

CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
November 30, 2023 @ 6:30PM

The Honorable Michael Owens, Mayor - Present
The Honorable Ron Davis, District 1 Councilmember - Present
The Honorable Dami Oladapo, District 2 Councilmember - Present
The Honorable Keisha Jeffcoat, District 3 Councilmember - Present
The Honorable Patricia Auch, District 4 Councilmember - Present
The Honorable TJ Ferguson, District 5 Councilmember - Present
The Honorable Debora Herndon, District 6 Councilmember - Present

SPECIAL CALLED

TRANSITIONAL CITY COUNCIL MEETING MINUTES

1. **CALL TO ORDER** Mayor Michael Owens

Mayor Owens thanked everyone for attending.

2. **ROLL CALL** - City Clerk Hiott called the roll. All councilmembers were present.
3. **INVOCATION**- Led by Barry Smith of First Christian Church of Mableton
4. **PLEDGE OF ALLEGIANCE** – Led by Deputy McPhee from Cobb County Sheriff's Office.
5. **APPROVAL OF AGENDA**

Motion was made by Councilmember Oladapo to approve as presented. The motion was seconded by Councilmember Jeffcoat. The motion to accept the agenda was approved by the council unanimously.

6. **CONSENT AGENDA**
 - a. *Approval of October 26, 2023 Special Called Transitional City Council Meeting Minutes*
 - b. *Approval of November 2, 2023 Special Called Transitional City Council Meeting Minutes*
 - c. *Approval of November 9, 2023 Special Called Transitional City Council Meeting Minutes*

Motion to approve the consent agenda was made by Councilmember Ferguson and seconded by Councilmember Davis. The motion passed unanimously.

7. **PUBLIC COMMENTS** - City Clerk Hiott announced information about the time limit and asked those who spoke to announce their address and district. Those who spoke were:
- **Monica Delancey** of District 2 spoke about the age and condition of the 35 apartment complexes in Mableton. She spoke about 11 of the complexes that are listed on the dangerous dwelling list. She asked Council to visit the complexes. She asked for an ordinance about items being placed in storage instead of on the street. She asked the Council to look at Cobb County's code about rental properties.
 - **Jasmine Lester**, a resident of Mableton and member of We Thrive Association, spoke about the need for youth participating in activities.
 - **Michael Murphey** of District 4 expressed support for Council actions and the County's vote regarding the entertainment district on the conversion of the hotel. An area such as Six Flags should get the opportunity to develop the area around the establishment. He was disappointed in the Cobb County Commission's vote. He spoke about keeping an eye on the Magnolia Crossing property.
 - **Denny Wilson** of District 2 commended the Council for coming together and doing what could be done to protect the community. There were mixed emotions and untruths about the Tunnels to Towers project near Six Flags. She expressed her concerns about the County oppressing another layer of government when Councilmember Ferguson spoke at the County Commissioners' meeting.

8. **OLD BUSINESS:**

- a. *SECOND READ: Ordinance Amending Chapter 7, Taxes, Fees and Assessments, of the City of Mableton Code of Ordinances Pertaining to Occupation Taxes*

Mayor Owens announced the item and recognized City Attorney Walker-Ashby who provided background. Ms. Walker-Ashby explained:

- The ordinance was read at the last meeting.
- This was one of the major transitional actions of incorporation.
- There have been discussions with the software company, GovPilot.
- The capabilities of the software will allow mass communication and can input data and payment features. It provides more efficiency.
- Council approved the mayor to finalize the contract and the contract has been vetted. GovPilot was very amiable during the discussion about the contract.
- There have also been multiple meetings with the County.
- The priority was to make sure the transition was smooth and the City stayed in harmony with the County. The County's feedback was an important component of the transition.
- Since the first reading, the ordinance has been amended for consistency with the County and to provide consistency with the software, GovPilot.

- Major changes included on page 13, Section 7.6 1.2.3 – a fireworks section was removed and transferred back to the County until the City was ready to have more regulatory actions when have sufficient code enforcement. The County addresses fireworks as a vendor status and fireworks would be regulatory and go to the county for approval.
- Mayor Owens explained the City was not taking the regulatory part of the licensing. Ms. Walker-Ashby explained there was the occupational tax component and the regulatory component. The City has agreed to leave the regulatory with the County. She provided an additional explanation.
- The businesses will pay the City for the occupational tax and will issue a tax certificate and will pay the County for regulatory fees such as adult entertainment, bars, clubs, precious metal dealers, spas, fireworks establishments, and alcohol establishments.
- Division 2 7.6.1 through 7.6.2.4 Special License and Regulatory Fees – The occupation tax certificate is a precondition to special regulatory license/permit.
- Ms. Walker-Ashby explained that the County had six schedules and the City incorporated only two schedules into the City's code.
- Mayor Owens expressed a single fee structure that made more sense to him. Councilmember Ferguson agreed to having a single schedule. Councilmember Auch agreed to having a single structure but would not want the fees to be consistent and not higher.
- Councilmember Oladapo asked about what actions would be triggered and the timeline would be affected with the adoption of the ordinance. Ms. Walker-Ashby clarified the software training would start next week, over the next 45-60 days, the City would be hiring. The ordinance allows the mayor to extend a waiver of penalties due to the transition until March 1. The goal was to get staff in place ASAP. Advertisements for the positions have already gone out. Her office would be assisting with the business license renewals. The initial hiring classification plan, based on communications with the software vendor, staff would be able to handle the software. Councilmember Oladapo asked when the notices would be out to businesses. Ms. Walker-Ashby stated there should be emails tomorrow, Monday or Tuesday. At this time emails will be going out, but if it looks like there is a substantial number that have not paid, will do mailers. There is a significant cost of mass mailers. It is a reserve tool if needed.
- Mayor Owens stated they had asked for all contact information including email and phone for all businesses in the City currently active, delinquent, and those not in business. Some may be operating without a current license.
- Mayor Owens asked if there were any questions about the ordinance, not the process.
- Mayor Owens asked for an additional explanation of Division 3 – Lawyers and Law Firms. Ms. Walker-Ashby provided additional explanation. She stated it was transferred directly from Cobb County. Questions and discussion followed.

- There was discussion about potentially tabling the ordinance. Councilmember Ferguson noted the City's late fee date was February 29, 2024. Cobb County had dates of December 31. Per Councilmember Herndon's question, there was additional explanation regarding attorneys not being required to register but they do pay an occupation tax consistent with the County's Schedule H fees.

Motion was made by Councilmember Oladapo to approve the Ordinance Amending Chapter 7, Taxes, Fees and Assessments, of the City of Mableton Code of Ordinances Pertaining to Occupation Taxes. Councilmember Jeffcoat seconded the motion. The motion carried unanimously. (Councilmember Auch changed her initial vote of Nay to Yea.)

b. SECOND READ: Ordinance Adopting Transitional Spending Plan

The spending plan had been considered for over 30 days. There were several phases. First, there was a presentation (October 26th) on the YTD Income and Expense to the Mayor and Council. The presentation showed how the City has brought in \$1.4 million revenue coming in, but \$1.7 million now and expenditures going out was approximately \$120,000 salary including backpay. The next meeting had a full presentation of the spending plan and a public hearing. It was a spending plan for transparency and guidance up until June 30, 2024. The fiscal year budget will be July 1, 2024. The expenditures were considered across different departments. The plan includes key leadership staff including City Clerk, City Manager, Finance, HR, code enforcement, building inspectors, Community Development, and IT director. There was a public hearing, and he thanked all who provided feedback.

Mayor Owens asked if there were any questions. Councilmember Herndon asked questions that had come from her constituents:

Question 1 – Is it a green light to spend the money or is there another step that takes place. Ms. Walker-Ashby explained the spending plan provided expenditure allocations for various line items. As long as in the range, the mayor is authorized to spend up to \$5,000 per transaction. If it is over \$5,000, the only way for him to authorize, would be for Council to authorize the expenditure.

Question 2 – how were the numbers derived? Some came from feasibility studies. Mayor Owens explained the compensation numbers were derived from the DCA surveys and looking at other cities and other services. He provided an additional explanation.

Question 3 – Why not any funding for Parks and Recreation? The spending plan goes to June 30th. The City did not plan to take on Parks and Recreation in the next six months. The timeline for an actual budget would begin July 1st. The budget cycle would start on January 1st for the July – June 2025 budget year.

While the plan is well thought out, it could change. The spending plan is voluntary. The Charter states the City does not have to have a budget during the transitional period. The City wanted to be transparent. The residents have asked for a spending plan. Discussion followed about how

could set a spending threshold for an emergency expenditure. Council agreed that they would call a meeting if there was an emergency expenditure needed.

Motion was made by Councilmember Ferguson to approve the spending plan ordinance with inclusion of the emergency meeting clause. Councilmember Jeffcoat seconded the motion. The motion passed unanimously.

c. Resolution Adopting a Preliminary Classification and Pay Plan

Mayor Owens announced the item and provided background. This has been talked about since the retreat. To create the salaries, the City looked at the annual survey of the Department of Community Affairs. He named the positions: City Manager, Executive Assistants, City Clerk, Finance Director, Human resource Director, Community Development Director, Business License Specialist, Building Inspector, Code Enforcement Officer, IT Director, IT Systems Administrator, and Communications & Community Engagement Director. They have minimum and maximum. They were based on neighboring cities, also. The City did not go to the highest or rock bottom. The City had to be competitive and ensure hiring the best people possible. The majority are annual salaries. Some are on an hourly basis. Ms. Walker-Ashby noted the duties and responsibilities, compensation, can refer and have discussions in an executive session. She pointed out appointed officers and directors authorized within the parameters of the Preliminary Classification and Pay Plan shall be nominated by the Mayor with confirmation of appointment by at least three of the other members of the City Council, in accordance with Section 3.10 (e) of the City Charter. The Mayor shall have the authority to approve all non-director and non-appointive positions authorized by the Preliminary Classification and Pay Plan, with exception that where the city council has appointed a City Manager, the City Manager, shall approve non-director and non-appointive positions authorized within the parameters of the Plan. The Mayor announced the City has started promoting roles online and has started collecting resumes. The positions authorized under the Plan may be secured as employees or contractors. The positions have been posted on LinkedIn, Indeed, and the Georgia Market Place (for Georgia Municipal employees). There are full job descriptions for the roles. They are posted on free sites. Questions and discussion followed. Councilmember Oladapo asked if the City was hiring outside help to assist with the interviews. Mayor Owens stated that would be looked at since there was a spending plan now. Councilmember Oladapo stressed the importance of asking the right questions for those department hirings to obtain the best talent for the job for services to the citizens.

Motion to approve the Classification and Pay Plan was made by Councilmember Jeffcoat and seconded by Councilmember Davis. The motion passed unanimously.

9. **DISCUSSION:**

a. Regular Meeting Schedule

Mayor Owens explained the importance of having a regular schedule so people can come to the meetings and know when and where they are. Most municipalities meet every two weeks. It's prudent to have a regular meeting schedule. He asked how the Council felt about regular meetings. Councilmember Jeffcoat stated it was important to have regular meetings. She suggested having some working sessions also. The mayor stated the City could still have special called meetings. Councilmember Oladapo asked about locations. Mayor Owens stated the Council had been having the EpiCenter graciously offered but there was not a contractual agreement yet. There was discussion about there being other locations, but have to consider technological solutions. There are people who would like to see the meetings in a more central location. Attorney Walker-Ashby recommended to come back in December for a meeting. If preference can give proposed dates so the public will have the anticipated dates. Discussion followed. Council agreed to discuss after the executive session.

10. **CITY ATTORNEY COMMENTS - NONE**

11. **CITY CLERK COMMENTS - NONE**

12. **CITY COUNCIL COMMENTS**

Council expressed their appreciation for everyone who attended the meeting. Councilmember Davis addressed the importance of coming together as a community. Councilmember Jeffcoat expressed appreciation for all items approved that evening and well wishes for the holidays. Councilmember Auch provided holiday events in Mableton.

Councilmember Ferguson spoke about the City's opposition to the Board of Commissioners. He commented further that the City was not against Tunnels to Towers, but was against the location. He asked citizens to show up at zoning meetings, the City's voices need to be heard. He asked citizens to contact the Council and provide their input.

Mayor Owens addressed the opposition of the Tunnels to Towers project because of the location. He commented about the spending plan approved at the beginning of the Comprehensive Plan. The City has an opportunity to gather plans of the past and look to the future and what residents want the City to look like. As near the first of the year, he will be looking for people to serve on the boards and commissions. He recognized his mom, Claudette Owens, and cousin Diane and thanked them for attending.

13. **EXECUTIVE SESSION (IF NEEDED) FOR:**

Litigation O.C.G.A. 50-14-3 (b)(1)(A)

Real Estate O.C.G.A. 50-14-3 (b)(1)

Personnel O.C.G.A. 50-14-3 (b)(2)

Exemptions O.C.G.A. 50-14-3 (b)(4)&(5)

Motion was made by Councilmember Auch to go into executive session for litigation, real estate, personnel, and exemptions related matters. Councilmember Oladapo seconded the motion. The motion carried unanimously. **Yeas:** Davis, Oladapo, Jeffcoat, Owens, Auch, Ferguson, and Herndon

Motion was made to close the executive session by Councilmember Oladapo and seconded by Councilmember Herndon. The motion carried unanimously. **Yeas:** Davis, Oladapo, Jeffcoat, Owens, Auch, Ferguson, and Herndon (10:15 p.m.)

Motion to have the next special called meeting on December 11, 2023 by Councilmember Herndon and seconded by Councilmember Davis. The motion carried unanimously.

14. ADJOURNMENT

Motion was made by Councilmember Jeffcoat and seconded by Councilmember Auch to adjourn. The motion carried unanimously.

ATTEST:

Mayor Michael Owens

Interim City Clerk Susan Hiott