

CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
July 26, 2023 @ 6:30PM

SPECIAL CALLED

TRANSITIONAL CITY COUNCIL MEETING MINUTES - FINAL

1. **CALL TO ORDER**

Mayor Michael Owens

Mayor Owens welcomed everyone and expressed his gratitude to those who had attended the meeting.

2. **ROLL CALL – by Interim City Clerk Susan Hiott**

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

3. **INVOCATION** - Pastor Christopher Boyd, also the General Manager of Riverside EpiCenter, conducted the invocation. He prayed for the leadership and all others who served. He prayed that their time and work would be effective and make a difference in people's lives and would have an impact in the community.

Mayor Owens thanked Pastor Boyd and the EpiCenter for the generosity of allowing Mableton to have the meeting. He invited Pastor Boyd to speak about the fantastic facility that day or in a future meeting.

4. **PLEDGE OF ALLEGIANCE** – led by Deputy Chief of Cobb County Police Department, Stephen Kuynda.

5. **APPROVAL OF AGENDA**

Motion was made by Councilmember Jeffcoat and seconded by Councilmember Ferguson to approve the Special Called Meeting of July 26, 2023, agenda. The motion passed unanimously.

6. **CONSENT AGENDA**

- a. Approval of May 25, 2023 Special Called Transitional City Council Meeting Minutes
- b. Approval of June 21, 2023 Special Called Transitional City Council Meeting Minutes
- c. Approval of June 29, 2023 Special Called Transitional City Council Meeting Minutes

Motion was made by Councilmember Auch to approve the Consent Agenda and seconded by Councilmember Davis. The motion passed unanimously.

7. **PUBLIC COMMENTS**

Leroy Tre Hutchins, of District 3, Post 3 of Cobb County Board of Education, provided an update from the school board. He reported the schools would start on Tuesday, August 1st. He spoke about the SPLOST project at Pebblebrook and other updates about Cobb County schools. The Board of Education adopted a rollback of .2 mils.

Denny Wilson of District 4 spoke about how the area had changed over the years and where it could go under the leadership of the Mableton Mayor and Council. She commented about the previous neglect of the area. She had fought against cityhood, but she was now ready to work and help get the City off the ground. She suggested the mayor take other councilmembers with him to meet with the County. She hoped the Mayor and Council would give more than two minutes to speak during the public comment section of the meetings.

8. **OLD BUSINESS:**

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

Attorney Walker-Ashby provided background. She explained how the taxes were assessed against hotels. Hotels were broadly defined consistent with state law. The ordinance mirrored the definition of Acworth's ordinance. The tax was one of the major sources of revenues to the City based on the Carl Vinson Institute Feasibility Study. The tax was not new to the hotels as the County already assessed the tax. Mableton would be taxing at 5%. The County assessed at 8%. Right now, Mableton has the lowest tax rate. To increase to 8% would require action by the General Assembly. She continued to explain the ordinance included the exemptions and regulations for the payment of the tax. She reiterated the hotels were familiar with the process. The ordinance was a standard ordinance. She recommended the Mayor and Council adopt the ordinance.

Councilmember Jeffcoat summarized the Mableton hotel's assessment was 5%, reduced from the 8% County assessment. Attorney Walker-Ashby confirmed. In collaboration with local delegation, the assessment could be increased to 8%.

Motion was made by Councilmember Ferguson to approve the Ordinance (ORD 2023-07-01) amending Chapter 7, Taxes, Fees, and Assessments for the Mableton Code of Ordinances. Councilmember Jeffcoat seconded the motion. The motion passed unanimously.

- b. Ordinance Granting Franchise to Georgia Power Company – Was deferred. No action taken.

Prior to consideration of c and d, Attorney Walker-Ashby explained that the ordinance to levy taxes, fees, assessments, including franchise fees was adopted in June (ORD 2023-06-03). In May, notice was given to the utility providers that the City would commence franchise fees. The first read of the ordinances for the franchises (agreements) was June 21, 2023. She provided additional explanation about the process and terms for franchises for payment.

- c. Ordinance Granting Franchise to Greystone

Attorney Walker-Ashby provided background of the negotiations with Greystone for a 35-year franchise to operate within the City's right of way. Ordinarily, they would pay annually in March. Greystone had agreed during the first year, to pre-pay from June 26, 2023 through December 31, 2023 in advance and to pre-pay on February 28, 2024 the amount due based on sales from City residents from January 1, 2024 through June 30, 2024. Blake Doss of Greystone was present in the audience. Attorney Walker-Ashby recommended approval of the ordinance/agreement. She commended Greystone for being responsible. She further commented about how it appeared that Greystone had superior technology to provide mapping and data. Greystone agreed to give their initial payment that night.

Motion was made by Councilmember Jeffcoat to approve the ordinance (ORD 2023-07-03) granting franchise to Greystone and Councilmember Oladapo seconded the motion. The motion passed unanimously.

- d. Ordinance Granting Franchise to Atlanta Gas Light Company – Attorney Walker-Ashby reported the agreement was consistent with other agreements throughout the state. She addressed the formula in subsection 2 of the ordinance. The term went through May 31, 2053, a 30-year term. There would be quarterly payments (March, June, September, and December). The initial payment would be July 30, 2023 and another quarterly payment was due for September. She recommended adoption of the agreement subject to that she and the mayor had authority to make non-essential minor adjustments.

Councilmember Auch asked about the setting of the 30- year term. Ms. Walker-Ashby stated the gas franchise terms were usually 30 years, and she was not aware of the rationale for that term.

Councilmember Herndon asked about the factor of \$14.62 and if that was the actual fee. Attorney Walker-Ashby explained the formula further, stating it was a formula used

historically. The Georgia Public Safety Commission would be the one to change the formula. Councilmember Ferguson prompted questions and discussion about what the consumer would see (MFF fee) and discussion noted the residents should see similar to the County's rate. The rate was created by and highly regulated by the State of Georgia. Councilmember Auch asked additional questions about the calculation of the formula.

Mayor Owens clarified the franchisees pay the City for being in the City's right of way. By law they would be allowed to pass on to consumers, but they do not have to. The City does not have authority to regulate what they do. That was up to the entity and oversights by the Public Service Commission.

Councilmember Auch questioned and confirmed Atlanta Gas Light would pay commencing June 1st and payment made July 30th.

Motion was made by Councilmember Davis to approve the ordinance (ORD 2023-07-04) for adoption of the Atlanta Gas Light Ordinance/Agreement subject that Attorney Walker-Ashby and Mayor Owens have authority to make non-essential minor adjustments. Councilmember Ferguson seconded the motion. The motion passed unanimously.

9. **DISCUSSION:**

- a. Essential Administrative Needs (includes authorization for smart phones, cell and data service, along with computing devices and related cybersecurity and productivity software).

Mayor Owens presented background for discussion:

- It was imperative for operations to secure city devices for security and better communication. Since the City did not have a purchasing policy yet, the City could use the Georgia State Contract pricing (Department of Administrative Services – State Purchasing Division).
- Mayor and others had been working to get together some quotes.
- The initial needs were to have laptops, software, Adobe Pro, Google Suite, and managed devices on a regular basis.
- A state contract approved company, named Inter Dev got several quotes ranging \$16,000 - \$13,900 for ten laptops with managed devices. One quote was for a three - year support plan.
- There was a reoccurring cost of \$385 monthly for subscriptions of software, and managed service.
- The high-water marks up for Dell (State Contract) and Inter Dev - \$16,000 and \$385 a month.
- Inter Dev had agreed to delay payment for services to net 90 or potentially further.
- The Google Suite subscription would be \$13 for each person (\$130 a month), and potential \$3 per month for Google Vault.

Questions and discussion followed:

- Councilmember Jeffcoat asked about having a website and Mayor Owens explained he was looking at other software and integrated products for agenda management, code of ordinances, website, and others.
- Councilmember Jeffcoat asked if there was a help desk and Mr. Owens explained Inter Dev would assist.
- Councilmember Auch asked about availability of other bids/quotes. Mr. Ferguson explained how they looked at several companies such as Flagler Technologies, Dell, and others but Inter Dev was the most cost effective, comprehensive, and made more sense because of the managed services, and their expertise in Google workspace. Most companies wanted to manage 100s, but for a group as small as Mableton, the numbers were not as appealing. Councilmember Auch asked for copies of the bids and quotes. She stressed she did not have any information.
- Mayor Owens explained Inter Dev was the vendor to provide the hardware and software. They would be the vehicle for the services and products.
- Mayor Owens pointed out when the City started talking about services, and designing, it would cost more.
- Councilmember Herndon asked for clarification that the \$13000-\$16000 was for purchase and the \$385 monthly was for management of devices.
- Councilmember Ferguson noted the devices usually last 3-5 years, so that replacement program would have to be developed later.
- Councilmember Jeffcoat asked how soon could get the items. Mr. Owens replied should be available relatively soon.
- Councilmember Auch asked about the budget. Discussion followed about the 90-day net and deferral of payment, being a general practice.
- Councilmember Auch stated she would like to see the bid packages before making a vote on the purchase of laptops.

Mayor Owens presented information about the cell phones (10 devices).

- The vendors spoken with were AT&T and Verizon.
- AT&T had a preferred organization called First Net, which was for the government sector.
- Either I-Phones or Samsung phones were right at \$510 for the actual hardware purchase of phones,
- AT&T monthly cost was \$39.99 per phone. (\$400 a month reoccurring charges)
- AT&T offered a \$2400 promotional credit at the time to roll back after the 3rd or 4th billing cycle.
- Verizon did not offer a credit, but the hardware costs were cheaper (phones less than \$200).
- Both were under the Georgia State Contract.
- Since the City was government and in the event of an emergency, phone lines would have preferred access.
- AT&T have their own separate system which would isolate public entities.
- AT&T appeared to have the better deal.
- The high-water mark was \$510 hard costs and \$400 reoccurring.

Councilmember Jeffcoat asked if there was any insurance for accidental damage to the phones. Mayor Owens and Councilmember Ferguson replied it was not a separate line item but was included.

Mayor Owens stated he would package the quotes together for the laptops and get to the Council at the next Council meeting.

Motion was made to approve the authorization to spend \$510 for cell phones and \$400 for the monthly reoccurring charges. Councilmember Davis seconded the motion. The motion carried unanimously.

Councilmember Herndon asked if the laptops would include the Microsoft Suite. Mr. Owens explained the quote did not, but included the Google Suite which was comparable (and less costly), but if there were specific needs, that could be looked at additionally.

10. **CITY ATTORNEY COMMENTS** – Signing of the Greystone ordinance occurred.
11. **CITY CLERK COMMENTS** – NONE
12. **CITY COUNCIL COMMENTS** -
 - Councilman Davis commented about the excellent training the Council had received. The Georgia Municipal Association had done an excellent job conducting the training. The training would make a huge difference for the City and would make an impact on the effectiveness of the Council.
 - Councilmember Davis referenced the recent fire in District 1 and another one in District 2 on the third of July. He spoke about the Council coming together and showing their compassion and taking the time to meet with the people. At the end of the day, people want to know that people care about them. He had no doubt that the Mayor and Council really cared about the people.
 - Councilmember Oladapo thanked the Georgia Municipal Association for the amazing training and how much the Council had learned. She commented about the organizations that participated in the training, naming the Department of Community Affairs, Atlanta Regional Commission, and Georgia Department of Transportation. It was informative and the Council had a great time all together.
 - Councilmember Oladapo spoke about the dinner for the fire victims the previous night by the Family Life Restoration Center. They were a pillar in the community. The organization had been crucial in helping those who had lost their home and sentimental invaluable items in the fire. She was thankful for the Council that came out to show their support.
 - Councilmember Jeffcoat agreed with Councilmembers Davis and Oladapo. She commented about the great training, noting the training would continue. The Council were building relationships and would make sure they stayed connected to serve the people of Mableton.

- Councilmember Auch informed everyone that the Georgia Municipal Association (GMA) had a lot of resources on their website. She recommended everyone to look on the GMA website and learn more about city government. She expressed her gratitude for those who continued to attend the meetings, engaged in the process, and participated as a part of their new city.
- Councilmember Ferguson read a letter he had written. He stated he ran on the premise of building the City with the mayor and council and residents. He realized he could not do anything about the eviction moratorium because that was up to the County and the court system, but he could advocate for those who were displaced or in need. He spoke about being with the family whose home was struck by lightning causing an apartment fire. It was at 300 Riverside Drive. He explained how his heart hurts for the people who experience a situation they had no control over. If they had been home, they would not have been able to get out of their home. He was so grateful that they could go to the Family Life Center and get clothing. He mentioned and commended Luther and Angela Washington who do amazing work for the community. He recognized the Board of Directors, some in the audience. He spoke about how the city of 77,000 people could band together and have a voice and help others in the City.
- Councilmember Herndon spoke about some comments by residents who felt like their concerns were not being addressed. The Mayor and Council hear their concerns. Some residents have reached out and have not gotten a response back. She asked residents to give a little grace and understanding. They do see emails and their goal is to respond expeditiously.

Mayor Owens thanked Council for their comments. He provided a review and update:

- **Communications** – the goal was to do more to let know more and explain in more depth.
 - There was now a city government Facebook page. They will be using the Facebook page to let people know more.
 - There was an information sign up form on the Facebook page to get initial emails out. There was a section for volunteers for the City. Already, about 50 people have expressed interest.
 - He explained his reason for not having an interim website. The goal was to take time and build a site worthy of a city of nearly 80,000. He wanted to make sure there was a lot of thought to the creation of the website.
- Some people have asked about the boundaries of the city. He explained how the boundaries information that was dictated by Google, and the information was not correct. He had called Google and had been told they have to be a government partner which required additional paperwork.
- Mayor Owens provided an update on the Cobb Department of Transportation Forum (DOT) about a new South Cobb Transit Center. He was appointed to the Cobb DOT Forum, but the study had already been conducted. The location would be in the area of the Cobb General Hospital. He has had conversations with the director of Cobb DOT, Councilmember Olapado, and Councilmember Davis. The Phase I had already

been determined. There were certain areas of the City that needed transit and expanded transit and transit hubs. He will continue to attend more meetings. He will bring more concern to that and there will be opportunities from the residents to comment. He asked more people to ask about transit related issues and bring questions and concerns to Council's attention. One of the reasons for the City, was that the City could have a voice and their own opportunity to voice concerns as a City. Emails can be sent to Cityofmabenton@gmail.com.

- **Litigation** – Although the Council have not spoken much about litigation, only in executive session, it was well known the City has retained former Chief Justice of the Georgia Supreme Court, Justice Harold Melton, to represent the City as outside counsel.
- **County meetings** - There have only been two meetings with the County. They met with the Department of the Tax Commissioner to find out what taxes could get transferred to the City. That was ad valorem taxes for vehicle sales. When he met with Tax Commissioner Carla Jackson and Chairman Cupid, they had everything together. That was the first source of revenue the City received.
 - Within two months, the City held council meetings, met with the County, opened a bank account, and had funds coming into the account.
 - The second meeting was not about transition of services. There were additional conversations about revenue and taxes, and ordinances. There was discussion about the hotel motel ordinance, taxes, and fees, and which taxes the City would levy. The meetings have been spread around with different council members. The transition of services was down the road. The next meeting with the County was scheduled. He continued to explain calendaring can be a challenge as a Council because the Council have full-time jobs and are at their jobs during the day.
- Mayor Owens commented about how the special transitional meeting was the fifth meeting. As discussions were going on, and as soon as gotten information, meetings are needed to be called. The City was in a basic, phase one, transitional phase. The City was working toward getting the revenue sources that would not require staff at this time. As the City builds capacity as a city, the City would take on more items in a Phase II. Phase III would be transition of services from the City.
- Mayor Owens reported the next goal was to work to pull together a preliminary transitional budget. The timeline for the budget would be October. He commented about the expenditures so far, was only a fraction of the monies from revenue. The expenditures were held off until the City had more revenue to come in. For right now, Council wants to make sure the City was fiscally conservative. Although everyone wants websites and other items, Council wants to make sure the City has the revenues.

Mayor Owens explained how meetings were posted with the legal organ – The Marietta Daily Journal, Cobb Courier, and others, but he did not place the meeting announcement on his local Nextdoor account. It was not a sanctioned media for posting of meetings. He spoke about setting precedent and apologized if he had not been as responsive as he could.

If anyone does not get a response, feel free to reach out again. He recommended residents go to Facebook and share and sign up on the form.

Mayor Owens closed his report and thanked everyone for coming to the meeting.

Greystone representative, Blake Doss, presented a check in the amount of \$335,419.19. Mr. Doss commented he was happy to be a partner in the community. He offered if he could be of any help, please let him know.

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 Jeffcoat to go into Executive Session for the purpose of litigation, real estate, and personnel. Councilmember Herndon seconded the motion. The motion passed. Yeas: Davis, Oladapo, Jeffcoat, Owens, Auch, Ferguson, and Herndon

Council went into Executive Session at 8:26 p.m.

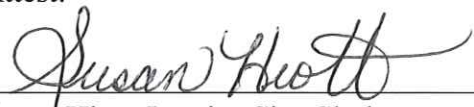
Motion was made by Councilmember Auch to close the Executive Session. Councilmember Ferguson seconded the motion. The motion carried unanimously. Yeas: Davis, Oladapo, Jeffcoat, Owens, Auch, Ferguson, and Herndon.

14. **ADJOURNMENT**

Motion was made by councilmember Jeffcoat to adjourn. Councilmember Auch seconded. The motion passed 7-0. The meeting adjourned at 9:52 p.m.

Approved: 8/30/2023

Attest:


Susan Hiott, Interim City Clerk


Michael Owens, Mayor

