City of Fayetteville
Mayor and City Council
Regular Meeting
Minutes
August 20, 2026

Call to Order

The Mayor and City Council of Fayetteville met for a Regular Session on August 20, 2026, in the Council Chamber at City Hall. Mayor Edward Johnson and Council Members Darryl Langford, Joe Clark, Niyah Glover, Shannon Moultrie, and Emmett Spurlock were present. Also present was City Attorney Patrick Jaugstetter, City Manager Ray Gibson, and City Clerk Chelsea Siemen.

Mayor Johnson called the meeting to order at 6:00 p.m.

Opening prayer was delivered by Council Member Clark, followed by the Pledge of Allegiance.

Langford made a motion to approve the agenda as presented. Glover seconded the motion. The motion carried unanimously.

Langford moved to approve the minutes of July 16, 2026, City Council Regular Meeting. Glover seconded the motion. The motion carried unanimously.

Langford moved to approve the minutes of July 23, 2026, City Council Work Session. Glover seconded the motion. Clark abstained. The motion carried 4-0-1.

Clark moved to approve the minutes of August 6, 2026, City Council Work Session. Langford seconded the motion. Spurlock abstained. The motion carried 4-0-1.

Glover moved to approve the minutes of August 11, 2026, City Council Work Session. Clark seconded the motion. Spurlock and Moultrie abstained. The motion carried 3-0-2.

Recognitions and Presentations:

Employee Promotion, New Hire, and Retirement Recognitions:

- Public Services:
  - Marcus Heard, newly hired Deputy Director

- Fire Department:
  - Jeremy Martin, newly hired Employee
  - Adell MacFarlane, newly hired Employee
  - Alexander Kallas, Fire Recruit
  - Brigdon York, Fire Recruit

- Matthew Neumeyer, Fire Recruit
- Garrett Pouliot, Certified Firefighter & EMT-A School Graduate
- Mason Whillock, Fire & EMT-A School Graduate
- Tate Stanford, Fire & EMT-A School Graduate
- Josiah Ray, Fire & EMT-A School Graduate
- Andre Risby, Fire & EMT-A School Graduate

Public Hearing:

Consider Ordinance No. 26-O-05 - Step 2 of the Annexation Request and Ordinance No. 26-O-06 – Rezoning Request from applicants Fayetteville 1336 Land RIK MP, LLC, Fayetteville 1336 MOB RIK MP, LLC, Fayetteville 1336 Surgery RIK MP, LLC, and Fayetteville 1336 GA RIK MP, LLC to annex property located at 1336 Highway 54 into the City of Fayetteville and rezone the property from Office Institutional (O-I) to Professional Office (PO)

Senior Planner Marissa Jackson presented Step 2 of the Annexation Request Process and the associated Rezoning Request for the property located at 1336 Highway 54 West. Ms. Jackson explained that the annexation request was prompted by ongoing septic system issues and the property's need to connect to the City's sanitary sewer system. She stated that the request to annex into the city with the Professional Office (PO) Zoning Designation is consistent with the City's Future Land Use Map and supports initiatives outlined in the City's Comprehensive Plan.

The Planning and Zoning Commission, as well as staff, have recommended approval for both requests; with the rezoning request (26-O-06) subjected to the following conditions and understanding:

1. The subject parcels shall be designated as Business Park on the Future Land Use Map.

2. The applicant shall install sidewalks along parcel frontage for 0704 010 and 0704 041 or agree to a payment-in-lieu arrangement with the city for construction of sidewalks or pathways. This requirement must be met before any sewer connection, or extension is allowed to be made to the city's sanitary sewer system by the development.

Laurel David, representing the applicants, confirmed the applicants' willingness to comply with the recommended conditions. She explained that the sidewalk requirement is tied to the future sewer connection because the existing septic system's drainage field is located within the easement area needed for the sidewalk. Therefore, the property must first connect to the City's sanitary sewer system so that the septic drainage field can be removed and the sidewalk installed.

"A Council Member" asked whether the City's Public Services Department had been informed of the issues involving the sidewalk and drainage easement.

The Assistant City Manager Chris Hindman confirmed that City staff was aware of the matter and reiterated Ms. David's explanation that, without connecting to the City's sanitary sewer system, the property would be unable to install the sidewalk along the front portion of the property because of the existing septic drainage field.

Council Member Spurlock asked whether the property could be assigned a zoning designation other than Professional Office (PO).

Ms. Jackson stated that the property is currently developed for medical office use and could potentially be designated Neighborhood Commercial. However, Professional Office (PO) was determined to be the most appropriate zoning designation and the most cohesive with the existing zoning designations in the surrounding area.

County Resident Jesse Brooks asked whether the annexation and rezoning requests were independent of the next annexation request on the agenda or whether there was a connection between the two requests.

Applicant Representative Ms. David explained that the primary purpose of the request was to address the ongoing septic issues and allow the property to connect to the City's sanitary sewer system. She stated that the only combined effort between the two is the sewer connectivity.

Mayor Johnson called for the vote on Ordinance No. 26-O-05 - Step 2 of the Annexation Request Process from applicants Fayetteville 1336 Land RIK MP, LLC, Fayetteville 1336 MOB RIK MP, LLC, Fayetteville 1336 Surgery RIK MP, LLC, and Fayetteville 1336 GA RIK MP, LLC to annex property located at 1336 Highway 54.

Clark moved to approve 26-O-05. Glover seconded the motion. The motion carried unanimously.

Mayor Johnson called for the vote on Ordinance No. 26-O-06 - Rezoning Request from Fayetteville 1336 Land RIK MP, LLC, Fayetteville 1336 MOB RIK MP, LLC, Fayetteville 1336 Surgery RIK MP, LLC, and Fayetteville 1336 GA RIK MP, LLC to rezone property located at 1336 Highway 54 from Office Institutional (O-I) to Professional Office (PO).

Langford moved to approve 26-O-06. Glover seconded the motion. The motion carried unanimously.

Consider Ordinance No. 26-O-10 - Step 2 of the Annexation Request Process and Ordinance No. 26-O-11 – Rezoning Request from applicants: HWY 54 & Veterans Pkwy LLC/Blake Goodman for 2.4 acres located at 1352 Highway 54 (Parcel No. 0704 016); ARC Enterprises LLLP for +/- 30 acres located at 1374 Highway 54 (Parcel Nos. 0704 009 and 0704 045); and ROCLAD Enterprises LLC for +/- 5 acres located on Lester Road (Parcel No. 0704 014) to be annexed into the City Limits with Professional Office (PO) zoning designations

Senior Planner Marissa Jackson presented Step 2 of the Annexation Request Process and the associated Rezoning Request for the four tracts of land located in the southwestern quadrant of the Highway 54 / Lester Road / Veterans Parkway intersection.

Ms. Jackson provided an overview of the history of the request which was originally intended to go before City Council earlier this year but was delayed due to arbitration filings from Fayette County.

The original annexation and rezoning applications were submitted with the request of a PCD zoning with intentions of designing a mixed-use development of:

- Up to 315 multi-family units
- A grocery-anchored shopping center with associated retail shops (up to 150,000 SF)
- A day care facility
- Eight outparcels

However, the County Board of Commissioners voted 4-0 to object to the annexation request and ask the Georgia Department of Community Affairs (DCA) to form an arbitration panel.

On July 7, 2026, the panel found that the proposed rezoning to PCD would be significantly different than the current A-R (Agricultural Residential) zoning in the county, and that it would result in a substantial change in the intensity and allowed uses. They found that the proposed change in zoning would also differ substantially from the existing uses suggested for the property by the county's Comprehensive Land Use Plan since the county's Future Land Use is Professional Office.

The arbitration panel decided that the property may be rezoned to an A-R (Agricultural Residential) equivalent zoning, or PO (Professional Office). The applicant is now seeking a rezoning to PO (Professional Office) since the city does not have an equivalent A-R (Agricultural Residential) zoning. There is a condition in the arbitration ruling that once annexed, the properties may not be rezoned for two years.

The applicant has decided to move forward with their annexation request, amending the rezoning request to rezone the parcels to Professional Office (PO) in compliance with the arbitration decision.

Staff recommends approval of these requests, with the rezoning request (26-O-11) subject to the following conditions and understanding:

1. The subject parcels shall be designated as Activity Center-Medical Center.

2. The zoning of the property shall remain PO (Professional Office for a minimum of two calendar years from the date of adoption).

3. No permit authorizing any development on the subject parcels shall be issued and no preliminary plat or preliminary site plan shall be approved on the subject parcels unless accompanied by, and incorporating all requirements and recommendations set forth in, a traffic study approved by the City Engineer.

4. No permit authorizing any development on the subject parcels shall be issued and no preliminary plat or preliminary site plan shall be approved on the subject parcels unless the proposed developer and the City have entered into a Development Agreement addressing infrastructure requirements and entitlements and architectural and design standards.

Council Member Spurlock questioned who will be paying for the sewer connection and at what point does the property get connected to sewer.

Public Services Director Cajen Rhodes stated that the property developer will be responsible for installing the sewer lines and covering all associated connection costs.

Resident Lewis expressed concerns regarding the proposed crosswalk, potential noise abatement measures, and any environmental impact the construction may have on the surrounding schools.

City Manager Ray Gibson stated that once the development agreement is finalized, the city will hold a town hall meeting to discuss the potential development plans.

Mr. Brooks asked whether any changes made by the developers to the proposed plan would require an additional approval process.

Ms. Jackson confirmed the developer would have to submit a new concept drawing to be reviewed.

A resident inquired whether the developer would be permitted to leave the property undeveloped and subsequently requested a rezoning after the two-year limitation period had expired.

City Attorney Patrick Jaugstetter advised that Council should not approve such a rezoning request if the developer seeks a second rezoning.

Mayor Johnson called for the vote on Ordinance No. 26-O-10 - Step 2 of the Annexation Request Process from applicant HWY 54 & Veterans Pkwy LLC/Blake Goodman for 2.4 acres located at 1352 Highway 54 (Parcel No. 0704 016), applicant ARC Enterprises LLLP for +/- 30 acres located at 1374 Highway 54 (Parcel Nos. 0704 009 and 0704 045) and applicant ROCLAD Enterprises LLC for +/- 5 acres located on Lester Road (Parcel No. 0704 014).

Langford moved to approve 26-O-10. Glover seconded the motion. The motion carried unanimously.

Mayor Johnson called for the vote on Ordinance No. 26-O-11 - Rezoning Request from HWY 54 & Veterans Pkwy LLC/Blake Goodman for 2.4 acres located at 1352 Highway 54 (Parcel No. 0704 016), ARC Enterprises LLLP for +/- 30 acres located at 1374 Highway 54 (Parcel Nos. 0704 009 and 0704 045) and ROCLAD Enterprises LLC for +/- 5 acres located on Lester Road (Parcel No. 0704 014) to rezone all parcels from Agricultural Residential (A-R) to Professional Office (PO).

Clark moved to approve 26-O-11 with the recommended conditions from staff. Glover seconded the motion. The motion carried unanimously.

Consider Ordinance No. 26-O-20 - Amendment to the City Council’s Meeting Schedule.

City Clerk Chelsea Siemen stated that the current meeting schedule for Mayor and City Council includes a monthly Work Session meeting held on the first Thursday of each month at 6:00 p.m. This ordinance will amend the Meeting Schedule to replace all future Work Session meetings with a

Regular City Council Meeting; the date and times will remain unchanged. Ms. Siemen stated that Work Session meetings will be called on an "as needed" basis.

City Resident Adam Cashwell asked if the change in meeting type also meant that the first meeting of the month would begin being streamed live.

City Clerk Chelsea Siemen confirmed that the meetings will begin being recorded and live streamed.

Langford moved to approve 26-O-20. Clark seconded the motion. The motion carried unanimously.

Consider Ordinance No. 26-O-21- Amendment to the City of Fayetteville's Marijuana Ordinance (Section 62-119 of the Code of Ordinances).

Major Austin Dunn provided an overview of the updated Code of Ordinances related to marijuana, which stems from Georgia Senate Bill 220. The bill expands legislation on medicinal marijuana products, including vaporized cannabis flower and derivatives. Therefore, the Police Department is proposing to amend the current ordinance to align with Senate Bill 220.

Council Member Moultrie inquired about how a citizen would be able to prove they can possess medical marijuana.

Major Dunn explained that there are established protocols governing the packaging of medical marijuana, that individuals must possess a valid medical card issued by a physician, and that only a specific, regulated amount may be carried at any given time.

Council Member Moultrie followed up by asking where a citizen would be able to obtain less than one ounce and whether they would be permitted to possess marijuana if the amount were below the legal threshold.

City Attorney Jaugstetter stated that, as defined in the code once adopted, there is no quantity of marijuana that would be considered lawful to possess. He clarified that while certain products containing minimal amounts of THC may be lawful to possess to a limited degree, marijuana itself would not be permitted.

Clark moved to approve 26-O-21. Langford seconded the motion. The motion carried unanimously.

New Business:

Consider Resolution No. 26-R-50 – "The Same House" Non-Profit Support.

Executive Director Al Mead of The Same House Fayette County presented an overview of the organization's mission to assist low-income families with long-needed home repairs. He noted that partnerships in this initiative include Groundswell, Georgia Power, and QTS that will support an estimated 800 homes throughout Fayette County. Mr. Mead stated that applicants must meet specific income requirements and must be Georgia Power customers to qualify for assistance. Mr. Mead

requested the City's support for the initiative, emphasizing its focus on community engagement, collaboration, and strengthening community resilience. He clarified that the request does not involve any financial commitment, and any future allocation of City resources would require separate authorization.

Council member Spurlock raised questions about the number of homes located within the City, eligibility for customers served by utilities other than Georgia Power, concerns about data privacy related to smart home upgrades, and whether the presentation would also be made to the county and other municipalities.

Mr. Mead responded that building trust is essential for the organization, its partners, and the community. He noted that each customer will be assigned a dedicated representative to guide them through the entire process, allowing them the opportunity to select the upgrades they want. He confirmed that the program currently applies only to Georgia Power customers but added that efforts are underway to expand assistance through additional programs for other utility providers. He also confirmed the initiative will be presented countywide.

Council Member Moultrie addressed concerns pertaining to the organization's status as a non-profit, as well as how funds are handled through the several organizations involved in the initiative.

Mr. Mead stated that he would be happy to provide proper documentation on his organization's non-profit status and provided clarification on how the different stakeholders will participate in the initiative but stated that he was not exactly sure how the financial splits would be handled at this time.

Moultrie asked for clarification on the City's participation and why this initiative would warrant a city resolution.

Mr. Mead stated that they are simply asking for formal support of the initiative.

Spurlock asked Mr. Mead how the initiative would be impacted if the City Resolution of support did not pass.

Mr. Mead answered that it wouldn't have an impact on the organization doing the work.

Clark moved to approve 26-R-50. Langford seconded the motion. Motion affirmed by Glover. Spurlock and Moultrie opposed. Motion approved 3-2.

Consider Resolution No. 26-R-51 – Request from QTS for Early-Morning Concrete Pour.

Planning and Zoning Director Julie Brown provided an overview of the request for long-term early morning concrete pours from the QTS Data Center for several different buildings. The request would permit concrete operations to begin at 4:30 a.m. Monday through Friday through October 15, 2026. Ms. Brown explained that temporary approval had been granted with the condition that QTS address concerns raised by City Council at the August 6, 2026, Work Session, including the need for drone footage of operations, traffic mitigation plans, and communication procedures related to light pollution

and noise complaints. She noted that QTS has met all conditions and presented the corresponding findings. Additionally, Ms. Brown informed Council that QTS had reopened the onsite concrete batch plant to further reduce construction traffic in the area.

County Resident Melissa Miller raised concerns regarding delays in constructing the sound wall and safety issues at the intersection of Tyrone Road, Flat Creek Trail, and Highway 54. She cited increased traffic from the QTS parking lot, speeding construction vehicles, and several accidents, as well as ongoing impacts to her property resulting from construction.

Mayor Johnson directed Ms. Miller to contact designated QTS representatives responsible for inspecting residential damage related to construction and blasting activities.

City Manager Gibson asked staff whether any additional traffic mitigation measures could be implemented to help address ongoing traffic and accident concerns in the area.

Ms. Brown stated that she would coordinate with the County and QTS to address the traffic concerns, noting that the area falls under County jurisdiction. She also noted that traffic has decreased since concrete is now being mixed onsite, reducing the number of concrete trucks traveling to the site.

Langford moved to approve 26-R-51. Glover seconded the motion. Moultrie opposed. Motion approved 4-1.

City Manager and Staff Reports:

City Manager, Ray Gibson announced upcoming events and commented on the successful turnout of the Mental Health Advisory Board's Barbecue and Barbershops Chats event.

Mr. Gibson also recognized the success of the 2026 Junior Police Academy.

Public Comments:

County Resident Jesse Brooks inquired about the platform(s) that will be utilized for the "Same House" Project. He expressed concerns regarding the various AI platforms that may be used for different City projects and operations. He suggested the possible establishment of a committee to oversee AI usage and ensure that all applications of AI are implemented appropriately and responsibly.

County Resident Philips Money expressed concerns regarding the amount of new development occurring within the city, including increased traffic and a noticeable reduction in the trees. He also inquired whether the City could consider implementing a moratorium to address these issues.

Council Member Clark confirmed that the city is currently under a moratorium.

City Resident Adam Cashwell discussed an Open Records Request he submitted through the online portal and the associated costs for retrieving all requested documents. He inquired whether there were any resources for someone to obtain requested materials without incurring a high invoice.

City Manager Ray Gibson informed Mr. Cashwell that State law determines the fees that may be charged for an Open Records Request, based on the nature and volume of the information being requested.

City Clerk Chelsea Siemen informed Mr. Cashwell that fees are governed by the Open Records Act. She explained that all submitted requests require document review and any necessary redactions. Ms. Siemen added that if staff time exceeds 15 minutes, a retrieval cost estimate is provided for requestor's approval prior to work beginning.

City Resident Evelyn Barella inquired about the anticipated timeline for the construction of the data center and asked when the structures are expected to be completed, noting concerns about ongoing noise levels.

City Manager Ray Gibson expressed to Ms. Barella that it's noted that some of the buildings are operational 24 hours a day.

A representative from QTS stated that six buildings are currently under construction. One is expected to be completed in January, and two additional buildings are expected to begin construction by the end of the year.

Executive Session:

Mayor Johnson called for a vote to convene in Executive Session to discuss matters of Real Estate, Litigation, and/or Personnel.

Clark motioned to proceed into Executive Session. Glover seconded. The motion carried unanimously.

Langford moved to conclude Executive Session and return to Regular Session. Spurlock seconded the motion. The motion carried unanimously.

Adjourn:

Spurlock moved to adjourn the meeting. Moultrie seconded the motion. The motion carried unanimously.

Respectfully submitted,

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Chelsea Siemen, City Clerk