

Attorney Bo Weber, Atlanta resident, represented the applicant. He commented on the purpose of the request and provided some history on the property being annexed noting they were not doubling the size of the landfill. This allows for continued discussions regarding use of the city property for a composting facility. He shared information related to the current facility's composting process and odors noting a different and more innovative process would be used

for a composting facility on the expanded site. Mr. Weber stated they are a highly regulated entity with reporting, monitoring and inspections made by the EPD. He requested to reserve the remainder of his time for rebuttal and/or questions.

OPPOSITION

Belinda Dickey, 2165 Sunrise Drive, expressed opposition to the request citing concerns with odors and the environmental impact affecting their community.

Resident at 2251 Floyd Road commented on being surrounded by toxicity in the area due to the smell of the landfill in the area.

Angela Middleton, 2836 Gaines Mill Road, commented on the Carl Vinson study for the Athens Street Corridor to improve the area noting it did not include adding another dump site. She felt it was unfair for it to come to their community. There was no guarantee that the odors can be controlled. She asked Council not to continue to submit the area to the bad odors and air pollution.

Ryan Rusteberg, 3412 Spartan Court, stated all have the right to breathe clean air. He referenced the clean air act and the Georgia law prohibiting landfills from creating a public nuisance. It fails to meet the standards but is seeking to expand. He urged Council to stand with the residents.

Tracy Randolph, 1702 Moon Drive, stated he was not aware of the facility opening a few years ago. He commented on the horrific smell and felt they deserved better and a right to a clean environment. He was concerned about the toxins in the air and it getting into the water. He commented on a petition to close it down.

Linda Earls Clark, 393 Laura Drive, agreed with the others that have already spoken. She commented on the bad odors. She was concerned about a "bait and switch" occurring relating to the type of materials brought in. She asked that they find somewhere else for the landfill.

Charles Dickey, 2165 Sunrise Drive, commented on contamination in water runoff, monitoring by the EPD on a more regular basis, and the assurance that debris is not being brought in from outside the community. Another major concern is the egress for the facility. He felt they needed additional information for understanding. He also inquired about guidelines in place to reduce the odors.

Sanchez Harris, 2266 Barnes Drive, expressed his opposition and concerns noting landfills pose risks. No community should have to bear this burden. He urged Council to listen to the residents. They demanded transparency, accountability and commitment to equity and planning and development in the Gainesville community. They will continue to advocate for what is right.

Karen Harris, 2266 Barnes Drive, commented on having grandchildren in the area and having to use facemasks to alleviate the smell. She hoped the comments would be taken into consideration.

Janice Cox, 1649 Rogers Circle, commented on the proposal and the requester's right to use all of the proposed area if approved. She felt the residents deserve respect.

Tommy Randolph, 169 Walter Circle, stated he is a lifelong resident and enjoys being in Gainesville. He commented on the odor surrounding his home noting the odor affects what the city stands for. He asked Council to do something about it.

Terrence Shelton, Atlanta Resident, spoke on behalf of his parents that live in the area. He encouraged Council to hear the voices that have spoken. The community is a beautiful neighborhood. Although there is newer innovative methodology being used, it is still pumping air into the compostable material. He stated projects of this type happen in areas populated predominately by people of color. He asked that they be kept aware of the project planning going forward.

Walter Smith, 2145 Deville Lane, reiterated what had been said about the unbearable odor in the area and asked Council to vote "no".

Gwendolyn Johnson, 17 East Main Street, commented on the bad odor coming from the landfill, its impact on their health, and the toxicity in the air and water. She asked Council to use options available to correct the issues/concerns.

George Rucker, Oakwood resident, stated his family has property next to the site and it is affecting the property value. He expressed concerns about the materials going into the facility, and the size/amount of the property available for use. He requested Council table the matter for 90 days to allow for additional information.

Ariel Collins, 1047 Jordan Drive, commented on the toxicity coming from the landfill and the effects it has on people.

REBUTTAL

Mr. Weber, thanked everyone for their opinions and clarified that this site is not the County operated landfill for solid waste noting they do not accept household refuse. They were willing to accept a condition indicating they would not allow for a municipal solid waste landfill. He further clarified that support of the request would grant the city greater authority over how odor management is handled at the current composting facility. It would not eliminate or stop the current/existing operations.

Upon inquiry from Mayor Couvillon, Mr. Weber confirmed they do not generate any propane/gas.

Council Member Thompson commented on previous discussions with Mr. Weber related to the addition of an enclosed concrete pad for odor control. Mr. Weber commented on the current odor management plan required by the EPD noting the expansion would allow the city to exercise oversight/control over the operations of the current landfill.

Council Member Hayes inquired if the restricted use includes restrictions for municipal solid waste materials at which time Mr. Weber distributed amended proposed language for the condition.

Council Member Brooks commented on the significant impact of Council's decision and the obligation to protect the health and safety of the people whether they live inside or outside the city limits. She expressed concern with the current state of growth/development along Highway 129 south. It is important they take a stand on the future of the community and on how they wish for it to be regarded 75 years after the placement of the landfill. Growing Gainesville should

include protecting and preserving all the areas for all the people. She implored the other Council members to listen to the voices tonight and to exercise the options available to protect/defend everyone.

There being no further comments, the hearing was closed and the matter was returned to the governing body for consideration.

Council Member Thompson stated the area of the dump was defined by Hall County noting the city has the opportunity to make it better.

Council Member Guzman, commented on the odor in Gainesville and the effects on Gainesville as a whole. This provides an option for improvement through regulation and the implementation of more effective control measures.

Council Member Hayes requested an amendment to condition 2 to include a restriction for municipal solid waste. Upon inquiry regarding a condition related to the enclosure and concrete pad, City Attorney Hayes commented on the conditions specifically related to the annexation/zoning noting other conditions related to odor control measures are addressed in the intergovernmental agreement with the Redevelopment Authority.

Upon inquiry, Mr. Hayes summarized the information that is before the Council.

Deputy City Manager Angela Sheppard provided some clarification on the use of the current city property.

Mayor Couvillon expressed this was an opportunity for improvement.

Motion to approve Ordinance 2025-08 as presented.

Motion made by Council Member Dunagan

Motion seconded by Council Member Guzman

Votes favoring the motion: Thompson, Hayes, Guzman, Dunagan

Oppose: Brooks

Motion to approve the Ordinance 2025-09 with conditions as presented in addition to an update to condition 2 to read as follows: *“The use of the subject property shall be restricted to the Landfill (Construction & Demolition) and composting facility. A metal recycling facility is not an approved use for the property. The property shall not be permitted as a “Municipal Solid Waste Landfill” for the purpose of accepting “Household waste,” as those terms are defined in Ga Comp. R. & Regs. 391-4-.01.”.*

Motion made by Council Member Thompson

Motion seconded by Council Member Dunagan

Votes favoring the motion: Thompson, Hayes, Guzman, Dunagan

Oppose: Brooks

Motion to approve resolution ZR-2025-02 with conditions as presented in addition to an update to condition 2 to read as follows: *“The use of the subject property shall be restricted to the Landfill (Construction & Demolition) and composting facility. A metal recycling facility is not an approved use for the property. The property shall not be permitted as a “Municipal Solid Waste Landfill” for the purpose of accepting “Household waste,” as those terms are defined in Ga Comp. R. & Regs. 391-4-.01.”.*

Motion made by Council Member Hayes
Motion seconded by Council Member Thompson
Votes favoring the motion: Thompson, Hayes, Guzman, Dunagan
Oppose: Brooks

Motion to approve Ordinance 2025-10 with conditions as presented.

Motion made by Council Member Thompson
Motion seconded by Council Member Hayes
Votes favoring the motion: Thompson, Hayes, Guzman, Dunagan
Oppose: Brooks

Motion to approve resolution ZR-2025-03 with conditions as presented.

Motion made by Council Member Guzman
Motion seconded by Council Member Dunagan
Votes favoring the motion: Thompson, Hayes, Guzman, Dunagan
Oppose: Brooks

ADJOURNMENT: 7:31 PM

/ag

W. Samuel Couvillon, Mayor

Alisa Grayson, City Clerk