



CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
December 11, 2024 at 6:30 PM

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

CITY COUNCIL REGULAR MEETING MINUTES

1. CALL TO ORDER

Mayor Owens called the meeting to order.

2. ROLL CALL

City Clerk Hiott conducted the roll call and a quorum was present. All of Mayor and Council were present. Councilmember Ferguson was present via Zoom.

3. INVOCATION

Invocation was led by Councilmember Davis.

4. PLEDGE OF ALLEGIANCE

City Manager Bill Tanks led in the Pledge of Allegiance.

5. APPROVAL OF AGENDA

Motion was made by Councilmember Oladapo to amend the agenda to move Consent Item 10 d to New Business and elimination of Item 12 c.

Councilmember Jeffcoat seconded the motion. The motion was approved 7-0.

Clerk's Note: Councilmember Ferguson was voting via zoom and text messaging his vote to City Manager Bill Tanks.

6. PUBLIC HEARINGS

None.

7. PRESENTATIONS/ACKNOWLEDGEMENTS/PROCLAMATIONS

None.

8. APPOINTMENTS

a. Appointment to the Board of Cobb and Douglas County Public Health

Mayor Owens recommended Dr. Michael Q. Fité to the Board of Cobb and Douglas County Public Health. He explained that since Mableton was the largest city in Cobb County, there were two spots on the Board. He held one position, and an existing board member held by Marietta resigned. According to the Cobb and Douglas County Commissioners, the largest City gets to add another position to that Board. Dr. Fité is an Army Veteran, a long term member of the Community, lives in Mableton District 4, and is a community advocate and a physician. Mayor Owens sent information about Mr. Fité previously to the Council.

Motion was made by Councilmember Jeffcoat and seconded by Councilmember Davis. The motion passed 7-0.

b. Appointment to Mableton Development Authority

Mayor Owens explained the South Cobb Development Authority was changed to the Mableton Development Authority. The current members stayed. A spot on the Authority is now available. He recommended Mr. Corey Ferguson. He is not related to Councilmember Ferguson. Corey Ferguson is a real estate developer and a long-standing resident of District 4. Mayor Owens sent information about Mr. Ferguson previously to the Council.

Motion was made by Councilmember Auch and seconded by Councilmember Oladapo to Approve the appointment of Corey Ferguson to the Mableton Development Authority. The motion passed 7-0.

c. Appointment of City of Mableton Directors

Mayor Owens explained that per the City Charter, the mayor has a nomination and then Council confirms. He explained there was an interviewing process that included technical and cultural fit panels. He was at the previous Monday work session. He recommended Mr. Alejandro Ferrell as the inaugural Code Enforcement Director.

Mr. Ferrell approached the podium and stated he was happy to be at the City of Mableton. Mr. Ferrell reported he had been in code enforcement for twenty years. He started code enforcement in the new City of Stonecrest. He spoke about his experience. He loves code enforcement. Mr. Ferrell continued to speak about his experiences in code enforcement. He asked everyone to bear with him during the process of starting the Code Enforcement Department.

- 9. PUBLIC COMMENTS** - 2 minutes per speaker - no more than 30 minutes for all speakers. Anyone wishing to make a public comment should complete and submit the public comment card to the City Clerk prior to the start of the meeting.
Those who spoke during Public Comment:

- **Leroy Tre Hutchins**, Cobb County School District Board Member, provided updates on the schools in District 3 South Cobb.
- **Aubrey Thompson**, a 3rd grader, spoke about recycling and keeping the

community clean.

- **Sam Culbreth**, Chairman of the Austell Task Force, spoke about the mission of the task force. He reported on the first toy distribution and announced details of upcoming events.
- **Brandeis Thompson**, Mableton resident and Education Committee Chairman of Mableton Improvement Coalition, provided an update on the bus depot on Veterans Memorial.
- **Jo Lahmon**, South Cobb Library Regional Manager, and resident of District 1, reported on the libraries. Recently, \$66,000 was raised at the book sale. She spoke about Cobb County libraries were the recipient of the Prime Time Grant, a humanities based program.
- **Denny Wilson** spoke about the traffic on Mableton Parkway and the need for a traffic plan. She has a list for code enforcement. She spoke about Cobb County Board of Commissioners adopting water rate increases.

10. CONSENT AGENDA

Motion was made by Councilmember Jeffcoat and seconded by Councilmember Herndon to approve the Consent Agenda. The motion carried 7-0.

- a. **Approval of October 23, 2024 Regular Meeting Minutes**
- b. **November 13, 2024 Work Session Minutes - 5:15 PM**
- c. **Approval of November 13, 2024 Regular Meeting Minutes**

11. UNFINISHED BUSINESS

12. NEW BUSINESS

- a. **Consideration and Approval of Resolution Approving the Purchase of Three Fleet Vehicle Trucks from Wade Ford for the Code Enforcement Department - \$171,522 and not to exceed \$175,000 - Projects Manager Xavier Ross**

Mayor Owens noted the item (noted not to exceed \$175,000) was discussed at the Monday work session and the previous work session at 5:15 p.m. The item was previously removed from the Consent Agenda and added to New Business.

Motion was made by Councilmember Oladapo and seconded by Councilmember Jeffcoat to approve the purchase of three fleet vehicles for Code Enforcement - \$171,522 and not to exceed \$175,000. The motion carried 7-0.

- b. **First Read - An Ordinance Creating Chapter 12, Solid Waste Management of the City of Mableton Code of Ordinances, to Establish Procedures for the Collection, Disposal, and Recycling of Solid Waste and for Other Lawful Purposes - City Attorney Emilia Walker-Ashby**

Mayor Owens announced the item. Mayor and Council conducted the first read of the ordinance. Mayor Owens provided an overview:

- The ordinance establishes a waste disposal program.
- Staff had looked at a lot of different cities.
- The ordinance establishes that litter is illegal in the City of Mableton.
- There will be open franchises and the City will have oversight of the local waste

vendors who register with the City.

- The City will ensure the haulers are certified, they get a decal, and make sure haulers are using adequate vehicles.
- There is a yearly contract.
- They are assessed a fee.
- The fee collected from the solid waste vendors come to the City on a quarterly basis and an environmental fee will be assessed.
- The County does not regulate trash in this way.
- Every vendor will have the opportunity to choose from an approved vendor list.
- The City will conduct inspections and level of oversight.
- There are several cities that use this model; Milton, Johns Creek, and Peachtree Corners have good procedures.
- Mayor Owens has been speaking with the Haulers Association to get their input. He and Councilmember Auch had attended some of their meetings.
- Mayor Owens has spoken with Brian Warren, President of Haulers Association and he has reviewed the ordinance.
- This is the first read.
- There will be a public hearing on January 7th and then the second read will be January 22nd.

Mayor Owens asked if there were any comments or questions. There will be some changes as the City gets feedback. He suggested any editing and proposed updates be submitted to the City Attorney. He wanted to make sure there was adequate feedback. City Attorney Walker-Ashby asked Council to submit any feedback to her. Councilmember Auch stated there was a legal question on page 4, Item 4 on top of the page. The subsection prohibits more than 50% of the service fee being passed to the customer. Councilmember Auch asked if that was legal. City Attorney Walker-Ashby explained it is prohibiting the company from putting the 100% cost on the residents. She did not know of anything legally that could prevent from the City doing that. Mr. Tanks added additional explanation. Councilmember Herndon asked about Section 12.2.4 dealing with disposal facility fees. There was a surcharge of \$1 per ton. The City of Mableton does not have a disposal facility. She asked would that type of surcharge be charged at other disposal facilities. This is identical to Johns Creek. If don't have a disposal facility, this would not apply. Councilmember Herndon asked if a waste management company could go outside the City to dispose their waste. City Attorney Walker-Ashby stated a hauler can not dispose in Mableton without permission from the City. Additional explanation and discussion followed. Councilmember Auch asked about the environmental management fee, and if there would be a designated fund so that the funds are used for landfill reduction, litter prevention, etc. Mr. Tanks explained an enterprise fund would itself have restrictions, but this is not an enterprise fund/fee. However, the fee will cover the cost of the City managing and oversight of the haulers. Additional explanation followed. City Attorney Walker-Ashby stated she needed to review a house bill. Councilmember Herndon 12.3.7 for mandatory recycling services regarding minimum newspaper and aluminum. Could that be expanded? Mr. Tanks stated that was what the service haulers must offer at a minimum. Mayor Owens explained the City did not want to be too restrictive, because don't want to raise the burden for the small haulers. Councilmember Herndon asked if plastic could be added. Mr. Tanks explained why recycling had become harder and more expensive and had more restrictions. However, cities may offer more recycling

opportunities. Mayor Owens commented further about how the ordinance addressed how the haulers could have open franchise to ensure people can select their trash haulers, but also being environmentally friendly through recycling. The ordinance provides ways the haulers can save money if they move toward alternative fuels. He addressed the overall goal of quality of life by initiating the plan. He referenced the elementary child at the meeting who saw the problem. He looked forward to feedback and the public hearing on the 7th.

c. Consideration and Approval of Safebuilt Contract for Community Development Services - City Manager Bill Tanks

Mayor Owens announced the item and recognized Paul Hardy and Casey of Safebuilt. City Manager Tanks explained the City's target date to have services established was March 1st. The City was buying trucks, hiring staff, and getting buildings built-out. The City anticipates there may be needs for additional staffing for building inspections and code enforcement officers.

Safebuilt representatives, Paul Hardy and Casey came to the podium and explained how Safebuilt provides Community Development Services. It is ala cart as the City sees a need. He named cities that Safebuilt had provided services, including Acworth, Sandy Springs, Douglasville, Union City, East Point and others. Safebuilt's offices are located in Tyrone. He named the Community Development type services provided: code enforcement, building inspections, planning reviews, and others.

Mayor Owens thanked Safebuilt representatives for coming and offering their services to the City. Mr. Tanks provided additional explanation of the ala cart services that could be obtained if the City had a backlog of services. He pointed out that when Safebuilt provides the staff, they also bring the vehicles.

Mayor Owens asked for additional questions and there were none.

d. Consideration and Approval to move funds from Piedmont Bank and to enter into an agreement with Truist Bank - City Manager Bill Tanks

Mayor Owens explained how the City had chosen Piedmont Bank in the beginning because they were local and willing to work with the City. They were the City's banking partner in very early days. It has always been the intention to have additional banking partners.

Mr. Tanks explained as the City has grown, some of the banking needs have become more robust. Truist has indicated they would like to be a partner. The City will get 2.2% on checking. The City is not totally ending its partnership with Piedmont. The City was looking good financially. The City can put a decent amount into Truist, and still maintain funds in Piedmont.

Motion was made by Councilmember Oladapo and seconded by Councilmember Davis to approve moving funds from Piedmont Bank and to enter into an agreement with Truist Bank . The motion carried 7-0.

e. Consideration and Approval of Resolution recognizing and authorizing the Cobb Housing Authority to operate the Turnkey Program, a down payment assistance program available to program-qualifying home purchasers in the new City of

Mableton predicated upon the Cobb Housing Authority continuing to direct that fees that would otherwise accrue to Cobb Housing Authority for mortgages originated within the city limits of Mableton be transferred to the City of Mableton - City Manager Bill Tanks

Mayor Owens announced the item and provided information about the Cobb Housing Authority.

- The City of Mableton does not have a housing authority.
- The Cobb County Housing Authority has a turnkey program which allows down payment assistance for qualifying residents in the City of Mableton.
- The Chairman of Cobb County Authority has offered the program to the City.

Mayor Owens provided additional information about Mableton's plans for a housing authority in the future. He urged the Council to approve this to give the residents down payment assistance. Because Cobb has a housing authority, they engage in development deals that they get fees for. Although development was occurring in Mableton, the City was not getting a portion of the fees. With the agreement, the City has agreed to do a revenue share with Mableton.

Attorney Emilia Walker-Ashby asked that the motion include allowing legal ease at the end of the resolution.

Motion was made by Councilmember Oladapo to approve the Resolution recognizing and authorizing the Cobb Housing Authority to operate the Turnkey Program, a down payment assistance program available to program-qualifying home purchasers in the City of Mableton predicated upon the Cobb Housing Authority continuing to direct that fees that would otherwise accrue to Cobb Housing Authority for mortgages originated within the city limits of Mableton be transferred to the City of Mableton and that legal ease be added to the resolution. Councilmember Jeffcoat seconded the motion. The motion passed 7-0.

f. Resolution - To Participate in the Chang vs Milton Amicus Contributions - City Attorney Emilia Walker-Ashby

Mayor Owens announced the item and provided background and City Attorney Emilia Walker-Ashby explained this was not litigation about Mableton, but was about a sister city. If the city is inclined, Mableton can join in with its position. Mayor Owens explained additionally, noting that GMA was in favor as well. Per questioning by Councilmember Herndon, Attorney Walker-Ashby explained the resolution authorizes the City Attorney to send her Bar # along with City's position as a signatory on the brief. There are a lot of participations. There was a category already approved, and a category under consideration. About 25-30 25-30 have approved

Motion was made by Councilmember Davis and seconded by Councilmember Herndon to participate in the Chang vs Milton Amicus Contributions. The motion carried 7-0.

g. Consideration and Approval of Resolution Amending the Established City Holiday Schedule for 2024 to add December 31, 2024, New Year's Eve - Councilman TJ Ferguson

Mayor Owens announced the item and provided background. Councilmember Auch asked about the renewal deadline for business licenses, and discussion followed about the due dates for business licenses and the effect of taking New Year's Eve as a holiday. City Attorney explained the business licenses will expire on 31st, but payment is due January 1st, but have until January 30th to make a payment. Following January 30th, penalties could apply.

Mayor Owens asked if New Years Eve could be added to the 2025 calendar. Discussion followed. City Attorney Walker-Ashby opined she could bring back during her comments to amend the 2025 resolution after she gets the resolution number from the clerk.

Motion was made by Councilmember Herndon and seconded by Councilman Davis to to approve the Resolution Amending the Established City Holiday Schedule to add New Year's Eve .The motion carried 7-0.

h. Consideration and Approval to authorize the Mayor to negotiate and enter into agreement with the company Network Cabling Infrastructures, LLC (NCI) for AV installation at 1245 Veterans Memorial Highway - Special Projects Manager Xavier Ross

Mayor Owens announced the item and provided background. The item was discussed at the Monday work session and at the 5:15 work session. Special Projects Manager Xavier had brought it before the Council.

Motion was made by Councilmember Oladapo and seconded by Councilmember Jeffcoat to to approve the authorization for the Mayor to negotiate and enter into agreement with Network Cabling Infrastructures, LLC (NCI) for AV installation at 1245 Veterans Memorial Highway at an amount not to exceed \$145,000. The motion carried 7-0.

i. Consideration and Approval of Resolution Authorizing the City Manager and Mayor to execute an agreement with Lake Lanier Island and Conference vendors for the Associated Spending as it Relates to the 2025 Spring Planning Conference - \$22,500 - Projects Manager Xavier Ross

Mayor Owens announced the item and provided background. The item was discussed at the 5:15 pm work session.

Motion was made by Councilmember Jeffcoat and seconded by Councilmember Herndon to to approve the Resolution Authorizing the City Manager and Mayor to execute agreement with Lake Lanier Island and Conference Vendors for the Associated Spending as it relates to the 2025 Spring Planning Conference - \$22,500. The motion carried 7-0.

13. OTHER BUSINESS/DISCUSSION

14. CITY MANAGER'S ANNOUNCEMENTS/COMMENTS

City Managers Comments:

- He commended City Attorney for all of her hard work on the URA bond issuance documentation and filings.
- He spoke about bringing folks together for sole purpose of supporting each other. He wanted to see the four pillars: pastors, public safety, non-profits and the City to

pull together and support each other.

- He recommended an executive session for personnel.

15. CITY ATTORNEY/CITY CLERK/STAFF ANNOUNCEMENTS/COMMENTS

City Attorney Walker-Ashby recommended amending RES 2024-09-02 to add December 31, New Year's Eve as holiday.

Motion was made by Councilmember Oladapo and seconded by Councilmember Davis to amend RES 2024-09-02 (Year 2025) adding New Year's Eve as a holiday. The motion carried 7-0.

16. MAYOR AND COUNCIL ANNOUNCEMENTS/COMMENTS

Mayor and Council provided their comments and reports. They expressed their gratitude for those who attended the meeting and wished everyone a happy Holiday. Additional comments included:

- Councilmember Davis commended the Austell Community Task Force for the great job of Toys for Tots the previous weekend.
- Councilmember Davis commended Mr. Hutchins and Pebblebrook High School for the event. Pebblebrook is a wonderful school.
- Councilmember Oladapo welcomed Mr. Ferrell to the City. She commended all of the Mayor and Council and staff for all of the hard work. All have done an amazing job.
- Councilmember Jeffcoat spoke about all of the milestones reached over the past year. She expressed gratitude for those at the City and community partners. She spoke about how much had been accomplished.
- Councilmember Jeffcoat commented about the outstanding job of Pebblebrook High School.
- Councilmember Jeffcoat commended Community Development Director Juliana Njoku and Mr. Tanks and all that came out to the Comp Plan meeting.
- Councilmember Auch congratulated Mr. Ferrell, new Code Enforcement Manager. She expressed appreciation for Xavier Ross's work for agriculture plan grant. She expressed appreciation for the Nickajack Creek clean up program and how Mr. Ross had helped to get the resources and assistance to get that area cleaned up.
- Councilmember Herndon thanked everyone who came out for the Comprehensive Plan meeting. She invited everyone to participate and would like to hear all input and participation.
- Mayor Owens recognized Councilmember Ferguson for any comments who apologized for not being present in person. Happy Holidays.
- Mayor Owens thanked all of staff and everyone for all of the work accomplished. He was happy now that staff was coming on board.
- He welcomed Mr. Ferrell to the City. History was being created every day. He accepted a board position with Cobb Community Foundation. He wanted to have a

voice for South Cobb. He spoke about the significance of Mableton 2045 Comp Plan. The website went live. Mableton2045.org.

17. 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)) AND MISC. EXEMPTIONS (O.C.G.A. 50-14-3 (B)(4)&(5))

Motion was made by Councilmember Auch and seconded by Councilmember Herndon to go into Executive Session for litigation, real estate, and personnel. The motion passed unanimously. Yeas: Davis, Oladapo, Jeffcoat, Auch, Ferguson, Herndon and Owens (8:41 pm)

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

18. ADJOURNMENT

Motion was made by Councilmember Auch and seconded by Councilmember Jeffcoat to to adjourn . The motion carried 6-0.

The meeting adjourned at approximately 10:15 pm.

Dr. Michael Owens, Mayor

Susan Hiott, City Clerk