CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
January 7, 2025 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 AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA**
6. **PUBLIC HEARINGS**
   a. **Public Hearing for 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**
7. **PRESENTATIONS/ACKNOWLEDGEMENTS/PROCLAMATIONS**
   a. **Report on Cobb County School District - Leroy Tre Hutchins - Post 3 Board Member**
   b. **Report for South Cobb Regional Library - Regional Manager Jo Lahmon**
8. **APPOINTMENTS**
   a. **Resolution Electing a Mayor Pro Tempore and for Other Lawful Purposes**
   b. **Appointment of Sustainability Waste & Beautification Director - Emily Groth**
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.
10. **CONSENT AGENDA**
    a. **Approval of December 9, 2024 Work Session Minutes**
    b. **Approval of December 11, 2024 Regular Meeting Minutes**
    c. **Approval of December 11, 2024 Work Session Minutes (5:15 pm)**

11. **UNFINISHED BUSINESS**

12. **NEW BUSINESS**

    a. **Consideration and Approval of a Resolution Updating the City of Mableton's Classification and and Pay Plan and for Other Lawful Purposes - HR Specialist Candice Fields and Community Development Director Juliana Njoku**

    b. **Consideration and Approval to authorize the Mayor to approve and negotiate agreement in substantial form with the company Innoface Systems, LLC for AV installation at 1245 Veterans Memorial Highway - Special Projects Manager Xavier Ross**

    c. **Consideration and Approval of a Resolution Authorizing the Mayor to Waive Fines and Fees - Community Development Director Juliana Njoku**

13. **OTHER BUSINESS/DISCUSSION**

    a. **House Bill 581 Discussion**

14. **CITY MANAGER'S ANNOUNCEMENTS/COMMENTS**

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

16. **MAYOR AND COUNCIL ANNOUNCEMENTS/COMMENTS**

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))**

18. **ADJOURNMENT**

Persons with special needs relating to handicapped accessibility, disability, or foreign language may contact the City Clerk at (404) 927-9502 or susan.hiott@mableton.gov at least three days prior to the meeting. The clerk can be located at the City of Mableton Offices, Riverside EpiCenter, 135 Riverside Pkwy, Austell, Georgia 30168 during regular office hours.

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Public Hearing for 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

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION:

ATTACHMENTS:
1. Solid Waste Management Ordinance Rev. 1.3.25

STATE OF GEORGIA **ORD**
COBB COUNTY
CITY OF MABLETON

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

WHEREAS, the City of Mableton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the duly elected governing authority of the City is the Mayor and Council ("City Council") thereof;

WHEREAS, pursuant to O.C.G.A. § 36-35-3 and City Charter Sections 1.13 (8) & (34), the City Council is authorized to regulate the collection and disposal of garbage, rubbish, and refuse by others and to adopt ordinances it deems necessary, expedient, or helpful for the health, welfare, sanitation, comfort, and well-being of the inhabitants of the city;

WHEREAS, the city finds that the municipal solid waste services provided for herein will serve to promote safety, sanitation, reliable waste collection service, protection of the environment and City streets and roads; and

WHEREAS, the City finds it to be in the public interest and for the health, welfare, sanitation, comfort, and well-being of the City and its inhabitants to adopt the provisions herein regarding the City's provision of solid waste services.

IT IS HEREBY ORDAINED by the governing authority of the City of Mableton, as follows:

Section 1: The City Code of Ordinances is hereby amended to create Chapter 12, Solid Waste Management, to read as follows:

CHAPTER 12 – SOLID WASTE MANAGEMENT

ARTICLE 1 - GENERALLY

Sec. 12.1.1 – Purpose and Intent.

1) This chapter regulates the collection and disposal of waste, garbage and recyclable materials, including, but not limited to all waste byproducts of manufacturing or commercial establishments, cinders and ashes from commercial boilers, and card and wooden boxes, crates and barrels, as well domestic waste including meat, vegetable and fruit scraps, cans, bottles, paper, cardboard, rags, ashes, and other such waste material ordinarily disposed from residences, churches, schools, small business establishments,

and other such places. Animals, fowl, and fish entrails, bones and carcasses whether in whole or in part, from business establishments such as slaughterhouses and meat and fish markets shall not constitute "garbage", but shall constitute "other waste." Waste also includes animal, fowl, and fish excrement, entrails, bones, and carcasses in whole or in part and dead animals, and any other refuse material not otherwise classified herein.

2) The city further hereby declares the intent and purpose of this chapter to be such that a uniform and consistent procedure for regulating the storage, collection, transportation and disposal of solid waste is established so as to:

   a) Protect the public health, safety and welfare by providing for the removal of inorganic refuse materials laden with bacterial elements and contaminants detrimental to the general well-being of the citizens and environment; and

   b) Provide for the uniform prohibition throughout the city of any and all littering on public and private property and to curb thereby the desecration of this city's scenic beauty; and

   c) Protect and enhance the quality of the water, air and overall environment by guarding against any of the degradations thereto which stem from the burial, deposition, burning, dumping, discard or disposal of litter and solid waste in the city.

Sec. 12.1.2 - Authority

1) The city enacts this chapter under applicable state and local laws, including the authority of article 9, section 2, paragraphs II and III of the State of Georgia constitution (1983), O.C.G.A. § 12-8-20, et seq., O.C.G.A. § 36-30-7.1, O.C.G.A. § 36-35-3 and city charter sections 1.13 (8) & (34).

2) Authority is hereby granted to the city manager or his designee to carry out the requirements of this chapter.

Sec. 12.1.3 - Definitions.

1) Except as specifically defined herein, all words used in this chapter shall have their customary dictionary definitions.

2) Words used in the singular shall include the plural and words used in the plural shall include the singular. Words used in the present tense shall include the future tense.

3) The definitions provided in O.C.G.A. § 12-8-22 and DNR Rule 391-3-4.01, as amended, which are not defined in this section are hereby incorporated into this chapter. The definitions provided in O.C.G.A. § 12-8-22 shall control to the extent they are in conflict with DNR Rule 391-3-4.01.

4) The following words, terms, and phrases when used in this chapter shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

Agricultural solid waste shall mean all organic waste products generated by farm production operations involving field crops, orchards or animals.

Aircraft shall mean any device used or designated for flight.

Asbestos-containing solid waste shall mean any solid waste containing more than one percent, by weight, of naturally occurring hydrated mineral silicates separable into commercially used fibers, specifically the asbestiform varieties of serpentine, chrysatile, cummingtomite-grunerite, amosite, rieheckite, crocidolite, anthophyllite, tremolite and actinolite, using the method specified in appendix A, subpart F, 40 CFR part 763, section 1.

Authorized recycling agent shall mean any person, organization or entity having verbal or written consent from the owner of recyclable material to separate or collect such materials from designated recovered material collection locations.

The city council shall mean the city council of Mableton, Georgia.

Brush collection container shall mean a solid waste collection container for brush and related large vegetative material which is capable of being covered with a tarp or top during transportation of the brush.

Bulky waste shall mean solid waste with weights or volumes which exceed the designated capacity of solid waste storage or collection containers. Such waste includes but is not limited to tree limbs, mattresses and other large items.

Charitable recycling group shall mean a civic or nonprofit group engaged in the separation or collection of recovered material.

City shall mean the City of Mableton, a political subdivision of the State of Georgia.

Cobb County shall mean Cobb County, a political subdivision of the State of Georgia.

Commercial handbill shall mean any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original, or copies of any matter or literature which advertise for sale any merchandise, product, commodity or thing, or direct attention to any business, mercantile or commercial establishment or other activity for the purpose of either directly or indirectly promoting the interest thereof by sales.

Commercial solid waste shall mean all types of solid waste generated by stores, offices, restaurants, warehouses and other nonmanufacturing activities, excluding residential and industrial wastes. This term includes solid waste generated by premises having three or more residential dwelling units on a single premises such as apartment buildings, condominiums and mobile home courts. This term does not include residential or industrial wastes.

Commercial solid waste container shall mean any solid waste storage or collection container used for the leakproof and spillproof storage, containment, conveyance or transportation of any commercial solid waste contained therein.

Compactor-type collection vehicle shall mean any truck or vehicle used in the collection, conveyance or transportation of solid waste which has a leakproof, spillproof, self-contained compacting mechanism.

Composting shall mean solid waste handling which consists of the controlled, biological decomposition of organic matter into a stable, odor-free humus.

Contract recovered material collection agent or contractor shall mean a person under contract with, and with direct authorization of, the city to separate, collect or transport recovered material from designated recovered material collection locations.

Construction/demolition waste shall mean waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures. Such waste includes but is not limited to asbestos-containing waste, wood, bricks, metal, concrete, wall board, paper cardboard, inert waste landfill material and other nonputrescible waste which has a low potential for groundwater contamination. Such waste is not normally water soluble nor hazardous in nature and does not include any municipal or agricultural solid waste.

Curbside recovered material storage container or *curbside container* shall mean a container, of less than 100 gallons' capacity, designed and constructed for the safe containment and placement for collection of recovered material from the curb or residential premises consisting of one or two dwelling units.

Curbside recycling shall mean the placement of recovered materials in curbside containers at the designated recovered material collection location at residential premises consisting of one or two dwelling units.

Dead animals shall mean solid waste consisting of animals that have died from any cause except those slaughtered for human consumption.

Designated recovered material collection location shall mean the location or locations where the owner of the recyclable material places such material for the purpose of material recovery and recycling, including curbside and recovered material storage containers.

Disabled Person means an owner of a residential service unit who is disabled to the extent that he or she is incapable of placing his or her residential municipal solid waste, storage cart, residential recovered materials, storage bin, white goods, bulk waste and/or yard trimmings at the residential designated collection location for collection by the residential service provider, such that he or she satisfies this chapter.

Disposal facility shall mean any facility or location where the final deposition of solid waste occurs and includes, but is not limited to, landfilling and solid waste thermal treatment technology facilities.

Division of solid waste shall mean the city department of community development or department designated by the city manager and/or city council.

Front-loading compacting equipment or *front-loader* shall mean a vehicle consisting of a container-lifting mechanism and storage body that loads from the front of the vehicle and compacts, transports and self-unloads material to the rear.

Garbage shall mean municipal solid waste, including putrescible waste, which attends the preparation, use, cooking, dealing, storage or distribution of animal or vegetable matter intended for human consumption, but excluding agricultural solid waste.

Hauler or *collector* shall mean a person permitted by the city to engage in the business of the collection or transportation of solid waste, but excluding a person who collects or transports solid waste from his, her or its own dwelling or residence.

Hazardous waste shall mean any solid waste which has been defined as a hazardous waste either by the Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-60 et seq., or in regulations promulgated by the Georgia Board of Natural Resources, chapter 391-3-11.

Industrial solid waste shall mean solid waste generated by manufacturing or industrial processes that is not a hazardous waste as defined either by the Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-60 et seq., or in the regulations promulgated by the Georgia Board of Natural Resources, chapter 391-3-11.

Institutional solid waste shall mean a municipal solid waste generated by educational, health care and research facilities, including but not limited to schools, hospitals, nursing homes, laboratories and similar establishments.

Knuckle-boom equipment shall mean a hydraulically or electronically operated mechanical device designed to lift objects to be collected, loaded and transported from the curb into the body mounted on the collecting vehicle.

Leachate collection system shall mean a system at a landfill for collection of the leachate which may percolate through the waste and into the soils surrounding the landfills.

Landfill shall mean an area of land on which or an excavation in which solid waste is placed for permanent disposal and which is not a land application unit, surface impoundment, injection well or compost pile.

Litter means any organic or inorganic waste material, rubbish, refuse, garbage, trash, hulls, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic, and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description which are not "waste" as such term is defined in O.C.G.A., § 16-7-51, paragraph 6.

Litter receptacle shall mean a receptacle designed and constructed to receive, collect, store and contain litter in a convenient and spillproof manner.

Manager, department of solid waste shall mean the manager of the Cobb County Department of Solid Waste, or his or her successors to these duties, by whatever title designated, or his or her designees.

Materials recovery facility shall mean a solid waste handling facility that provides for the extraction from solid waste of recoverable material, material suitable for use as fuel or soil amendment, or any combination of such material.

Municipal solid waste shall mean any solid waste derived from households, including garbage, trash and sanitary waste in septic tanks and includes solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds and day use recreation areas. The term includes yard trimmings and commercial solid waste but does not include solid waste from mining, agricultural or silvicultural operations or industrial processes or operations.

Municipal solid waste disposal facility shall mean any facility or location where the final deposition of any amount of municipal solid waste occurs, whether or not mixed with or including commercial or industrial solid waste, including but not limited to municipal solid waste landfills.

Municipal solid waste landfill shall mean a disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludge or small quantity generator hazardous waste, is disposed of by means of placing an approved cover thereon.

Newspaper shall mean any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulations, and any newspaper filed and recorded with any recording officer as provided by general law, and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

Noncommercial handbill shall mean any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, magazine, booklet or any other printed or otherwise reproduced original, or copies of any matter or literature which are not commercial handbills or newspapers as defined herein.

Nuisance shall mean anything which:

(1) Meets that definition of the term as defined by O.C.G.A. § 41-1-1 as now or hereafter amended; or

(2) Occurs during or as a result of the handling or disposal of solid waste to the detriment of the public welfare in that it injures health, offends the senses, obstructs the reasonable and comfortable use of property, or causes inconvenience or discomfort to a community or neighborhood.

Offal waste shall mean waste animal matter (whether of land or marine origin), generated by the processing, preparation or packaging of food or animal matter at butcher shops, slaughterhouses, food processing or packaging plants or rendering or fertilizer plants.

Open-top collection container shall mean a unit whose body is both constructed with sides to confine bulk items collected and transported by the unit and capable of being covered either by a tarp or top.

Owner of recovered material shall mean the generator of recovered material or its authorized agent, or the contractor, the recovered material collector, the private recycler, the person having possession of recovered material, or the person to whom the generator has transferred title to the recovered material. The owner shall have transferred title to the material at such time as the same is placed or deposited in any curbside storage container or recovered material collection container for the purpose of recycling.

Park shall mean a park, reservation, playground, beach, recreation center or any other public area in the city which is owned or used by the city and devoted to active or passive recreation.

Person shall mean the State of Georgia or any other state or any agency or institution thereof, any municipality, county, political subdivision, public or private corporation, solid waste authority, special district empowered to engage in solid waste management activities, individual, partnership, association or other entity in Georgia or any other state. This term shall also include any officer or governing or managing body of any municipality, political subdivision, solid waste authority, special district empowered to engage in solid waste activities, or public or private corporation in Georgia or any other state. This term shall also include employees, departments and agencies of the federal government.

Private industry solid waste disposal facility shall mean a disposal facility which is operated exclusively by and for a private solid waste generator for the purpose of accepting solid waste generated exclusively by the private solid waste generator.

Private premises shall mean any dwelling, house, residence, building or other structure, designed or used either wholly or in part for the private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Private recycler shall mean an individual, corporation, partnership or other private person engaged in the business of handling recovered material, including but not limited to dealers, processors, brokers and consumers of recovered material.

Public health or safety hazard shall mean any operation or activity done by a solid waste collector or not done, but was required to be done by the solid waste collector by federal, state, or local law, which could result in physical damage or injury to the general public or their property.

Public place shall mean any and all streets, rights-of-way, boulevards, alleys or other public ways, and any and all public parks, squares, grounds, buildings, beaches, playgrounds or conservation or recreation areas.

Putrescible waste shall mean waste that is capable of being quickly decomposed by microorganisms at ambient temperature and conditions and usually associated with offensive odors and disease vectors. Examples include, but are not limited to, the following: kitchen waste, animal manure, offal, hatchery and poultry processing plant wastes, dead animals, garbage and solid waste contaminated by such waste.

Rear-loading compacting equipment or *rear-loader* shall mean the body and tailgate assembly of a rear-loading collection vehicle that loads, compacts, transports and unloads material at the rear of the vehicle. These assemblies may include mechanical devices used for lifting and receiving material from stationary storage containers.

Recovered material shall mean that material which has a known use, reuse, or recycling potential, "can be feasibly used, reused or recycled," and has been diverted or removed from the solid waste stream for sale, use, reuse or recycling, whether or not requiring subsequent separation and processing. Such material, once recovered, is not solid waste.

Recovered material collection container shall mean a bulk container, exceeding 100 gallons' capacity, which is exclusively designed, constructed and conveniently placed for the safe, spillproof containment and conveyance of recovered material. This term includes but is not limited to bins, receptacles, drop-off boxes and containers used to collect recovered material from residential premises consisting of three or more dwelling units and all nonresidential areas.

Recovered material collection vehicle shall mean a vehicle upon which equipment is mounted or attached for the purpose of loading, compacting, transporting or unloading recovered materials or recovered material collection containers. This term includes but is not limited to, roll-off, side-loading, rear-loading, or open-top containers, trucks or other similar vehicles while engaged solely in the collection of recovered material.

Recovered material collector shall mean a person engaged exclusively in the business of separating, collecting or transporting recovered material, with or without compensation, from residential, business, industrial, commercial, institutional or other similar pre mises, including persons under contract or agreement with the owner or generator of solid waste or recovered material for collection.

Recovered material storage container shall mean any bulk container, exceeding 100 gallons' capacity, designed, constructed and labeled for the containment and placement of recovered material for collection.

Recovered material handling shall mean the separation, collection, storage, processing, consumption, transportation or reuse or resale of recovered material.

Recovered material processing facility shall mean a facility engaged solely in the storage, processing and resale or reuse of recovered material; however, any solid waste generated by such facility shall be subject to all applicable laws and regulations relating to solid waste. This term specifically excluded any solid waste handling facility as is defined herein.

Recyclable material shall mean any material which has a known use or reuse and can be feasibly used, reused, or is capable of being reused or returned to use in the form of a raw material or product. Such recyclable material shall have been diverted or removed from the solid waste stream prior to collection of the same.

Recycling shall mean any process by which recyclable material which would otherwise become solid waste is collected, separated or processed and reused or returned to use in the form of raw materials or products.

Residential solid waste shall mean all municipal solid waste originating in residential premises consisting of one or two dwelling units. This term does not include solid waste originating in residential premises consisting of three or more dwelling units which share the use of a solid waste storage container.

Roll-off shall mean a vehicle equipped with hoist arms, hook, frame cable and/or chain which is used to elevate, support, transport and unload solid waste collection containers or contained material.

Scout shall mean a vehicle with the maximum capacity of eight cubic yards or 216 cubic feet. The "box" of the truck may be configured in any manner so as not to exceed eight cubic yards provided that the dimensions thereof comply with all state and local laws. The scout shall be used to collect solid waste in areas not easily accessible to compactor-type trucks. After collection by a scout vehicle, the solid waste shall be hydraulically or manually emptied into a compactor truck. The scout shall not make direct use of disposal facilities such as landfills or transfer stations. The scout shall be leakproof and covered in such a manner as to prevent waste from falling, leaking or blowing from the vehicle when traveling to or from the compactor truck.

Side-loading compacting equipment or *side-loader* shall mean the body and compaction assembly of a collection vehicle which loads at the side and unloads at the rear thereof.

Solid waste shall mean discarded putrescible and nonputrescible wastes, except water-carried body waste and recovered material, and shall include garbage; rubbish such as paper, cartons, boxes, wood, tree branches, yard trimmings, furniture and appliances, metal, tin cans, glass, crockery or dunnage; ashes; street refuse; dead animals; sewage sludges; animal manures; industrial waste such as waste material generated by industrial operations; residue from solid waste thermal treatment technology; food processing waste; demolition waste; abandoned automobiles; dredging waste; construction waste; and other waste material in a solid or semisolid or liquid state not otherwise defined herein or by O.C.G.A. § 12-8-20 et seq. Such term shall not include any material which is regulated pursuant to the Georgia Water Quality Control Act, O.C.G.A. article 2 of chapter 5 of title 12, or the Georgia Air Quality Control Act of 1978, O.C.G.A. chapter 9 of title 12.

Solid waste collection container shall mean a bulk container, exceeding 100 gallons' capacity, which is designed and constructed for the containment and/or conveyance without spillage of any solid waste contained therein.

Solid waste collection vehicle shall mean any vehicle upon which equipment is mounted or attached for the purpose of loading, compacting, transporting and/or unloading solid waste collection containers. This term includes solid waste transfer trailers, front-loaders, roll-offs, side-loaders, rear-loaders, open-top containers, brush-loaders and knuckle-boom equipment during such time as these vehicles are engaged in the handling or transportation of solid waste.

Solid waste handling shall mean the storage, collection, transportation, treatment, utilization, processing or disposal of solid waste, or any combination of such activities.

Solid waste handling facility shall mean any facility, the primary purpose of which is the storage, collection, transportation, treatment, utilization, processing or disposal or any combination thereof, of solid waste.

Solid waste storage container shall mean any container designed and constructed for the leakproof and spillproof storage of solid waste, and provided by or to the generator for the containment and placement of solid waste for collection. This term shall include residential metal or plastic containers and plastic bags.

Solid waste thermal treatment technology shall mean any solid waste handling facility, the purpose of which is to reduce the amount of solid waste to be disposed of through a process of combustion, with or without the process of waste energy.

Transfer station shall mean a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

Unauthorized collection of recovered material shall mean the removal of recovered material without permission of the owner, its authorized agent or the city.

Vehicle shall mean any engine-powered, mobile device in, upon, or by which any person or property is or may be transported or drawn upon a highway, road, rail or track.

Waste-to-energy shall mean a process of combustion through which occurs the extraction and utilization of energy from municipal solid waste.

Waste-to-energy facility shall mean a solid waste handling facility that provides for the extraction and utilization of energy from municipal solid waste through the process of combustion.

White goods waste shall mean solid waste consisting of discarded or abandoned large appliances, including refrigerators, freezers, stoves, ranges, water heaters and similar domestic or commercial large appliances. This term does not include material which is recovered material which is described as herein.

Yard trimmings or *yard trash* shall mean leaves, brush, grass clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals and vegetative matter resulting from landscaping development and maintenance, other than mining, agricultural and silvicultural operations. Haulers may have other requirements that may have to be followed in addition to these requirements.

Sec. 12.1.4 - Retention of city police powers.

The city retains and reserves all of its police powers and the rights, privileges, and immunities that it now has under the law to regulate, patrol and police the streets and public ways within the city, and the granting of any contract as a result of this chapter shall in no way interfere with the improvements to, or maintenance of, any street, alley or public way, and the rights of the city to use said streets, alleys and public ways.

Sec. 12.1.5 - Amendments of city ordinances and regulations.

The city reserves the right and power, pursuant to its police power, after due notice to the company, to modify, amend, alter, change or eliminate any rules, regulations, fees, charges and rates of the city, and to impose such additional conditions that are not inconsistent with the rights granted by this chapter, upon the company and all persons, firms or entities of the same class as the company, as may be reasonably necessary in the city council's discretion to preserve and protect the public, health, safety and welfare and/or insure adequate service to the public.

Sec. 12.1.6 - Taxes.

The company shall promptly pay all lawful ad valorem taxes, levies and assessments, if any, that are imposed upon the company. Absent an administrative or judicial challenge, or appeal, the failure to pay any such tax, levy or assessment is a breach of this chapter.

Sec. 12.1.7 - Public necessity.

The city council hereby finds and declares that the public welfare, convenience and necessity require the garbage collection services provided by the city under this chapter.

ARTICLE 2 – CITY APPROVED HAULERS

Sec. 12.2.1 - Responsibility of citizens and businesses to use city approved hauler.

It shall be the responsibility of each citizen both residential and commercial to be served by a city contracted solid waste hauler. Failure to be served by a city contracted solid waste hauler shall result in a violation of this chapter.

Sec. 12.2.2 - Non-exclusive contract required.

(a) All persons and entities providing solid waste services inside the city, whether for residential or commercial purposes, shall be registered and operate under an approved exclusive or non-exclusive contract with the city, effective as of February 28, 2025. This non-exclusive contract shall be pursuant to the terms set forth herein to use the public streets, alleys, roads, and thoroughfares within the city for the purpose of operating and engaging in the business of collecting and disposing of waste. This shall include but not limited to, contracting with residential and/or commercial customers and providing services pursuant to the agreement, placing and servicing containers, operating trucks, vehicles and trailers, and such other operations and activity as are customary and/or incidental to such business and service. No person, business establishment, or entity shall practice or engage in the collection or disposal of solid waste and/or recyclable materials without first having an executed agreement with the city granting permission to perform such service.

(b) Such non-exclusive contract shall have a term of no longer than one calendar year, terminating on December 31 of that same year. Such non-exclusive contracts shall automatically renew annually for a consecutive one calendar year term, unless terminated sooner by the city. Each hauler shall pay a contract renewal fee to the city as set forth on the city's solid waste management fee schedule maintained by the city clerk, within 30 days of each annual contract renewal.

(c) The city may bid out services for a particular waste collection and disposal service in addition to permitting non-exclusive contracts for other waste and disposal services.

(d) Any non-exclusive contract entered into with the city pursuant to the provisions of this chapter shall be a mere grant or privilege to carry on business during the term of such contract, subject to all terms and conditions imposed by this chapter and applicable local, state and federal laws relating to such business. A schedule of registration and administrative fees related to this chapter shall be kept on file with the city clerk.

(e) Failure to register and operate under an executed agreement with the city shall be a violation of this chapter

Sec. 12.2.3 - Establishment of an environmental management fee.

The city hereby establishes an environmental management fee in consideration of the benefits, costs, expenses, programming and/or improvements associated with the city's solid waste management, as follows:

a) *Commercial.*

(1) The city hereby establishes an environmental management fee assigned to all haulers collecting and disposing of commercial solid waste in the amount of thirteen and a half percent (13.5%) of the company's gross receipts resulting from residential solid waste services provided by the hauler to customers within the city, exclusive of sales tax.

b) *Residential.*

(1) The city hereby establishes an environmental management fee assigned to all haulers collecting and disposing of residential solid waste, in the amount six and a half percent (6.5%) of the company's gross receipts resulting from residential solid

waste services provided by the hauler to customers within the city, exclusive of sales tax.

(2) Should any hauler pass this fee onto the residential customer they shall do so by noting on the billing statement the following: "Environmental management fee" and include the exact amount that is being passed on to said customer.

(4) Further should the hauler elect to include such fee statement as described in subsection (b)(3) of this section on their billing statement, they shall hereby be prohibited from billing more than fifty percent (50%) of said established fee to the customer.

c) *Due date and quarterly reports.* All solid waste bills generated by companies after February 28, 2025 shall include the environmental management fee. Haulers shall remit the environmental management fee to the city each quarter, along with a quarterly report. The quarters shall be broken down as January 1 through March 31, April 1 through June 30, July 1 through September 30 and October 1 through December 31. The quarterly payments and reports shall be due to the city by February 15, May 15, August 15, and November 15 annually, with each payment being based upon the company's gross receipts during the prior calendar quarter. The quarterly reports shall include the following for the associated quarter:

(1) Tonnage figures showing total solid waste tonnage collected by service type;
(2) A complaint/resolution summary for the associated quarter;
(3) Recycling station participation, itemized on a per-day basis;
(4) List of customer addresses receiving service, by commercial and residential;
(5) Landfill tickets;
(6) Vehicle identification numbers;
(7) Daily route sheet with attached disposal site weight ticket;
(8) Daily staffing summary (including substitutions); and
(9) If requested by the city, proof of disposal of residential municipal solid waste at state-approved disposal facilities and the name of each such facility. The hauler shall maintain at its place of business books and records showing the names and addresses of all owners of residential service units to whom residential municipal solid waste and residential recovered materials services have been provided. The hauler shall submit, upon reasonable request of the city, to a financial audit by a certified public accountant or auditor employed by the city. Financial information of the hauler shall be treated as confidential by the city. The city may request other information from the hauler, if necessary, to comply with state solid waste reporting requirements.

d) *Energy Efficiency Discount*. A one percent (1%) fee reduction in fees will be implemented for any hauler that has fifty percent (50%) or more of their solid waste collection running on electric, hybrid or natural gas vehicles, and/or electric or low-emission vehicles.

Sec. 12.2.4 - Disposal facility fee.

1) *Operators of disposal facilities*. A surcharge fee of $1.00 per ton of residential municipal solid waste or commercial solid waste received, collected, handled or disposed of at any private municipal solid waste disposal facility located within the city is hereby imposed upon the operator(s) of said facilities in accordance with O.C.G.A. § 12-8-39(d) and shall be paid to the city on or before December 31st of each year.

2) *Operators of disposal facilities.* Any operator of a disposal facility in the city must report to the city by July 15 the annual tonnage of solid waste received at said facility for the year prior, segregated by point of origin.

3) *Penalties.* Any failure to comply with or violation of this provision shall subject the offender to punishment as allowed by law.

Sec. 12.2.5 - Registration decals.

(a) Upon execution of the non-exclusive contract with the city, all vehicles used in the operation of collecting and disposing of residential or commercial solid waste, including but not limited to garbage, recyclables, bulky waste, junk, yard trimmings, bio medical waste, or hazardous materials shall be marked with a stencil, decal, or adhesive sticker stating they are a registered solid waste contractor for the city. Such decal shall at a minimum include the city name, city issued hauler ID and sustainability seal.

(b) The city manager or his designee shall prepare the standards for such stenciling, decals, or adhesive stickers with the size, color, design, and placement on each company vehicle operating inside the city limits.

(c) Upon the execution of an agreement, the city shall provide the necessary decals and/or adhesive stickers.

Sec. 12.2.6 - Solid waste haulers name on containers.

(a) Each person and/or business establishment who is registered and contracted by the city to collect and dispose of solid waste inside the city shall cause to have their company name and contact phone number permanently placed on every solid waste container and recycling container.

(b) Such company name and contact phone number shall be clearly visible and legible and be no less than three inches in height and either applied by stencil, waterproof adhesive sticker, or painted on the container.

(c) For each recycling container and bin, the hauler shall apply by stencil or waterproof adhesive sticker stating the list of recyclable materials, as found on the city's list of acceptable recyclable materials.

Sec. 12.2.7 - Establishment of performance bond on service.

(a) A performance bond shall be posted with the city by the registered solid waste hauler for the purpose to cover the cost of continued collection and disposal of waste and recyclable materials for the hauler's customers in the event a registered hauler abandons service.

(b) Each waste hauler shall present said performance bond equal to an amount reasonably estimated to cover 30 days of waste collection and disposal prior to entering into a non-exclusive solid waste agreement with the city, unless said date is extended for good cause by the city manager.

Sec. 12.2.8 - Insurance.

(a) *Minimum coverage requirements.* The haulers shall maintain throughout the term of each agreement, property damage coverage, general liability insurance, and automobile liability insurance for any vehicles owned or operated by company, with an insurance company authorized and licensed to do business in the State of Georgia and acceptable to the city, insuring against claims for liability and damages for the benefit of the city. The insurance shall include the City as an additional insured. Property damage coverage insurance under this section shall be a minimum of $500,000.00. Automobile liability insurance under this section shall, at a minimum, have limits of $250,000.00 for bodily injury for each person, and $500,000.00 for each occurrence, and property damage of $250,000.00 for each occurrence and general liability insurance under this section shall be a minimum of $1,000,000.00 for the protection of the public in connection with:

  (1) *Property damage.* Liability to persons or damages to property, in any way arising out of or through the acts or omissions of company, its servants, agents or employees or to which company's negligence shall in any way contribute;

  (2) *Miscellaneous.* Arising out of any claim or invasion of the right of privacy, for defamation of any person, firm or corporation, or the violation or infringement of any copyright, trademark, trade name, service mark or patent, or of any other right of any person, firm or corporation;

  (3) *Contractors.* Arising out of company's operations and relationships with any independent contractor or subcontractor.

(b) *Employer's liability.* If the company is required by Georgia Statute, the company shall maintain throughout the term of the Agreement resulting from this chapter the requisite statutory workers' compensation insurance, and a minimum of $100,000.00 employer's liability insurance.

(c) *Certificate of insurance.* The insurance policy, or policies, obtained by each company in compliance with this section shall be approved by the city manager in the city manager's reasonable discretion, and the certificate of insurance for the insurance policy shall be filed and maintained with the city during the term of the contract resulting from this chapter with a copy of the endorsement required under this section to be attached or made a part of such certificate.

(d) *Endorsements.* All insurance policies maintained pursuant to this chapter shall contain the following conditions by endorsement:

  (1) *Additional insured.* The city shall be an additional insured and the term "owner" and "city" shall include all authorities, boards, bureaus, commissions, divisions,

departments and offices of the city and the individual members, officers, employees and agents thereof in their official capacities and/or while acting on behalf of the city.

(2) *Other insurance clause.* The policy clause "other insurance" shall not apply to the city when the city is an insured on the policy.

(3) *No recourse.* Companies issuing the insurance policies shall not recourse against the city for payment of any premium or assessment.

(e) *Increase requirements.* The city may choose to make reasonable adjustments to the insurance coverage and limits when deemed necessary and prudent based upon changes in statutory law, court decisions, or the claims history of the industry.

(f) All insurance contracts must specify that the vehicles covered by such contracts are for "trash collection."

(g) The collector shall provide the city with annual proof of the insurance required under this chapter. Any failure to provide such evidence of insurance shall be grounds for denial or revocation of a solid waste permit.

(h) A collector shall notify the city manager in writing of any insurance policy changes, renewals and/or cancellation by written certified notice at least 30 days prior to any change, renewal, and/or cancellation.

Sec. 12.2.9 - Indemnity.

Each city approved solid waste hauler shall agree to indemnify, defend and save harmless the city, its agents, officers and employees, against and from any and all claims by or on behalf of any person, firm, corporation or other entity arising from any negligent act or omission or willful misconduct of the company, or any of its agents, contractors, servants, employees or sub-contractors, and from and against all costs, counsel fees, expenses and liabilities incurred in or about any such claim or proceeding brought thereon. Promptly after receipt from any third party by city of a written notice of any demand, claim or circumstance that, immediately or with the lapse of time, would give rise to a claim or the commencement (or threatened commencement) of any action, proceeding or investigation (an "asserted claim") that may result in losses for which indemnification may be sought hereunder, the city shall give written notice thereof (the "claims notice") to the company provided, however, that a failure to give such notice shall not prejudice the city's right to indemnification hereunder except to the extent that the company is actually and materially prejudiced thereby. The claims notice shall describe the asserted claim in reasonable detail, and shall indicate the amount (estimated, if necessary) of the losses that have been or may be suffered by the city when such information is available. The company may elect to compromise or defend, at its own expense and by its own counsel, any asserted claim. If the company elects to compromise or defend such asserted claim, it shall, within 20 business days following its receipt of the claims notice (or sooner, if the nature of the asserted claim so required) notify the city of its intent to do so, and the city shall cooperate, at the expense of the company, in the compromise of, or defense against, such asserted claim. If the company elects not to compromise or defend the asserted claim, fails to notify the city of its election as herein provided or contests its obligation to provide indemnification under this agreement, the city may pay, compromise or defend such asserted claim with all reasonable costs and expenses borne by the company. Notwithstanding the foregoing, neither the company nor the city may settle or compromise any claim without the consent of the other party; provided, however, that such consent to settlement or compromise shall not be unreasonably withheld. In any event, the city and the company may participate at their own expense, in the defense of such asserted claim. If the company chooses to defend any asserted claim, the city shall make available to the company any books, records or other documents within its control that are necessary or appropriate for such defense.

Sec. 12.2.10 - Vehicle requirements.

All persons collecting and disposing of solid waste material for a fee shall comply with the following requirements:

(1) *Solid waste collection vehicles:*

a. *Type and size:* Solid waste collection vehicles shall comply with the regulations and licensing requirements of the Georgia Department of Transportation and with applicable local ordinances specifying weight and size restrictions for any streets or roads traveled to collect solid waste.

b. *Compactor and cover:*

1. Vehicles used for the collection or transportation of solid waste shall be covered compactor-type trucks and shall be enclosed, weather-tight, substantially leakproof, easily cleanable and constructed of durable metal.

2. Vehicles used for the collection or transportation of solid waste shall be covered at all times, except during the loading and unloading thereof, so as to prevent the contents from falling, leaking or blowing out of the vehicle.

c. *Scout or satellite vehicle:* A scout or satellite vehicle shall mean a vehicle with the maximum material capacity of eight cubic yards, or 216 cubic feet. The "box" of the truck may be configured in any manner not to exceed eight cubic yards so long as the dimensions thereof comply with all state and local laws. The scout should be used to collect materials in areas not easily accessible to compactor trucks after which the material shall then be hydraulically or manually emptied into a compactor truck. The scout shall not be allowed to make direct use of disposal facilities such as landfills or transfer stations. The scout shall be leakproof and covered in such a manner as to prevent waste from falling, leaking or blowing from the vehicle when travelling to the compactor truck.

d. *Audible alarm:* Each vehicle used for collection or transportation of solid waste shall have an operating, audible alarm which sounds when any such vehicle backs up or is in reverse.

e. *Emergency lights:* Each compactor vehicle used for the collection or transportation of solid waste shall have an operating, flashing or revolving amber light mounted on top of the vehicle and visible from its rear. All collectors shall comply with any corresponding state or federal laws or regulations.

(2) *Identification:* The following items shall at all times be clearly visible on each and every vehicle used in the collection or transportation of solid waste, including temporary replacement vehicles and scouts:

a. The identity and telephone number of the collector on both sides of the vehicle displayed by letters or characters at least three inches in height;

b. A permit decal placed on the front of the truck.

(3) *Ownership/lease:* Registration of and title to the vehicle(s) shall be in the name of the collector or a leasing agent with a duly authorized power of attorney issued in the name of the collector.

(4) *Exempt equipment:* The following solid waste collection equipment shall be exempt from the vehicle requirements enumerated in subsection (1)b.1. above; however, nothing in this section excludes compliance with all other vehicle requirements specified by this section, article, or chapter:

a. Roll-off equipment (to be used solely for the collection of construction debris and inert material which does not constitute solid waste);

b. Brush collector equipment;

c. Knuckle-boom picker equipment;

d. Open-top equipment (to be used solely for the collection of construction debris and inert material which does not constitute solid waste);

(5) *Penalties:* Any failure to comply with or violation of the provisions contained in this section shall subject the offender to the penalties as allowed by law.

Sec. 12.2.11 - Establishment of public listing of approved and certified haulers in the city.

The city shall cause to publish on the city website the list of approved and contracted waste haulers for both residential and commercial services.

Sec. 12.2.12 - Disposal of refuse.

The registered solid waste hauler shall deliver all residential and commercial refuse and waste collected by it from its customers within the city, except for materials which the solid waste hauler may select for recovery and recycling, to a disposal facility that is permitted by the Georgia Environmental Protection Division to accept such refuse and waste. Rules and regulations governing hours of operation and disposal practices at the disposal facility will be observed and followed by the company while engaged in the disposal of refuse pursuant to this chapter.

ARTICLE 3 – SERVICE REQUIREMENTS

Sec. 12.3.1 - Establishing a basic level of service.

(a) *Residential.* Each owner of an occupied residential property and/or residential unit within the city shall contract directly with a solid waste hauler authorized under this chapter for a minimum of once-a-week collection of residential solid waste, residential recovered materials, white goods, bulk waste and yard trimmings. It shall be the responsibility of the owner of a residential service unit to ensure that prior to collection and disposal, white goods are empty of all foods and liquids, and that any chlorofluorocarbons and polychlorinated biphenyls (PCBs) have been evacuated and captured by a certified technician in accordance with law, and the doors have been removed from freezers and refrigerators.

(b) *Commercial.* All commercial establishments, businesses, and industries having commercial solid waste, commercial recovered materials, scrap tires and/or yard trimmings shall contract with a solid waste hauler authorized under this chapter for a minimum of once-a-week collection of solid waste and recyclable materials. The frequency of yard trimmings and bulky trash pickup shall be provided to each business customer through the dictates of individual contracts between the solid waste hauler and respective business establishment. Each hauler serving business establishments shall present to the city, at the time of their initial contract and registration, and subsequent renewal contracts the service level they are providing to each of their business customers. A commercial business establishment may use multiple haulers to perform individual waste collection and disposal services.

(c) *Nuisance and overflow*. At no time shall the level of service provided by any hauler for commercial waste be such that waste and/or recyclable materials overflow the container for which it is to be disposed or create any odors that would otherwise be deemed a public nuisance from the inability to properly collect said materials in a timely manner consistent with the disposal rate of any such business establishment.

(d) *Multi-family developments*. For purposes of collection and disposal of waste and recycling, multi-family developments may use separate waste haulers to perform individual services necessary to serve the overall development.

(e) *Customer education*. Solid waste haulers shall educate customers on their website, or in writing, about industry trends and best practices, including recycling and collection schedules. Such communication should promote placing collectibles at the curb the night before collection, and receptacles should not remain at the curb for longer than 24 hours.

Sec. 12.3.2 - Disabled Persons.

(1) Any disabled person shall be provided non-curbside collection of residential municipal solid waste, residential recovered materials, residential bulky waste, white goods, and/or yard trimmings provided that the disabled person performs the following:

  a. Obtains a physician's certificate certifying such disability; and

  b. Provides the physician's certificate to the company serving such person’s residential service unit with a copy to the city.

(2) Non-curbside collection is available only if all adult persons residing in the residential service unit are also disabled and also obtain physician's certificates certifying such disability.

(3) This section also applies to temporary disability not to exceed ninety (90) days.

(4) Companies may make reasonable rules for the non-curbside collection of residential municipal solid waste, residential recovered materials, residential bulky waste, white goods, and/or yard trimmings from disabled persons who qualify under this chapter for such service.

Sec. 12.3.3 - City initiated collection.

The city reserves the right to secure residential waste collection services for any occupant or owner who fails, upon request, to provide proof of having secured weekly waste collection services as required under this chapter. Such city-initiated service may be terminated upon the owner or occupant providing the city with proof of obtained collection services. Such service shall be in addition to the city's authority to issue citations or fines for failure to comply with this chapter. The city may recover the costs for any such city-initiated collection services as allowed by law.

Sec. 12.3.4 - Establishment of residential container sizes.

(a) Upon adoption of this chapter, the following container sizes for residential garbage and recycling shall be established. All haulers registered in the city are responsible and shall provide, deliver, maintain, and replace, when necessary, a wheeled-garbage container and a wheeled-recycling cart for single-family homes and a recycling bin for each multi-family unit.

(1) *Residential.*

a. *Single-family homes.*

1. For purposes of garbage collection, all registered haulers shall provide a choice of two minimum sized containers. They shall include either a 65-gallon or a 90-gallon cart on wheels.

2. For purposes of recycling collection, all registered haulers shall provide a choice of two minimum sized containers. They shall include either a 30-gallon or a 65-gallon cart on wheels.

b. *Multi-family homes.*

1. For purposes of garbage collection, all registered haulers shall offer a roll-off and/or trash compactor on-site commensurate in size to the number of units served within the complex. The city manager or his designee shall approve the size of any roll-off/and or trash compactor.

2. For purposes of recycling collection, all registered haulers shall provide an 18-gallon bin for each unit. The size of the recycling receptacle shall be commensurate in size to the number of units served within the complex. The public works director or his designee shall approve the size of such receptacle.

(b) Said containers shall be made available to customers by no later than April 1, 2025.

Sec. 12.3.5 - Regulation of containers.

(a) All containers shall be constructed and maintained according to good industry practice;

(b) All containers shall be equipped with stable covers to prevent blowing or scattering of refuse while being transported for disposal of their contents;

(c) All containers, save and except those being used for the purpose of collecting and storing rubble, building and scrap construction materials, shall be equipped with covers suitable to prevent blowing or scattering refuse and access to the container by animals while the container is at the site designated by customer;

(d) All containers shall be periodically cleaned, maintained, serviced and kept in a reasonably good state of repair, to prevent the unreasonable accumulation of refuse residues, to avoid excessive odor and harborage for rodents and flies resulting from excessive residues remaining after collection of containers;

(e) All containers shall be clearly marked with the company's name and telephone number in letters not less than three inches in height; and

(f) All containers, when stored, shall not be on public rights-of-way and shall be located so as to not interfere, block, obstruct or impede the normal use of any sidewalk, street, alley driveway or fire lane, or to block, obstruct or impede sight distance at street, road or alley intersections. Such containers shall be removed from the collection point within 24 hours of service.

Sec. 12.3.6 - Individual placement and disposal of yard trimmings.

(a) It shall be unlawful to place or mix yard trimmings with municipal solid waste within unincorporated Cobb County.

(b) Yard trimmings shall not be disposed of at any municipal solid waste disposal facility with liners or leachate collection systems or any municipal solid waste landfills which have received a vertical expansion under O.C.G.A. § 12-8-40.2.

(c) Yard trimmings, if not collected, shall be disposed of in the following manners:

    (1) Sorted and stockpiled;

    (2) Chipped;

    (3) Composted;

    (4) Used as mulch;

    (5) By otherwise beneficially reusing or recycling it to the maximum extent feasible; or

    (6) At certain types of landfills that are permitted to accept yard trimmings under O.C.G.A. § 12-8-40.2.

(d) Persons violating the provisions of paragraphs (a) and (b) of this section shall be subjected to punishment as allowed by law.

(e) Notwithstanding the provisions of paragraphs (a) through (d) of this section, individuals may combine municipal solid waste and yard waste which is transported to an authorized composting facility for processing.

Sec. 12.3.7 - Mandatory offer of recycling service.

(a) All collectors must offer to their residential customers the option of having their recyclable materials collected at least once a month. Recyclable materials to be collected shall include at a minimum the following items: newspaper and aluminum.

(b) All collectors must offer an appropriate container, bags or other type of receptacle for those residential customers opting for this recycling service. Any collector providing such a container, bags or other type of receptacle to any residential customer may charge a fee for such a container, bags or other type of receptacle.

(c) In no event shall any of the recyclable materials collected pursuant to this optional recycling service be disposed of in any landfill.

(d) Any failure to comply with or violation of the provisions contained in this section shall subject the offender to punishment as allowed by law.

Sec. 12.3.8 - Unauthorized collection of recovered materials.

No person other than the owner of recovered material shall remove any such recovered material which has been separated from solid waste and placed at a designated recovered material collection location for recycling.

Sec. 12.3.9 - Customer's requirements.

All persons receiving solid waste collection and disposal services from a permitted collector in residential areas shall comply with the following minimum two requirements:

(1) All solid waste must be enclosed in plastic or plastic-lined bags which are or have been tied, except as provided in paragraph (2) of this section.

(2) Yard trimmings, if collected, shall be sorted and separated from all municipal solid waste in order to facilitate collection and ultimate handling in accordance with this chapter.

(3) Nothing in this article shall prohibit persons from disposing of their own solid waste provided that all solid waste is bagged, tied, contained and/or covered when transported for disposal.

Sec. 12.3.10 - Services required to be performed.

All residential collectors shall comply with the following requirements:

(1) *Collection schedule:* Collectors shall provide residential collection service at least once per week. No undue disturbance shall be created in residential areas during residential collection.

(2) *Collection during holidays:* During a week which includes a legal holiday, collectors shall alternate collection days, if necessary, to ensure that collection service is provided at least once during such a holiday week.

(3) *Notice to customer and city:* Residential collectors shall give written notice of any change in policy or level of service as follows:

a. To the city at least ten days prior to the implementation of any such change, including but not limited to sale of company, termination of business, or change of phone number; and

b. To the customer at least ten days prior to the implementation of any such change, including but not limited to termination of service; change of phone number, and change of rates, but excluding any sale of the company; however, the customer shall be notified of any such sale of the company within 30 days after the occurrence of such sale.

(4) *Disposal of solid waste:* All collectors, including commercial collectors, must dispose of any solid waste in an approved disposal facility permitted and regulated by the state department of natural resources and/or the city.

(5) *Disposal of yard waste:*

a. It shall be unlawful within unincorporated Cobb County to dispose of yard trimmings in all municipal solid waste landfills with liners or leachate collection systems; and to dispose of yard trimmings in all municipal solid waste landfills which have received a vertical expansion under O.C.G.A. § 12-8-40.2.

b. All collectors, including commercial collectors, must dispose of yard trimmings, if collected, in the following manners:

1. Sorting and stockpiling; or
2. Chipping; or
3. Composting; or
4. Using as mulch; or
5. By otherwise beneficially reusing or recycling it to the maximum extent feasible; or
6. By delivering it to certain types of landfills that are permitted to accept yard trimmings under O.C.G.A. § 12-8-40.2.

c. Notwithstanding the provisions of paragraphs (1) through (e) of this section, collectors may combine municipal solid waste and yard waste which is transported to an authorized composting facility for processing.

(6) *Customer service:* Each collector permitted hereunder shall maintain a published telephone number and a responsible person in charge of customer service so as to provide the following to the manager of the solid waste department and to each customer:

a. A written policy specifying the terms of any and all services to be afforded to or agreements with each customer; and

b. A customer service system to resolve disputes with or complaints against the collector.

Sec. 12.3.11 - Hours of collection.

(a) No person or entity shall engage in the collection, transportation or disposal of any solid waste or recyclables from dumpsters, containers or receptacles of any kind or type between the hours of 11:00 p.m. and 7:00 a.m. except to perform emergency work required to safeguard the immediate health, safety and welfare of the public.

(d) If a partnership, corporation or other business entity controls, directs and/or owns a solid waste collection business, both the person directing the operation of such business, and all partners, directors, officers, shareholders, agents, representatives or employees exercising significant managerial responsibility over any employee or agent whose acts violate the terms of this article or chapter shall, in addition to such employee or agent, be considered to have violated the provisions of this chapter.

(e) Specifically excluded from the applicability of this section are the dumpsters located at any of the schools in the city.

Sec. 12.3.12 - Excluded services.

(a) Collectors shall not be required to collect, remove or transport materials which exhibit any of the following characteristics:

(1) Toxic;

(2) Ignitable;

(3) Reactive; or

(4) Corrosive.

(b) Collectors shall not be required to collect, remove or transport dead animals.

Sec. 12.3.13 - Prohibited acts.

a) No person, company, service provider, firm, corporation or other entity shall:

1. Violate the requirements set forth in this chapter;

2. Collect solid waste in a manner which will be conducive to insect and rodent infestation or the harboring and feeding of wild dogs or other animals; impair the air quality; impair the quality of the ground or surface waters; impair the quality of the environment; or likely create other hazards to the public health, safety, or well-being as defined by Georgia Department of Natural Resources, Environmental Protection Rule 391-3-4-04; or

3. Collect solid waste until all requirements contained in this chapter have been complied with.

b) No solid waste may be disposed of by any person in an open dump, nor may any person cause, suffer, allow or permit open dumping on his property as defined by Georgia Department of Natural Resources, Environmental Protection Rule 391-3-4-04, as amended.

c) It shall be a violation of this chapter to place or cause to be placed for collection by a residential service provider or commercial service provider any acid, explosive material, inflammable liquids or dangerous or corrosive material of any kind.

d) No person other than the occupant or owner thereof shall interfere with any container placed for the purpose of storing solid waste pending collection, or remove or take any of the contents thereof, or remove any container from the location where the container has been placed by the owner thereof.

e) No person shall discard or deposit any solid waste on the land of another without first obtaining permission of the owner.

f) No person shall discard or deposit, or permit the discarding or depositing, of any solid waste on any public right-of-way, except in receptacles provided for the purpose of holding such solid waste.

ARTICLE 4 – LITTER CONTROL

Sec. 12.4.1 - Purpose and intent.

The purpose of this article is to protect the public health, safety, environment, and general welfare through the regulation and prevention of litter. The objectives of this article are:

(1) Provide for uniform prohibition throughout the city of any and all littering on public or private property; and,

(2) Prevent the desecration of the beauty and quality of life of the city and prevent harm to the public health, safety, environment, and general welfare, including the degradation of water and aquatic resources caused by litter.

Sec. 12.4.2 - Applicability.

This article shall apply to all public and private property within the city.

Sec. 12.4.3 - Compatibility with other regulations.

This article is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this article should be considered minimum requirements, and where any provision of this article imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

Sec. 12.4.4 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Construction waste means waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality. For the purposes of this article, construction waste is a type of litter.

Litter means any organic or inorganic waste material, rubbish, refuse, garbage, trash, construction waste, hulls, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic, and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description which are not "waste" as such term is defined in O.C.G.A. § 16-7-51.

Public or *private property* means the right-of-way of any road or highway; any body of water or watercourse or the shores or beaches thereof; any park, playground, building, refuge, or conservation or recreation area; timberlands or forests; and residential, commercial, industrial, or farm properties.

Sec. 12.4.5 - Prohibition against littering public or private property or waters.

(a) It shall be unlawful for any person or persons to dump, deposit, throw or leave or to cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property in this city or any waters in this city unless:

(1) The property is designated by the state or by any of its agencies or political subdivisions for the disposal of such litter, and such person is authorized by the proper public authority to use such property;

(2) The litter is placed into a receptacle or container installed on such property; or;

(3) The person is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of the owner or tenant, all in a manner consistent with the public welfare.

(b) Construction site operators must control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

Sec. 12.4.6 - Vehicle loads causing litter.

No person shall operate any motor vehicle with a load on or in such vehicle unless the load on or in such vehicle is adequately secured to prevent the dropping or shifting of materials from such load onto the roadway.

Sec. 12.4.6 - Evidence.

(1) Whenever litter is thrown, deposited, dropped or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of this article, it shall be prima facie evidence that the operator of the conveyance has violated this article.

(2) Except as provided in subsection (1), whenever any litter which is dumped, deposited, thrown or left on public or private property in violation of this article is discovered to contain any article or articles, including but not limited to letters, bills, publications or other writing which display the name of the person thereon in such a manner as to indicate that the article belongs or belonged to such person, it shall be a rebuttable presumption that such person has violated this article.

ARTICLE 5 – PENALTIES AND ENFORCEMENT

Sec. 12.5.1 - Compliance with law.

The persons, entities and haulers shall conduct their operation within the city in compliance with all applicable local, state and federal laws, rules and regulations, including as provided in this chapter.

Sec. 12.5.2 - Enforcement.

Unless otherwise specially provided by the city council, the enforcement of this chapter shall be within the jurisdiction of the city's enforcement personnel, including the city manager or his/her designees or employees/agents of the city. The enforcement personnel shall have such powers as are reasonably necessary to enforce and give effect to this chapter. Nothing stated herein, however, shall prohibit other law enforcement agencies, officers or officials of this state from enforcing similar laws and regulations as allowed by law and/or with the City's consent.

Sec. 12.5.3 - Violations and penalties.

(a) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. Any person who has violated or continues to violate the provisions of this chapter, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise sentenced in a manner provided by law. Any person and/or entity who violates any section or provision of this chapter shall be punished as allowed by law, which may include a fine in an amount not to exceed $1,000.00, community service and/or imprisonment. If any person is found to be guilty of more than one violation of this chapter in any 12-month period, unless provided elsewhere under this chapter, the following fines are established:

(1) The amount of the original fine plus $200.00, not to exceed $1,000.00 and/or imprisoned for a period not to exceed 60 days for the second violation of this chapter in any 12-month period.

(2) The amount of the original fine plus $650.00, not to exceed $1,000.00 and/or imprisoned for a period not to exceed 60 days for the third violation of this chapter in any 12-month period.

(3) $1,000.00 and/or imprisoned for a period not to exceed 60 days for the fourth and each successive violation of this chapter in any 12-month period.

(b) All violations, penalties and/or remedies specified in this chapter are cumulative. Each separate date of a violation shall be a separate offence. Pursuance of any one violation, penalty or remedy shall not be deemed an election of remedies and shall not prohibit the simultaneous pursuit of any other applicable violation, penalty or remedy.

****

<u>**Section 2.**</u> It is hereby declared to be the intention of the City Council that:

(a) All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

(b) All sections, paragraphs, sentences and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(c) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(d) In the event any portion of this Ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this Ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the Ordinance.

Section 3. Fees and other costs applicable under this Ordinance and/or the Mableton Zoning Code are hereby adopted and attached as the "City of Mableton Building Permit Fee Schedule."

Section 4. The City Attorney and City Clerk are authorized to make non-substantive editing and renumbering revisions to this Ordinance for proofing and renumbering purposes.

Section 5. The effective date of this Ordinance shall be February 1, 2025, unless required otherwise by the City Charter, state and/or federal law. In the event that any effective date herein is determined by a Court of law to be invalid, said effective date shall instead be the earliest date allowed by law.

SO ORDAINED this ______ day of __________________, 2025.

ATTEST:

____

Susan D. Hiott, Interim City Clerk

CITY OF MABLETON, GEORGIA:

____

Michael Owens, Mayor

APPROVAL AS TO FORM:

____

Emilia Walker-Ashby, Interim City Attorney

Fee Schedule

This fee schedule covers application and various administrative costs relating to the City's Solid Waste Management Ordinance:

Fee Type	Amount	Description
Application Fee	$500 per company (non-refundable)	Initial fee for new applicants seeking to become a contracted solid waste hauler.
Decal Fee	$75 per set of 2 decals	Two decals are required per fleet vehicle. Additional sets can be purchased if needed.
Contract Renewal Fee	$250 per company	Annual renewal fee for maintaining active hauler status.
Late Renewal Fee	25% of the renewal fee	Applied if the renewal application is submitted past the deadline.
Data Reporting Non-Compliance Fee	$250 per missed report	Applied if quarterly data reports are not submitted on time.
Replacement Decal Fee	$40 per additional decal	For haulers requiring extra decals beyond the initial two per vehicle.
Late Payment Penalty	10% of the unpaid balance	Added to invoices not paid by the 15th of the month.
Interest on Late Payments	1.5% per month	Monthly interest on unpaid balances, starting from the date of missed payment.

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Report on Cobb County School District - Leroy Tre Hutchins - Post 3 Board Member

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS: None

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Report for South Cobb Regional Library - Regional Manager Jo Lahmon

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS: None

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Resolution Electing a Mayor Pro Tempore and for Other Lawful Purposes

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. RES 2025-01- Election of Mayor Pro Tem

STATE OF GEORGIA
COUNTY OF COBB
CITY OF MABLETON RES 2025-01-

A RESOLUTION ELECTING A MAYOR PRO TEMPORE AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the City of Mableton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council ("City Council") thereof; and

WHEREAS, Section 2.33 of the City Charter provides that "by a majority vote at the first meeting of the city council in January of each year, the city council shall elect a councilmember to serve as mayor pro tempore"; and

WHEREAS, per said Charter Section, "the mayor pro tempore shall assume the duties and powers of the mayor during the mayor's physical or mental disability, suspension from office, or absence. Any such disability or absence shall be declared by a majority vote of the city council ...When acting as mayor, the mayor pro tempore shall continue to have only one vote as a member of the council"; and

WHEREAS, the City Council through this Resolution desires to elect the Mayor Pro Tempore as set forth under Section 2.33 of the City Charter; and

WHEREAS, this Resolution is enacted to safeguard and promote the public health, safety, and the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, by the governing authority of the City of Mableton, Georgia, as follows:

Section 1. The City Council hereby elects ______________________ to serve as the City's Mayor Pro Tempore.

Section 2. It is hereby declared to be the intention of the City Council that:
(a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.
(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or

unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution.

Section 3. The City Attorney and the City Clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing and renumbering purposes.

Section 4. The effective date of this Resolution shall be the date of adoption, unless provided otherwise by the City Charter, state and/or federal law.

BE IT SO RESOLVED, this 7th day of January, 2025.

CITY OF MABLETON, GEORGIA ATTEST:

______________________________ ______________________________
Michael Owens, Mayor Susan Hiott, City Clerk

APPROVAL AS TO FORM:

____
Emilia Walker-Ashby, Interim City Attorney

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Appointment of Sustainability Waste & Beautification Director - Emily Groth

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS: None

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Approval of December 9, 2024 Work Session Minutes

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. December 9, 2024 Work Session Minutes

CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
December 9, 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 WORK SESSION 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. Present: Mayor Owens and Councilmembers Davis, Oladapo, Jeffcoat, Auch, and Herndon. Councilmember Ferguson was absent.

3. INVOCATION

Led by Councilmember Ron Davis.

4. PLEDGE OF ALLEGIANCE

Led by HR Specialist Candice Fields.

5. AGENDA ITEMS AND DISCUSSION

Motion was made by Councilwoman Jeffcoat and seconded by Councilwoman Oladapo to go into recess for six minutes . The motion carried 6-0.
Yeas: Davis, Oladapo, Jeffcoat, Auch, Owens, and Herndon
Councilmember Ferguson was absent.
(6:47 p.m.)

a. HR Knowledge Source (HRKS) Report - Jenee Boler, HR Consultant

Mayor Owens announced the item and recognized City Manager Tanks who recognized attendees from HR Knowledge Source (HRKS). Mr. Tanks explained how back in June he had asked Mayor and Council for support in HR functions to gear up the class and pay classification plan, recruitment program, and start bringing in critical roles. The Council authorized the contract with HRKS. He had asked HRKS to present a presentation on what they had done Those who came to the podium to present were: Sheree knowles, Ardie Harrison, Senior Vice President ; Jenee Boler, HR Consultant; and recognition of Aubriel Cameron, Senior Recruiting and HR Coordinator who was not present. Ms. Knowles thanked Mayor and Council for the opportunity to work with the City, and Ms.

Harrison provided information about HRKS' serices.

Ms. Jenee Boler presented. The Power Point is available in the record. Ms. Boler also thanked everyone for allowing HRKS to have the opportunity to work with the City. It was a fast six months. She reviewed all of the work that HRKS had conducted. Highlights included:

- Ms. Boler addressed the assigned tasks which included Updating the City of Mableton Class & Pay Plan, assembling a benefits package, and establishing a sustainable "Recruitment & Hiring" Program.
- Ms. Boler addrssed the HRKS Team's accomplishments which included:
    - Successfully completing and receiving approval for the Pay Plan.
    - Benefit Overview completed and finalized.
    - Onboarding and Paycom implementation.
    - Established an Executive Recruitment model via LinkedIn Pro.
    - Launched an onboarding process.
    - Successfully transition of HR infrastructure to newly hired HR team.
- Ms. Boler continued to speak about the challenges and recruitment. Key positions hired included the Community Development Director plus a clerk, Human Resources Specialists, and a Special Projects Manager.

Ms. Boler asked for questions. There was none.

City Manager Tanks pointed out that HRKS was one of the sponsors for the employee appreciation event. He commended Ms. Boler who was in the trenches with the City, who did a lot beyond the contract, and he hated to see her work to come to end. She set the framework up for HR Specialists Candice Fields and Rochelle Blalock. He will always appreciate what they did. The audience applauded.

Mayor Owens thanked Ms. Boler and the HRKS team.

b. AV Equipment at 1245 Veterans Memorial Hwy Presentation - Xavier Ross, Special Projects Manager

Mayor Owens announced the item and recognized Xavier Ross, Special Projects Manager who provided background. Mr. Ross explained how he had went out for bidding and received three quotes for. Of the three, he recommended Innoface Systems. Mayor Owens explained how the open space could be used for training and CAB meetings. He explained the adjustment for the open space at 1245 was after the previous funding of $90,000 was approved for time's sake. Mr. Tanks explained the additional cost would allow full utilization of that space to be a centralized place for Planning and Zoning meetings and other Commissions, Authorities, and Boards (CABS). Mr. Ross asked Chad Kastner to come to the podium and explain additional information about the infrastructure low voltage needs and costs. Mr. Kastner stated he was working with NCI, and continued to provide explanation of costs: (Infrastructure -$74,492, plus access control display video conferencing - $57,995. The whole building - $132,487)

City Manager Tanks summarized the City will need low voltage in both buildings. Xavier Ross and Chad Kastner have full price quotes for low voltage and the peripherals. Building at 1245 Veterans Memorial is twice the size of 6116 Mableton Parkway. Originally, staff asked for $90,000. Staff is separating the cost allocations. The same systems are in 6116 and 1245 and have same vendor. Mr. Kastner's vendor has a price for peripherals and Mr. Ross has 3 quotes. The quote from Innoface Systems proposal is $59,135.53. It looks like Mr. Kastner's vendor, if meets specs can do infrastructure and peripherals. On Wednesday staff will be asking for two items, approved funding for full build out for infrastructure for 6116 Mableton Parkway and 1245 Veterans Memorial. This will be more simple.

Questions and discussion followed. If go with in house that meets same specs, the total cost for build out of 1245 is $132,487. Mayor Owens asked for additional information about the network diagram, and asked if the vendor had a roll out plan and meets scope of services. Mr. Kastner will get the information to the mayor.

Mr. Tanks asked Mr. Kastner to research the mayor's questions and noted the questions can be discussed in more detail at another meeting.
Councilmember Oladapo asked about the cost of support services of Cisco. Mr. Kastner stated Cisco will provide service first year, with some other services such as the firewall, and the City can renew after the first year. There are a lot of options to consider, such as in house, consultants. Councilmember Herndon asked for additional explanation of the initial ask for $90,000 to where the City was now. Mr. Tanks explained what were trying to do was rush. He did not have accurate quotes from Mr. Kastner. To try to get quote for both buildings, he estimated $90,000 for infrastructure. The $90,000 did not include the cost of the peripherals for 1245 which was twice as large as 6116. Discussion continued. Councilmember Herndon asked about the budget. Mr. Tanks explained there was $650,000 but he would come back to Council if needed. Mayor Owens pointed out funding should be set aside for hardware and software, also. Mr. Tanks stated he had options and would look at IT capital funding.

Mr. Tanks affirmed that the vote on Wednesday will be about 1245 Veterans Memorial.

c. Interim Communication Functions Presentation - Xavier Ross, Special Projects Manager

Mayor Owens announced the item and introduced Xavier Ross, Special Projects Manager who provided background. Mr. Ross explained that since the City did not have a Communications Director, certain communication functions would be handled by him, the Special Projects Manager, and the Public Relations Specialist. He provided additional explanation naming the following recommended areas of service:
1. Enhancement and revamping of the City social media channels/outlets/platforms
(Facebook, Instagram, LinkedIn, and Nextdoor)
2. Begin the rebranding services of the City
(Include the logo & city seal by contracted vendor)
3. Upon rebranding efforts, we will begin to re-platform and redesign the City website.
(Contracted services)
4. City-Wide & District Newsletter Templates
(Create and provide the templates)
5. Create the City-Wide Communications Plan
6. Create the City-Wide Crisis Response Communication Plan
7. 3CMA Membership

Questions and discussion followed:

- Mayor Owens noted the Communication Plan should be included in the Emergency Management Ordinance.
- Mayor Owens stated he wanted the communications functions to be sustainable, i.e. social media presence.
- Councilmember Auch stressed how she wanted to see sufficient input from the public when looking at the City's logo and city seal and other branding items. Discussion followed.
- City Manager Tanks reiterated that the named services were an interim communications plan. the goal was to deal with low hanging fruit.
- The 3CMA was the City County Managers Association.
- Some of the communications actions will dove-tailed with the Comprehensive Plan.

d. Community Development Report and Procedural Presentation - Community Development Director Juliana Njoku

Mayor Owens announced item and recognized Community Development Director Juliana Njoku who provided a report.

- A Planning and Zoning Manager was starting that week.
- Additional positions will be hired.
- She provided report on the Business License activities.

Ms. Njoku asked for direction and feedback for those business licenses that are not paid timely. Questions and discussion followed. Mr. Tanks stated this could be brought to the Council in January. Council and Mayor deliberated whether to exempt occupational tax applicants from fines and/or late fees. Following discussion, direction was given to exempt from fines and late fees for applications submitted on or before March 1, 2025. Attorney Walker-Ashby noted under an ordinance, they have until January 30 to pay.

Community Development Director Njoku opined that the Community Development Director preferred to take cards and checks. She recommended Community Development going cashless. Mayor Owens asked if could do that from state law perspective. Mayor and Council deliberated. Mr. Tanks asked how many cash entries were there recently made. There was none. Mr. Tanks asked Mayor and Council to consider. City Attorney Emilia Walker-Ashby reported that during the pandemic, a lot of businesses went cash only. There was no federal or state requirement. There was a previous house bill introduced to the General Assembly to require businesses to take cash but it didn't pass. There is no requirement that have to accept cash. This will be looked at further if taking cash becomes an issue.

e. Purchase of Code Enforcement Vehicles Presentation - Xavier Ross, Special Projects Manager

This item was discussed following the Interim Communication Functions discussion. Mayor Owens asked Special Projects Manager Xavier Ross to continue while he was already at the podium. Mr. Ross provided information about the recommended purchase of 3 brand new 2023 Ford Lightning trucks. Questions and discussion followed, and the following were noted:

- The trucks are electric.
- The trucks are available on state contract.
- The trucks will be purchased from Wade Ford at holiday price of $58,574 with $2,000 discount.
- The total is $170,022.and with 3 charging stations at $500 each, total price is $171,522.
- The purchase of trucks was budgeted under capital spending plan at $175,000.
- The purchase must be before December 31.
- The trucks will be housed within secure industrial gate with cameras.
- Service package will be less on the electrical vehicles.
- Wade Ford is approved on State Contract. The vehicles are brand new, but are 2023.
- Staff will be able to log onto Ford and see where they are.

f. HB 581 Discussion - City Manager Bill Tanks

Mr. Tanks stated the Council will have to make a decision about property taxes called opt-out. He asked Council to do research on the house bill. Information can be located on gacities.com. A pdf on HB 581 is on the site. He provided an overview of the house bill passed during the 2024 legislation session. If opt out, must do by March 1st.

Recess the work session.
Motion - Auch 9:15 pm - Oladapo second.

g. A Resolution Authorizing an Intergovernmental Agreement with the Mableton Urban Redevelopment Agency - City Attorney Emilia Walker-Ashby

The consideration of the vote was delayed until after Executive Session. Following Executive Session, the following motion was made:

Motion was made by Councilmember Oladapo to authorize the Bond Resolution including an Intergovernmental Agreement with the Mableton Urban Redevelopment Agency. Councilmember Davis seconded the motion. The motion carried 6-0.

6. PRE REGULAR MEETING AGENDA REVIEW

Because of time constraints, Attorney Walker-Ashby clarified that Mayor and Council were to discuss the solid waste ordinance because the ordinance adoption will be in January, but won't require haulers to register until first week of March. This will be discussed at the December 11th meeting. Mayor Owens reported he had been discussing with the president of the Haulers Association. He has been supportive of what had read so far.

Motion to recess the work session until 9:15 pm was made by Councilmember Auch and seconded by Councilmember Jeffcoat. The Council went into recess.

a. Review of the December 11, 2024 Regular Meeting Agenda

Mayor Owens noted most items had been discussed. Due to time constraints, additional review of the agenda was not done.

7. ANNOUNCEMENTS

8. 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 Jeffcoat to go into Executive Session for personnel matters. Councilmember Herndon seconded the motion. The motion carried 6-0. Yeas: Davis, Oladapo, Jeffcoat, Owens, Auch, and Herndon
Councilmember Ferguson was absent.

Motion was made by Councilmember Oladapo to close Executive Session. Councilmember Herndon seconded the motion. The motion carried 6-0.
Yeas: Davis, Oladapo, Jeffcoat, Owens, Auch, and Herndon

9. ADJOURNMENT

Motion was made by Councilmember Jeffcoat and seconded by Councilmember Herndon to adjourn. The motion carried 6-0. The meeting adjourned at 10:06 p.m.

Dr. Michael Owens, Mayor	Susan Hiott, City Clerk

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Approval of December 11, 2024 Regular Meeting Minutes

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. December 11, 2024 Regular Meeting Minutes (1)

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 accessed.
- 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 uses 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 theTurnkey 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

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Approval of December 11, 2024 Work Session Minutes (5:15 pm)

BACKGROUND/SUMMARY: Minutes will be uploaded later. Pending Clerk's finalization.

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. December 11, 2024 515 pm Work Session Meeting Minutes

CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
December 11, 2024 at 5:15 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 WORK SESSION MINUTES

1. CALL TO ORDER

Mayor Owens called the meeting to order. It was 5:27 p.m. Councilmember Ferguson was not in attendance.

2. ROLL CALL

Clerk Hiott conducted the roll call. Quorum was present. Councilmember Ferguson was absent.

3. INVOCATION - (TO DO AT THE 6:30 PM MEETING)

4. PLEDGE OF ALLEGIANCE - (TO DO AT THE 6:30 PM MEETING)

5. AGENDA ITEMS AND DISCUSSION

6. PRE REGULAR MEETING AGENDA REVIEW

Mayor Owens led in the review of the Regular December 11, 2024 Agenda:

- Item 10d will be moved to New Business as Item 12j.
- There will be no Executive Session for Work Session.
- Item 7 - In future, may have Georgia Japanese Consulate present at a meeting.
- Mayor Owens sent information in an email to Council about his appointee for the Board of Cobb and Douglas County Public Health.
- For the Mableton Development Authority (MDA) the appointment is the City's appointment. Mayor Owens sent information to Council about the appointment recommendation of Cory Ferguson. Mr. Ferguson has no affiliation with Councilmember Ferguson.
- Appointments of Directors - City Manager Tanks stated Code Enforcement Director will be appointed that night. There will be an Executive Session to introduce potential others.
- 10 d is being moved to New Business.

Councilmember Auch addressed if the City had enough vehicles for all. She asked what was the current numbers of code enforcement officers for Cobb County. Mr. Tanks reported there was 8 for Mableton area. We are only able to have 3. Mr. Tanks stated that once hire the Director, staff will look at the Organization Chart. There will be some adjustments to the pay classification plan. He would like to build up as staff as he sees what the real demand is. The City will work with 3 and will have the option of using Safebuilt if need for additional officers. He pointed out as the City needs more vehicles, will have to know where to keep them. Purchases for vehicles will be in the new budget year starting in July. He opined the City could make it with 3 officers. Councilmember Jeffcoat asked about leasing vehicles. Discussion followed about how it is helpful when there are larger fleets. Projects Manager Xavier Ross looked at leasing. It is not going to be advantageous to lease.

Mayor Owens referenced meeting with the County, looked at inspection side, to determine what work force would look like. He heard there was 5. He wanted to make sure not short changing citizens, saying having three. It is only for 3 months to give Director to see what was going on. He referenced possibility of having bicycles in downtown area patrolling code enforcement, crowd control, etc., but the City was not there yet, but could be a consideration. Mr. Tanks added Safebuilt provided vehicles. It's not the quantity, its the quality of enforcement. He spoke about focusing on specific areas, such as business license compliance in the winter when no grass. The City can have two reactive and two proactive. If there is a major area to target, the City can focus on it. If the Council wants to get more vehicles, and code enforcement officers, staff can do, but it is best to estimate and then adjust. Councilmember Auch opined she wanted to make sure that code enforcement is adequately staffed and the department has the tools to do the job. Mr. Tanks pointed out the Spending Plan consisted of vehicles in Parks, and there was the court in the plan. Discussion continued.

Item 12 a - Solid Waste Management of the City - There was an overall review of the proposed Solid Waste Management Ordinance:

- Page 10, Section 12.2.1- There was discussion about the approved list of trash haulers for residents to choose from.
- There was discussion about Section 12.2.3 - fees based on gross receipts. There was b 1, 2, and 4. Where was 3?
- Councilmember Auch asked about b) (2) - recouping of the fee by passing on to the customer. Council asked that Attorney Walker-Ashby look at this further.
- Council will go through first read of ordinance that night, have a public hearing on January 7th, and hopefully will be approved on January 22nd.
- The City will have a Sustainability Director by then.
- Questions were raised by Councilmember Auch about having the haulers to do a report. Mayor Owens explained reports would show have some level of business activity. The City would want to know how much refuge and recyclables were collected. Mayor Owens noted Councilmember Auch's concerns were not new. There is always of few haulers to complain. This is the fairest model, which allows people to choose, and haulers to stay in business. The City is being fair, not too prohibitive. Overall, for good of the City, this is not a bad program.
- Section 12.3.2 Any disabled person would have to provide certificate in order to get non curb service. Council discussed if an older person could also obtain non-curb service.
- Councilmember Herndon asked if page 12 #4 Energy Efficient Discount could be

looked at more.

Mayor Owens continued to lead in review of the December 11th Regular Meeting Agenda:

Cobb Housing Authority - Mayor Owens explained the resolution authorizes the City of Mableton to participate in a down payment assistance program and also allows the City to do rev shares when there are affordable housing efforts or deals done in Mableton. There is no cost. The City does not have a Housing Authority right now.

Item 12 i - Spring Planning Conference - Special Projects Manager Xavier Ross reported he looked at five vendors; the two were the lowest two. This conference will have high issues and the budget discussions including 18-20 people coming together. There will be several speakers. There will be an external piece to go to the City of Sugar Hill, discussion of the SPLOST. Housing and meal costs, designated presenters, transportation, and incidental costs. Going from a Spending Plan to a Budget will be discussed. He spoke about visiting a designated city. Councilmember Oladapo asked for additional explanation of the costs and Mr. Ross named the items. Military discounts were built in the cost since there was six military attending. Councilmember Auch asked why can't do the YMCA in Atlanta. Mr. Tanks explained there would be more discussions such as SPLOST, Budget, service delivery, and much more. The opportunity provides a planning mode, no distractions, and can go to see Sugar Hill. It was staff's recommendation, but Council's decision. The number was based on 18 - staff and directors. External 6 but could change. Councilmember Jeffcoat noted the YMCA probably could not accommodate that many. Check in would be on Thursday, starting with session 1. Friday will be presentations and training. Saturday will be visiting Sugar Hill, and Sunday will be closing and reflection. Staff would be trying to provide everything before so can go immediately into the dive.

7. ANNOUNCEMENTS

8. 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))

None.

9. ADJOURNMENT

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

Dr. Michael Owens, Mayor

Susan Hiott, City Clerk

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Consideration and Approval of a Resolution Updating the City of Mableton's Classification and and Pay Plan and for Other Lawful Purposes - HR Specialist Candice Fields and Community Development Director Juliana Njoku

BACKGROUND/SUMMARY: It is anticipated that as the City closes out the last two quarters of the fiscal year, these roles will facilitate a successful transition. The recommended pay classification plan by the City Manager is attached.

BUDGETED/FINANCIAL IMPACT – FUND: The immediate fiscal impact reflects **top of the pay range** and would be estimated to be an increase in salary of $200,000/year FY 2025; $100,000 remainder of Spending Plan. This is estimated at top of pay range is for conservative approach to budgeting. (The City does not pay at top of pay range, but budget estimates are made at top of pay range.)

RECOMMENDATION: To approve the Resolution Updating the City of Mableton's Classification and Pay Plan.

ATTACHMENTS:
1. RES 2025-01- Amending Classification and Pay Plan Rev. 1.7.24V1

STATE OF GEORGIA
COBB COUNTY
CITY OF MABLETON

RES 2025-01-

A RESOLUTION UPDATING THE CITY OF MABLETON'S CLASSIFICATION AND PAY PLAN AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the City of Mableton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the duly elected governing authority of the City is the Mayor and Council ("City Council") thereof; and

WHEREAS, City Council desires through this Resolution to update the City's Preliminary Classification and Pay Plan adopted on or about November 30, 2023; and

WHEREAS, this Resolution is enacted to safeguard and promote the City's successful transition and the public health, safety, and general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, by the governing authority of the City of Mableton, Georgia, as follows:

Section 1. Confirmation of Preliminary Classification and Pay Plan. The following personnel positions and accompanying salaries parameters shall hereby constitute the City's Classification and Pay Plan:

City of Mableton Preliminary Classification and Pay Plan				
Job Title	**Minimum**	**Maximum**	**Pay Basis**	**Positions**
City Manager	$121,825	$182,728	Annual	1
Economic Development Director	$85,000	$145,000	Annual	1
Program Manager	$75,000	$115,000	Annual	1
Chief of Staff	$85,000	$125,000	Annual	1
Special Projects Manager	$75,000	$115,000	Annual	1
Administrative Supervisor	$75,000	$115,000	Annual	1
Executive Assistant	$25	$40	Hourly	1
City Clerk	$78,841	$118,262	Annual	1
Deputy City Clerk	$65,000	$95,000	Annual	1
Finance Director	$105,559	$168,894	Annual	1
Administrative Assistant	$20	$35	Hourly	1
Accounting /Financial Ops Manager	$75,000	$115,000	Annual	1
Revenue Analyst/Specialist	$65,000	$95,000	Annual	1
Purchasing Manager	$75,000	115,000	Annual	1
Accounting Clerk	$25	$40	Annual	2
Human Resources Director	$85,000	$135,000	Annual	1
Human Resources Specialist	$55,000	$85,000	Annual	2
Community Development Director	$97,094	$154,145	Annual	1

Administrative Assistant	$20	$35	Hourly	1
Planning and Zoning Manager	$85,000	$125,000	Annual	1
Business License Supervisor	$75,000	$115,500	Annual	1
Senior Planner	$75,000	$115,000	Annual	1
Community Development Clerk	$25	$40	Hourly	4
Building Inspector	$55,000	$95,000	Annual	3
Code Enforcement Director	$95,000	$145,000	Annual	1
Administrative Assistant	$20	$35	Hourly	1
Code Enforcement Supervisor	$75,000	$115,000	Annual	2
Court Administrator	$85,000	$125,000	Annual	1
Code Enforcement Officer	$55,000	$85,000	Annual	4
Sustainability Waste & Beautification Director	$75,000	$125,000	Annual	1
Administrative Assistant	$20	$35	Hourly	1
Sustainability Waste & Beautification Specialist	$25	$40	Annual	1
IT Director	$91,457	$161,852	Annual	1
IT Technician	$25	$40	Hourly	2
Data Analyst	$25	$40	Hourly	1
Communications Director	$95,000	$135,000	Annual	1
Administrative Assistant	$20	$35	Hourly	1
Communications Technician	$65,000	$95,000	Annual	1
Communications Coordinator	$55,000	$85,000	Annual	1
Public Relations Coordinator	$55,000	$85,000	Annual	1
Parks and Recreation Director	$97,094	$161,852	Annual	1
Administrative Assistant	$20	$35	Hourly	1
Cultural Arts and Affairs Manager	$75,000	$115,000	Annual	1
Operations and Facilities Manager	$65,000	$95,000	Annual	1
Events Coordinator	$25	$40	Hourly	2
Volunteer Coordinator	$25	$40	Hourly	1
Seasonal Employees	$15	$20	Hourly	20

Section 2. **Selection/Appointment**. Appointed officers and directors authorized within the parameters of this 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 City Manager shall have the authority to approve all non-director and non-appointive positions authorized by this Classification and Pay Plan. The positions authorized under this Classification and Pay Plan may be secured as employees or independent contractors.

****

Section 3. It is hereby declared to be the intention of the City Council that:

(a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution.

Section 4. The City Attorney and the City Clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing and renumbering purposes.

Section 5. The effective date of this Resolution shall be the date of adoption, unless required otherwise by the City Charter, state and/or federal law.

BE IT SO RESOLVED, this ______ day of __________________, 2025.

ATTEST: CITY OF MABLETON, GEORGIA:

________________________________ ________________________________

Susan D. Hiott, City Clerk Michael Owens, Mayor

APPROVAL AS TO FORM:

____

Emilia Walker-Ashby, Interim City Attorney

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Consideration and Approval to authorize the Mayor to approve and negotiate agreement in substantial form with the company Innoface Systems, LLC for AV installation at 1245 Veterans Memorial Highway - Special Projects Manager Xavier Ross

BACKGROUND/SUMMARY: See memo and proposal attached.

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. Cover Memo (EXPENSE) AV for 1245 VMH Admin Space (2)
2. City of Mableton AV Upgrades 1-7-25 (1)

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025

DEPARTMENT: Office of the City Manager

ISSUE/AGENDA ITEM TITLE: Agreement with Innoface Systems, LLC for AV installation at 1245 Veterans Memorial Hwy.

BACKGROUND/SUMMARY:

As the City of Mableton prepares to move towards its administrative space at 1245 Veterans Memorial Hwy, the Council approved a low-voltage installation package in November of 2024 which laid the framework for all electrical needs. Currently, staff is requesting the City to approve working with Innoface Systems as an additional Low-Voltage Contractor along with Network Cabling Infrastructures, LLC. (NCI) to complete the Av installation along with supplying all needed equipment to operate meeting(s) functionally in the space.

BUDGETED/FINANCIAL IMPACT – FUND:

The City Council approved facility spending in the FY 2025 budget under the General Fund Capital Spending Plan. The cost to execute this total work order not to exceed is $145,000.00 This will not impact the budget as it is an anticipated expenditure. This was approved in December of 2024 and we seeking to add a contractor under the shared price.

RECOMMENDATION: Staff recommendation to the council is to formally authorize the City Manager and the Mayor to negotiate and execute an agreement with Innoface Systems to complete AV infrastructure with the desired equipment and install it within the Administrative Suite at 1245 Veterans Memorial Hwy.

Motion:

Motion to authorize the mayor to execute an agreement with Innoface Systems, LLC.

ATTACHMENTS

1.

Proposal For AV System Upgrades

Prepared for

Xavier Ross of

Prepared by:

1651 Crofton Blvd., Suite 12
Crofton, MD 21114
p. 410-721-4040
f. 410-721-4450

SMALL DISADVANTAGED BUSINESS (SDB)
MINORITY BUSINESS ENTERPRISE (MBE)-(DBE)

December 6, 2024

Dear Mr. Ross,

In response to your request for new audio visual upgrades at the City of Mableton in Mableton, GA, I have prepared a proposal which includes the parts and labor associated with your installation. Please carefully review the enclosed document and give me a call at your earliest convenience.

I sincerely appreciate the opportunity to earn your business.

Best Regards,

Ivan Collins
Innoface Systems Inc.
730 Peachtree St NE
Atlanta, GA 30308
M: 202-492-2627
B: 877-721-4040
icollins@innofacesystems.com
www.innofacesystems.com

TABLE OF CONTENTS

—INTRODUCTION—

INNOFACE Systems, Inc. sells a wide array of audio-visual products, which are custom-installed by certified technicians. Service and maintenance agreements are also offered.

The client base is comprised of government agencies, as well as, commercial and residential customers. INNOFACE strives for 100% client satisfaction by providing quality products and unsurpassable customer service. Those high standards of operation have helped to make INNOFACE a leader in the audio-visual industry.

MISSION STATEMENT

“To provide remarkable customer service while solving the audio-visual needs of our customers. To understand, acknowledge and act on the needs of your unique situation. INNOFACE understands the value of great service and support, so it is our duty to display these qualities and ethics with each and every valued client. This is the INNOFACE difference”

—Integration Process—

INNOFACE Systems Inc. is dedicated to providing technically sound, well-integrated and user-friendly solutions for our client's unique requirements. To that end, INNOFACE Systems Inc. utilizes a six-step process, which ensures seamless communication and transition from project conception to project completion.

1-Consultation

The consultation process is truly the foundation upon which your system and its capabilities will be built. During this process, your INNOFACE Systems Inc. Sales Representative will meet with key personnel from your organization to perform an in depth needs analysis. The result of the needs analysis will be a thorough understanding of your current and future requirements, the individuals who will use the system and the environment and manner in which it will be utilized.

2-Engineering & Design

At this point INNOFACE Systems Inc. will appoint a Project Engineer. The Project Engineer will team with your INNOFACE Systems Inc. Sales Representative and will follow your project through to completion. During this phase, the information acquired during the needs analysis is developed into a technically sound and functional system design. The Project Engineer, along with your INNOFACE Systems Inc. Sales Representative will perform a feasibility study. The study will include an examination of the desired capabilities, architectural, environmental, and technical details of your system. During the engineering and design process, the selection of the appropriate equipment, hardware and software is accomplished. The result of the engineering and design process is a system designed specifically to meet the requirements and environmental conditions that are unique to your application.

3-Pre-Installation

Once you have contracted with INNOFACE Systems Inc., the Pre-Installation phase begins. Although this may be one of the least visible and lengthy steps, the pre-installation phase is critical in ensuring a seamless integration of your specified system. It is during this phase that coordination between the Project Engineer, architects, general contractors, and other trades begins. While coordination with the other trades is occurring, INNOFACE System's engineering team develops the required facility drawings, signal flow diagrams, equipment rack layouts and the design and programming of the custom control system's graphical user interface (GUI).

During the pre-installation phase, INNOFACE System's fabrication team will assemble equipment racks and perform wiring and termination of equipment within the racks. The final stage of pre-installation is testing. During the testing process, INNOFACE System's fabrication and engineering teams will test each piece of equipment to ensure it is working properly and is without noticeable manufacturer defect. Additional tests performed include testing for proper signal flow and custom control system operation.

4-On-Site Integration

This phase is by far the most noticeable, with the bulk of the integration being accomplished once your facility is clean and secure. To ensure your expectations are met the field integration team responsible for your installation reports to and is directed by the Project Engineer for your system.

INNOFACE System's professional field integration team will install your system in a manner that exceeds industry standards. Our industry trained integration team will install all components, cables and hardware necessary to support the specified system. At the end of each day's work, the area in which INNOFACE Systems Inc. worked will be left in a clean and orderly state.

Upon completion of the physical installation, the Project Engineer along with the field integration team will perform functionality tests on the entire system. It is at this point that final adjustments are made to ensure optimum performance of each component and the system as a whole.

5-Training & Documentation

Training and documentation will provide operational and maintenance personnel with an understanding of daily system use. Training will consist of instruction and hands-on experience with the system. Documentation will include as-built diagrams and manufacturers equipment manuals, which will be assembled and delivered on the day of training. A custom written operational manual is available at an additional cost.

6-Warranty

Warranty and support will be provided for 60 days from project completion and signoff. Warranty covers all installation and equipment failures within a 60 day period. If a problem cannot be resolved via telephone support, a service technician will be dispatched to your facility to initiate a repair. Optional extended warranties are available for clients who wish to further protect their investment.

—SCOPE OF WORK—

SUMMARY

Innoface systems is proposing to design, deliver, and install a new, professional grade audio visual system in the multipurpose/meeting room for the City of Mableton, GA. The room will be used for presentations, Town Hall meetings, and various other meeting types. The engineered design will allow for multifaceted functions to ensure the room is capable of mixed-use technology at any time for any meeting type.

The remainder of this proposal will be broken down by Video, Audio and Control subsections.

Multipurpose/Meeting Room

VIDEO

The video will be displayed from (1) wall mounted 98" display, that will be installed on the front wall of the room. End users will have the ability to display video from a room computer or from a visitor's laptop onto the display. There will be an HDMI connection located at the owner-furnished podium, that will allow end users to plug in their laptop and present with ease. End users will also be able to use a room computer to conduct web meetings from services such as Microsoft Teams, Zoom, and WebEx.

To aid in facilitating more efficient presentations, Innoface has included a wireless laptop connection, which will provide end users the convenience and flexibility to start a presentation quickly and seamlessly, as well as display video from any laptop, anywhere in the room. The presenter(s) will have full engagement and will not be limited in their mobility because of tangled or cluttered cables.

Innoface Systems has designed the system to have (2) wall mounted cameras installed in the room to be used for video streaming. One of the cameras will be located at the rear and will face the front of the room and the other will be located at the front and will face the rear of the room. Both cameras will be configured for optimal video quality while streaming and presenting within the room. Both cameras will also have pan, tilt, and zoom capabilities so that the desired angle can be achieved.

As an option, Innoface Systems has included pricing for an auto-tracking camera, which will allow the presenter to be automatically followed around the room while speaking.

The following video sources will be available:

- ✓ Room Computer
- ✓ Wired Laptop Input
- ✓ Wireless Laptop Input

The proposed video solution is the optimal design for this room because it will allow for maximum flexibility, future growth, and ease of use for the less technical users.

AUDIO

All audio in this room will be clearly heard from (8) in-ceiling speakers that will be strategically and professionally installed in the ceiling to provide clear, concise audio coverage over the desired area. During video streams, the audio from the far-side of the video stream/conference will be heard from the ceiling speakers. In addition to the ceiling speakers, Innoface Systems will deliver and install a digital microphone system that will be used to disperse audio back into the room, as well as out to participants who are attending by way of the video stream. Innoface Systems will provide (8) wireless gooseneck microphones that will be placed in front of any person speaking so they can be clearly heard throughout the room and on video streams.

For a comprehensive audio solution, Innoface Systems will provide (1) permanent podium gooseneck microphone to be used for presenters speaking at the podium and (1) wireless handheld microphone to be passed around the room and used for Town Hall meetings when voice reinforcement/amplification is needed. Additionally, Innoface Systems will provide (6) in-ceiling microphones that will be used for general coverage within the room for increased audio quality over the video stream. As an added benefit, all the microphones will be easily controlled from the control panel and will have the ability to be muted, volume adjusted or unmuted at any time with ease.

The audio will play from the following sources:

- ✓ Room Computer
- ✓ Wired Laptop Input
- ✓ Wireless Laptop Input

The audio system will be designed and installed with digital connectivity, allowing the system to be future-proof and upgradable for years to come.

CONTROL

The performance of the audio visual system will be optimized as a result of the custom-programmed control system. End users will be able to walk into the room and press one button, which will turn on the audio visual system with ease.

For enhanced functionality and accessibility, a touch panel controller will be located at/near the podium and another located near the equipment rack at the rear of the room. The seamless integration of the control system will allow end users to control the following features:

- ✓ Video source selection
- ✓ Room cameras including camera view presets
- ✓ Video switching
- ✓ Audio levels
- ✓ Camera pan, tilt and zoom
- ✓ Microphone levels and muting
- ✓ Video streaming

Misc.

Innoface Systems, Inc. will install your system in a way that exceeds industry standards. Innoface will train the end users on the proper ways to operate the audiovisual system upon completion. Innoface will work closely with the end users to properly identify and alleviate all installation risk factors to ensure that the system operates as designed.

- ✓ High voltage electrical should be provided by a licensed electrician. An outlet is required at the display, AV rack and podium locations. Innoface does not provide electrical.
- ✓ A hardwired data connection is required at the rack and podium locations.
- ✓ Innoface Systems does not provide drywall repair. Any drywall repair is the responsibility of the end users/contractors.
- ✓ Innoface Systems will provide a room computer for streaming
- ✓ All streaming and recordings will be saved within their respective software platforms (i.e. YouTube, Zoom, Teams)
- ✓ If the proposal is cancelled by the customer a 15% restocking fee will apply for all returned equipment.
- ✓ A 65% deposit is required to start work.

—KEY EQUIPMENT FEATURES—

CRESTRON TS-1070 TABLETOP TOUCH SCREEN

Key Features

- ✓ 10.1 in. (257 mm) widescreen active-matrix color display and 1920 x 1200 WUXGA display resolution
- ✓ Capacitive touch screen display
- ✓ Custom-programmable virtual control buttons
- ✓ Built-in Rava® SIP intercom
- ✓ Built-in speakers and microphone
- ✓ H.265, H.264, or MJPEG streaming video display
- ✓ Native apps for Crestron Home™ OS, Sonos® home sound control, Zoom Rooms™ conferencing control, Microsoft Teams® online meeting solution, and various room scheduling services
- ✓ Built-in Bluetooth® communications beacon
- ✓ Single wire Ethernet connection with PoE or PoE+ power
- ✓ Wi-Fi® network connectivity
- ✓ Enterprise grade security and authentication
- ✓ Web, cloud, or device-based configuration

SAMSUNG QB98TB 98" 4K UHD SLIM DISPLAY

Key Features

- ✓ Incredible 4K picture quality with 3840 x 2160 UHD resolution
- ✓ Dynamic Crystal Display
- ✓ Intelligent UHD upscaling
- ✓ Non-glare display with 24/7 operation
- ✓ Built-in Wi-Fi and Bluetooth
- ✓ Full 3-year commercial warranty

—EQUIPMENT LIST—

INNOFACE SYSTEMS
AUDIO - VISUAL INTEGRATION
730 Peachtreee Street
Atlanta, GA 30308

Prepared By: Ivan Collins

Prepared For: **City Of Mableton, GA**
Location: **Mableton, GA**
Date **December 6, 2024**
Proposal #: **120624MABGA**

Project Name: **Mableton AV Upgrades**

	Quantity	MFG	Model	Description	Unit Price	Extended Price
✓	1	Samsung	QB98T-B	98" Display HD 4K Commercial LED	$4,603.75	$4,603.75
✓	1	NB	HD-MT	Wall Mount for 98" Display/Tilt	$102.03	$102.03
✓	2	IFS-AVIPAS	1563	Wall Mounted PTZ Cameras HD	$1,207.07	$2,414.14
✓	2	IFS-Conference S	WMT01	Camera Wall Mount	$44.93	$89.86
✓	1	Jtech Digital	JTD88 HD	HDMI Matrix Video Processor 4k	$1,187.50	$1,187.50
✓	4	IFS-JTD	HDMI-EXT	Long Range Video Extenders 4K	$161.63	$646.52
✓	1	Barco	CX50	Wireless Video Presentation System-	$1,749.00	$1,749.00
✓	2	IFS-Mage	ST1	Video Streaming Interface	$302.02	$604.04
✓	8	IFS-C2	CG39907	In Ceiling Speakers (White) 70V	$76.91	$615.28
✓	1	TOA	BG-2240D-AM	Class D Power Amp- Commercial	$768.74	$768.74
✓	1	Biamp	Tesira CI-DAN	Dante Networked Sound Processor-	$2,919.75	$2,919.75
✓	1	Shure	QLXD124/85	Digital Wireless Handheld & Lapel	$1,585.00	$1,585.00
✓	1	Shure	CVG12	Podium Gooseneck Microphone 12"	$105.26	$105.26
✓	8	Shure	MXW8	Wireless Gooseneck Microphones	$606.67	$4,853.36
✓	1	Shure	APT-8	Wireless Access Point	$3,137.65	$3,137.65
✓	1	Shure	MXWNCS8	Wireless Docking Station 8 Port	$1,579.55	$1,579.55
✓	1	TPLINK	AS3000 or Equal	Network Switch- DANTE	$111.10	$111.10
✓	8	Shure	MX410	10" Gooseneck Attachments	$292.94	$2,343.52
✓	1	Shure	A400SM	Podium Gooseneck Shock Mount	$25.00	$25.00
✓	1	Crestron	CP4	4 Series Control Processor	$1,989.25	$1,989.25
✓	1	Crestron	TS1070	10" Rack Touch Panel1	$2,378.05	$2,378.05
✓	1	Apple	IPAD 9th Gen	Wireless Control Panel for Room Control	$305.10	$305.10
✓	1	IFS-IPO	LUX	Docking Station and Charging Base-	$773.20	$773.20
✓	1	IFS-Connect-Tec	6761299-1	POE Injector- Ethernet 10 Base T	$21.51	$21.51
✓	1	IFS-MA	PD-915R	Rack Mount Power Supply	$319.14	$319.14
✓	1	IFS-MA	ERK-1825	AV Rack With Locking Plexi Front door	$877.54	$877.54
✓	1	IFS-Innoface	LOT	Misc. Materials, Cables, Connectors,	$879.12	$879.12
✓	1	Dell	Optiplex	PC with i7 4K Video, Small Form Factor	$1,339.00	$1,339.00
✓	6	Shure	MX202	In Ceiling Microphones for Audience	$208.97	$1,253.82
					Total Equipment & Materials	$39,576.78

—PROPOSAL SUMMARY—

INNOFACE SYSTEMS
AUDIO - VISUAL INTEGRATION

730 Peachtreee Street
Atlanta, GA 30308

Prepared By: Ivan Collins

Prepared For:	**City Of Mableton, GA**
Location:	**Mableton, GA**
Date Prepared:	**December 6, 2024**
Proposal #:	**120624MABGA**
Project Name:	**Mableton AV Upgrades**

TOTAL EQUIPMENT COST	**$39,576.78**
LABOR	**$16,350.00**
G&A and FREIGHT CHARGES	**$1,313.75**
SUBTOTAL	**$57,240.53**
1st YEAR WARRANTY & PREVENTATIVE MAINTENANCE	**$1,895.00**
TAXES	**$0.00**
GRAND TOTAL	**$59,135.53**

Not included: Structural, ceiling, millwork, or AC/heat modifications, HV electrical or conduit.

Proposal valid for 60 days. This entire document and all information enclosed including drawings, specifications and designs is the property of Innoface Systems, Inc. Proprietary information provided to our client or his agents is for the sole purpose of demonstrating Innoface's capabilities and shall be held in confidence. These materials may not be copied, distributed or disclosed in any way without the sole written permission of an authorized representative of Innoface Systems, Inc.

PROPOSAL ACCEPTANCE

Client Signature	Date
Innoface Systems, Inc. Signature	Date

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: Consideration and Approval of a Resolution Authorizing the Mayor to Waive Fines and Fees - Community Development Director Juliana Njoku

BACKGROUND/SUMMARY:

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. RES 2024-01-OCCTAXFINESFEESMARCH1

STATE OF GEORGIA
COUNTY OF COBB
CITY OF MABLETON RES 2025-01-

A RESOLUTION AUTHORIZING THE MAYOR TO EXEMPT OCCUPATIONAL TAX APPLICANTS FROM FINES AND/OR LATE FEES UNTIL MARCH 1, 2025

WHEREAS, the City of Mableton recognizes the importance of supporting local businesses and individuals engaged in occupational activities within the jurisdiction;

WHEREAS, the current economic climate has presented challenges for many applicants seeking to comply with occupational tax requirements;

WHEREAS, the governing body seeks to encourage compliance and alleviate financial burdens by providing temporary relief from fines and/or late fees associated with occupational tax applications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MABLETON AS FOLLOWS:

SECTION 1. The Mayor is hereby authorized to exempt all applicants for occupational tax certificates from fines and/or late fees for applications submitted on or before March 1, 2025.

SECTION 2. This exemption applies solely to fines and/or late fees incurred for failure to submit occupational tax applications by their respective deadlines and does not absolve applicants from the obligation to pay the required tax itself or to comply with any other applicable laws or regulations.

SECTION 3. The Mayor, in consultation with the City Manager and Director of Community Development, is authorized to establish and publicize the process for applicants to benefit from this exemption.

SECTION 4. This resolution shall take effect immediately upon its adoption, back dated January 1, 2025.

SECTION 5. It is hereby declared to be the intention of the City Council that:

(a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution.

SECTION 6. The City Attorney and the City Clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing and renumbering purposes.

SECTION 7. The effective date of this Resolution shall be the date of adoption, unless provided otherwise by the City Charter, state and/or federal law.

BE IT SO RESOLVED this Seventh day of January 2025.

CITY OF MABLETON CITY COUNCIL

BY: ____
Micheal Owens, Mayor

ATTEST ____________________________________
Susan Hiott, City Clerk

APPROAL AS TO FORM:

____
Emilia Walker-Ashby, Interim City Attorney

AGENDA ITEM MEMORANDUM

MEETING OF: January 7, 2025
DEPARTMENT:

ISSUE/AGENDA ITEM TITLE: House Bill 581 Discussion

BACKGROUND/SUMMARY: The House Bill is attached for reference.

BUDGETED/FINANCIAL IMPACT – FUND:

RECOMMENDATION: I move to

ATTACHMENTS:
1. HB581 AS PASSED HOUSE AND SENATE

House Bill 581 (AS PASSED HOUSE AND SENATE)

By: Representatives Blackmon of the 146th and Crowe of the 118th

A BILL TO BE ENTITLED

AN ACT

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide requirements for ad valorem property tax bills; to provide for definitions; to provide for minimum mandatory reappraisal of parcels; to provide that county boards of tax assessors shall have the right to appeal concerning sales ratio studies under certain conditions; to revise the limitation on increasing new valuations established through appeals or agreements; to revise the required contents of annual notices of assessment; to revise requirements for notices of current assessment; to provide for a statewide adjusted base year ad valorem homestead exemption and provide procedures for opting out of such homestead exemption at the local level; to revise provisions for the maximum allowable sales and use tax rate; to authorize a new local option sales tax for the purpose of property tax relief in those political subdivisions that have in effect a base year value or adjusted base year value homestead exemption; to provide for authorization of tax and applicability; to provide for local authorization and referenda; to provide for imposition and termination of tax; to provide for administration and collection of tax; to provide for returns; to provide for distribution of tax proceeds; to provide for an effective date, applicability, and a contingent, automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I

SECTION 1-1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended in Code Section 48-5-2, relating to definitions, by revising the introductory language of paragraph (3) and by adding a new paragraph to read as follows:

"(2.1) 'Estimated roll-back rate' means the current year's estimated millage rate minus the millage equivalent of the total net assessed value added by reassessments:

(A) As calculated and certified to the tax commissioner by the levying authority for county and educational tax purposes; and

(B) As calculated and certified to the collecting officer of the municipality by the levying authority for municipal tax purposes.

(3) 'Fair market value of property' means the amount a knowledgeable buyer would pay for the property and a willing seller would accept for the property at an arm's length, bona fide sale. The income approach, if data are available, shall be considered in determining the fair market value of income-producing property. If actual income and expense data are voluntarily supplied by the property owner, such data shall be considered in such determination. ~~Notwithstanding any other provision of this chapter to the contrary, the transaction amount of the most recent arm's length, bona fide sale in any year shall be the maximum allowable fair market value for the next taxable year.~~ With respect to the valuation of equipment, machinery, and fixtures when no ready market exists for the sale of the equipment, machinery, and fixtures, fair market value may be determined by resorting to any reasonable, relevant, and useful information available, including, but not limited to, the original cost of the property, any depreciation or obsolescence, and any

increase in value by reason of inflation. Each tax assessor shall have access to any public records of the taxpayer for the purpose of discovering such information."

SECTION 1-2.

Said title is further amended by adding a new Code section to read as follows:

"48-5-34.

(a) In addition to any other requirements provided by law, the ad valorem property tax bill form shall be prepared annually by the county tax commissioner or collector and furnished to each taxpayer who owes state, county, or county school tax for the current tax year. The form shall provide the total amount of such taxes levied on property owned by the taxpayer, the amount of property tax credit granted by Act of the 1973 Session of Georgia's General Assembly, and the net amount of such taxes due for the current tax year.

(b) In addition to the requirements of subsection (a) of this Code section, regarding any ad valorem property tax bill where the millage rate adopted by a tax authority exceeds the estimated roll-back rate, such tax bill shall include a notice containing the name of such taxing authority and the following statement in bold print:

'The adopted millage rate exceeds the estimated roll-back rate as stated in the annual notice of assessment that you previously received for this taxable year, which will result in an increase in the amount of property tax that you will owe.'"

SECTION 1-3.

Said title is further amended in Code Section 48-5-264, relating to designation and duties of chief appraiser, by adding a new subsection to read as follows:

"(d) The chief appraiser shall ensure that every parcel in his or her respective county is appraised at least every three years."

SECTION 1-4.

Said title is further amended in Code Section 48-5-274, relating to the establishment of equalized adjusted property tax digest, establishment and use of average ratio, information to be furnished by state auditor, grievance procedure, and information to be furnished by commissioner, by revising paragraph (1) of subsection (f) as follows:

"(f)(1) Each county governing authority, each governing authority of a municipality having an independent school system, ~~and~~ each local board of education, <u>and each county board of tax assessors,</u> when aggrieved or when having an aggrieved constituent, shall have a right, upon written request made within 30 days after receipt of the digest information, to refer the question of correctness of the current equalized adjusted property tax digest of the local school system to the state auditor. The state auditor shall take any steps necessary to make a determination of the correctness of the digest and to notify all interested parties of the determination within 45 days after receiving the request questioning the correctness of the digest."

SECTION 1-5.

Said title is further amended in Code Section 48-5-299, relating to ascertainment of taxable property, assessments against unreturned personal property, penalty for unreturned property, and changing real property values established by appeal in prior year or stipulated by agreement, by revising subsection (c) as follows:

"(c) When the value of real property is reduced ~~or is unchanged~~ from the value on the initial annual notice of assessment or a corrected annual notice of assessment issued by the board of tax assessors and such <u>reduced</u> valuation has been established as the result of an appeal decision rendered by the board of equalization, hearing officer, arbitrator, or superior court pursuant to Code Section 48-5-311 or stipulated by written agreement signed by the board of tax assessors and taxpayer or taxpayer's authorized representative, the new valuation so established by appeal decision or agreement may not be increased by the board of tax assessors during the next two successive years, unless otherwise agreed in writing by both parties, subject to the following exceptions:

(1) This subsection shall not apply to a valuation established by an appeal decision if the taxpayer or his or her authorized representative failed to attend the appeal hearing or provide the board of equalization, hearing officer, or arbitrator with some written evidence supporting the taxpayer's opinion of value;

(2) This subsection shall not apply to a valuation established by an appeal decision or agreement if the taxpayer files a return at a different valuation during the next two successive years;

(3) Unless otherwise agreed in writing by both parties, if the taxpayer files an appeal pursuant to Code Section 48-5-311 during the next two successive years, the board of tax assessors, the board of equalization, hearing officer, or arbitrator may increase or decrease the value of the real property based on the evidence presented by the taxpayer during the appeal process; and

(4) The board of tax assessors may increase or decrease the value of the real property if, after a visual on-site inspection of the property, it is found that there have been substantial additions, deletions, or improvements to such property or that there are errors in the board of tax assessors' records as to the description or characterization of the property, or the board of tax assessors finds an occurrence of other material factors that substantially affect the current fair market value of such property.″

SECTION 1-6.

Said title is further amended in Code Section 48-5-306, relating to annual notice of current assessment, contents, posting notice, and new assessment description, by revising paragraphs (1) and (2) of subsection (b) as follows:

″(1) The annual notice of current assessment required to be given by the county board of tax assessors under subsection (a) of this Code section shall be dated and shall contain the name and last known address of the taxpayer. The annual notice shall conform with the state-wide uniform assessment notice which shall be established by the commissioner by rule and regulation and shall contain:

(A) The amount of the previous assessment;

(B) The amount of the current assessment;

(C) The year for which the new assessment is applicable;

(D) A brief description of the assessed property broken down into real and personal property classifications;

(E) The fair market value of property of the taxpayer subject to taxation and the assessed value of the taxpayer's property subject to taxation after being reduced;

(F) The name, phone number, and contact information of the person in the assessors' office who is administratively responsible for the handling of the appeal and who the taxpayer may contact if the taxpayer has questions about the reasons for the assessment change or the appeals process;

(G) If available, the website address of the office of the county board of tax assessors; ~~and~~

(H) A statement that all documents and records used to determine the current value are available upon request; and

(I) The current year's estimated roll-back rate.

(2)~~(A)~~ In addition to the items required under paragraph (1) of this subsection, the notice shall contain a statement of the taxpayer's right to an appeal ~~and an estimate of the current year's taxes for all levying authorities~~ which shall be in substantially the following form:

'The amount of your ad valorem tax bill for this year will be based on the appraised and assessed values specified in this notice. You have the right to appeal these values to the county board of tax assessors. At the time of filing your appeal you must select one of the following options:

~~(i)~~(A) An appeal to the county board of equalization with appeal to the superior court;

~~(ii)~~(B) To arbitration without an appeal to the superior court; or

~~(iii)~~(C) For a parcel of nonhomestead property with a fair market value in excess of $500,000.00 as shown on the taxpayer's annual notice of current assessment under this Code section, or for one or more account numbers of wireless property as defined in subparagraph (e.1)(1)(B) of Code Section 48-5-311 with an aggregate fair market value in excess of $500,000.00 as shown on the taxpayer's annual notice of current assessment under this Code section, to a hearing officer with appeal to the superior court.

If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. For further information on the proper method for filing an appeal, you may contact the county board of tax assessors which is located at: (insert address) and which may be contacted by telephone at: (insert telephone number).'

~~(B) The notice shall also contain the following statements in bold print:~~

~~'The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.'~~″

SECTION 1-7.

Said title is further amended in Code Section 48-5-311, relating to creation of county boards of equalization, duties, review of assessments, and appeals, by revising paragraph (2) of subsection (g) as follows:

″(2) An appeal by the taxpayer as provided in paragraph (1) of this subsection shall be effected by emailing, if the county board of tax assessors has adopted a written policy consenting to electronic service, or by mailing to or filing with the county board of tax assessors a written petition for review. An appeal by the county board of tax assessors shall be effected by giving a petition for review to the taxpayer. The petition for review given to the taxpayer shall be dated and shall contain the name and the last known address of the taxpayer. The petition for review shall specifically state the grounds for appeal. The petition for review shall be mailed or filed within 30 days from the date on which the decision of the county board of equalization, hearing officer, or arbitrator is delivered pursuant to subparagraph (e)(6)(D), paragraph (7) of subsection (e.1), or division (f)(3)(C)(ix) of this Code section. Within 45 days of receipt of a taxpayer's petition for review and before the petition for review is filed in superior court, the county board of tax assessors shall send to the taxpayer notice that a settlement conference, in which the county board of tax assessors and the taxpayer shall confer in good faith, will be held at a specified date and time which shall be no later than 30 days from the notice of the settlement conference, and notice of the amount of the filing fee for a petition for review, if any, required by the clerk of the superior court. A taxpayer may appear for the settlement conference in person, by his or her authorized agent or representative, or both. The county board of tax assessors, in their discretion and with the consent of the taxpayer, may alternatively conduct the settlement conference by audio or video teleconference or any other remote communication medium. The taxpayer may exercise a one-time option to reschedule the settlement conference to a different date and time acceptable to the taxpayer during normal business hours. After a settlement conference has convened, the parties may agree to continue the settlement conference to a later date. If at the end of the 45 day review period the county board of tax assessors elects not to hold a settlement conference, then the appeal shall terminate and the taxpayer's stated value shall be entered in the records of the board of tax assessors as the fair market value for the year under appeal and the provisions of subsection (c) of Code Section 48-5-299 shall apply to such value. ~~If the taxpayer chooses not to participate in the settlement conference, he or she may not seek and shall not be awarded fees and costs at such time~~

~~when the petition for review is reviewed in superior court.~~ If neither the taxpayer nor his or her authorized agent or representative attends a properly scheduled settlement conference or fails to confer with the board of tax assessors in good faith on the matter, then such taxpayer shall not receive the benefits of any temporary reduction in the amount of taxes due pending the outcome of the appeal and shall not be awarded attorney's fees or costs of litigation in connection with the appeal to the superior court. If at the conclusion of the settlement conference the parties reach an agreement, the settlement value shall be entered in the records of the county board of tax assessors as the fair market value for the tax year under appeal and the provisions of subsection (c) of Code Section 48-5-299 shall apply to such value. If at the conclusion of the settlement conference the parties cannot reach an agreement, then written notice shall be provided to the taxpayer that the filing fees for the superior court must be paid by the taxpayer by submitting to the county board of tax assessors a check, money order, or any other instrument payable to the clerk of the superior court within 20 days of the date of the conference. Notwithstanding any other provision of law to the contrary, the amount of the filing fee for an appeal under this subsection shall be $25.00. An appeal under this subsection shall not be subject to any other fees or additional costs otherwise required under any provision of Title 15 or under any other provision of law. Within 30 days of receipt of the taxpayer's payment made out to the clerk of the superior court, or, in the case of a petition for review filed by the county board of tax assessors, within 30 days of giving notice of the petition for review to the taxpayer, the county board of tax assessors shall file with the clerk of the superior court the petition for review and any other papers specified by the person appealing, including, but not limited to, the staff information from the file used by the county board of tax assessors, the county board of equalization, the hearing officer, or the arbitrator. Immediately following payment of such $25.00 filing fee to the clerk of the superior court, the clerk shall remit the proceeds thereof to the governing authority of the county which shall deposit the proceeds into the general fund of the county. All papers and information filed with the clerk shall become a part of the record on appeal to the superior court. At the time of the filing of the petition for review, the county board of tax assessors shall serve the taxpayer and his or her attorney of record, if any, with a copy of the petition for review filed in the superior court and with the civil action file number assigned to the appeal. Such service shall be effected in accordance with subsection (b) of Code Section 9-11-5. No discovery, motions, or other pleadings may be filed by the county board of tax assessors in the appeal until such service has been made."

PART II

SECTION 2-1.

Said title is further amended by adding a new Code section to read as follows:

"<u>48-5-44.2.</u>

<u>(a) For purposes of this Code section, the term:</u>

<u>(1) 'Ad valorem taxes' means all ad valorem taxes levied by, for, or on behalf of the state or any county, consolidated government, municipality, or local school district in this state, except for any ad valorem taxes levied to pay interest on and to retire bonded indebtedness.</u>

<u>(2) 'Adjusted base year assessed value' means the sum of:</u>

<u>(A) The previous adjusted base year assessed value;</u>

<u>(B) An amount equal to the difference between the current year assessed value of the homestead and the base year assessed value of the homestead, provided that such amount shall not exceed the total of the previous adjusted base year assessed value of the homestead multiplied by the inflation rate for the prior year; and</u>

(C) The value of any substantial property change, provided that no such value added improvements to the homestead shall be duplicated as to the same addition or improvement.

(3) 'Base year assessed value' means:

(A) With respect to an exemption under this Code section which is first granted to a person on such person's homestead for the 2025 taxable year, the assessed value for taxable year 2024, including any final determination of value on appeal pursuant to Code Section 48-5-311, of the homestead; or

(B) In all other cases, the assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311, of the homestead from the taxable year immediately preceding the taxable year in which the exemption under this Code section is first granted to the applicant.

(4) 'Homestead' means homestead as defined and qualified in Code Section 48-5-40.

(5) 'Inflation rate' means the annual inflationary index rate as determined for a given year by the commissioner in accordance with subsection (g) of this Code section.

(6) 'Previous adjusted base year assessed value' means:

(A) With respect to the year for which the exemption under this Code section is first granted to a person on such person's homestead, the base year assessed value; or

(B) In all other cases, the adjusted base year assessed value of the homestead as calculated in the taxable year immediately preceding the current year, including any final determination of value on appeal pursuant to Code Section 48-5-311.

(7) 'Substantial property change' means any increase or decrease in the assessed value of a homestead derived from additions or improvements to, or the removal of real property from, the homestead which occurred after the year in which the base year assessed value is determined for the homestead. The assessed value of the substantial property changes shall be established following any final determination of value on appeal pursuant to Code Section 48-5-311.

(b)(1) Subject to the limitations provided in this Code section, each resident of this state is granted an exemption on that person's homestead from ad valorem taxes in an amount equal to the amount by which the current year assessed value of that homestead, including any final determination of value on appeal pursuant to Code Section 48-5-311, exceeds its previous adjusted base year assessed value.

(2) Except as provided for in subsection (c) of this Code section, no exemption provided for in this subsection shall transfer to any subsequent owner of the property, and the assessed value of the property shall be as provided by law.

(c) The surviving spouse of the person who has been granted the exemption provided for in subsection (b) of this Code section shall continue to receive the exemption provided under subsection (b) of this Code section, so long as such surviving spouse continues to occupy the residence as a homestead.

(d) No person shall receive the exemption granted by subsection (b) of this Code section unless such person or person's agent files an application with the tax receiver or tax commissioner of his or her respective local government or governments charged with the duty of receiving returns of property for taxation giving such information relative to receiving such exemption as will enable such tax receiver or tax commissioner to make a determination regarding the initial and continuing eligibility of such person for such exemption; provided, however, that any person who had previously applied for a homestead exemption, was allowed such homestead exemption for the 2024 tax year, and remains eligible for a homestead exemption for that same homestead property in the 2025 tax year shall be automatically allowed the exemption granted under subsection (b) of this Code section for that homestead without further application. Such tax receiver or tax commissioner shall provide application forms for this purpose.

(e) The exemption granted by subsection (b) of this Code section shall be claimed and returned as provided in Code Section 48-5-50.1. Such exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead.

After a person or a person's agent has filed the proper application or is automatically granted the homestead exemption as provided in subsection (d) of this Code section, it shall not be necessary to make application thereafter for any year, and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this Code section to notify the tax receiver or tax commissioner of the local government or governments in the event such person for any reason becomes ineligible for such exemption.

(f)(1) Except as otherwise provided in paragraph (2) of this subsection, the homestead exemption granted by subsection (b) of this Code section shall be in addition to and not in lieu of any other homestead exemption applicable to ad valorem taxes.

(2) The homestead exemption granted by subsection (b) of this Code section shall not be applied in addition to any other base year value homestead exemption provided by law with respect to the given taxing jurisdiction to which the such law applies. In any such event, the tax receiver or tax commissioner of the taxpayer's respective local government or governments charged with the duty of receiving returns of property for taxation shall apply only the base year value homestead exemption that is larger or more beneficial for the taxpayer with respect to the particular taxing jurisdictions to which more than one base year value homestead exemption applies.

(g) For the purposes of this Code section, the commissioner shall promulgate a standardized method for determining annual inflationary index rates which reflect the effects of inflation and deflation on the cost of living for residents of this state for a given calendar year. Such method may utilize the Consumer Price Index as reported by the Bureau of Labor Statistics of the United States Department of Labor or any other similar index established by the federal government if the commissioner determines that such federal index fairly reflects the effects of inflation and deflation on residents of this state.

(h) The exemption granted by subsection (b) of this Code section shall apply to all taxable years beginning on or after January 1, 2025, provided that:

(1) A constitutional amendment is ratified and becomes effective on January 1, 2025, which authorizes the General Assembly to provide by general law for a homestead exemption that shall not be applicable to certain political subdivisions, which elect to opt out of the homestead exemption by a date certain; and

(2) The exemption granted by subsection (b) of this Code section shall not be applicable for any county, consolidated government, municipality, or school district for which the governing authority of such political subdivision adopts an opt-out resolution in accordance with subsection (i) of this Code section.

(i) The governing authority of any county, consolidated government, municipality, or school district may elect to opt out of the homestead exemption otherwise granted by subsection (b) of this Code section with respect to such political subdivision through the adoption of a resolution to do the same by March 1, 2025, after completing the following steps:

(1) The governing authority shall advertise its intent to do so and shall conduct at least three public hearings thereon, at least one of which shall commence between the hours of 6:00 P.M. and 7:00 P.M., inclusive, on a business weekday. The governing authority shall place an advertisement in a newspaper of general circulation serving the residents of the political subdivision and post such advertisement on its website, which shall read as follows:

'INTENT TO OPT OUT OF HOMESTEAD EXEMPTION

The (name of governing authority) intends to opt out of the statewide adjusted base year ad valorem homestead exemption for (name of the political subdivision).

All concerned citizens are invited to the public hearing on this matter to be held at (place of meeting) on (date and time).

Times and places of additional public hearings on this matter are at (place of meeting) on (date and time).'

Simultaneously with this notice the governing authority shall provide a press release to the local media.

(2) The advertisement required by paragraph (1) of this subsection shall appear at least one week prior to each hearing, be prominently displayed, be not less than 30 square inches, and not be placed in that section of the newspaper where legal notices appear and shall be posted on the appropriate website at least one week prior to each hearing. In addition to the advertisement specified under this paragraph, the levying or recommending authority may include in the notice reasons or explanations for its intention to opt out of the homestead exemption.

(3) No resolution to opt out of the homestead exemption shall become effective with respect to a political subdivision unless the procedures and hearings required by this subsection are completed and a copy of such resolution is filed with the Secretary of State by March 1, 2025.″

PART III

SECTION 3-1.

Said title is further amended in Code Section 48-8-6, relating to prohibition of political subdivisions from imposing various taxes, ceiling on local sales and use taxes, and taxation of mobile telecommunications, by revising subsection (a) as follows:

″48-8-6.

~~(a) There shall not be imposed in any jurisdiction in this state or on any transaction in this state local sales taxes, local use taxes, or local sales and use taxes in excess of 2 percent. For purposes of this prohibition, the taxes affected are any sales tax, use tax, or sales and use tax which is levied in an area consisting of less than the entire state, however authorized, including such taxes authorized by or pursuant to constitutional amendment,~~

~~except that the following taxes shall not count toward or be subject to such 2 percent limitation:~~

~~(1) A sales and use tax for educational purposes exempted from such limitation under Article VIII, Section VI, Paragraph IV of the Constitution;~~

~~(2) Any tax levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Georgia Laws, 1964, page 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment; provided, however, that the exception provided for under this paragraph shall only apply:~~

~~(A) In a county in which a tax is being imposed under subparagraph (a)(1)(D) of Code Section 48-8-111 in whole or in part for the purpose or purposes of a water capital outlay project or projects, a sewer capital outlay project or projects, a water and sewer capital outlay project or projects, water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200, or any combination thereof and with respect to which the county has entered into an intergovernmental contract with a municipality, in which the average waste-water system flow of such municipality is not less than 85 million gallons per day, allocating proceeds to such municipality to be used solely for water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200. The exception provided for under this subparagraph shall apply only during the period the tax under such subparagraph (a)(1)(D) is in effect. The exception provided for under this subparagraph shall not apply in any county in which a tax is being imposed under Article 2A of this chapter;~~

~~(B) In a county in which the tax levied for purposes of a metropolitan area system of public transportation is first levied after January 1, 2010, and before January 1, 2021. Such tax shall not apply to the following:~~

~~(i) The sale or use of jet fuel; and~~

~~(ii) The sale of motor vehicles; or~~

~~(C) In a county in which a tax is levied and collected pursuant to Part 2 of Article 2A of this chapter;~~

~~(3) In the event of a rate increase imposed pursuant to Code Section 48-8-96, only the amount in excess of the initial 1 percent sales and use tax and in the event of a newly imposed tax pursuant to Code Section 48-8-96, only the amount in excess of a 1 percent sales and use tax;~~

~~(4) A sales and use tax levied under Article 4 of this chapter;~~

~~(5) Either a sales and use tax levied under Article 5 of this chapter or a sales and use tax levied under Article 5B of this chapter;~~

~~(6) A sales and use tax levied under Article 5A of this chapter;~~

~~(7) A sales and use tax levied under Article 2 of Chapter 9 of Title 32; and~~

~~(8) A sales and use tax levied under Part 3 of Article 3 of this chapter.~~

~~If the imposition of any otherwise authorized local sales tax, local use tax, or local sales and use tax would result in a tax rate in excess of that authorized by this subsection, then such otherwise authorized tax may not be imposed.~~

(a)(1) Except as provided in this subsection, on and after July 1, 2024, there shall not be imposed in any jurisdiction in this state or on any transaction in this state local sales taxes, local use taxes, or local sales and use taxes in excess of 2 percent. For purposes of this 2 percent limitation, the taxes affected are any sales tax, use tax, or sales and use tax which is levied in an area consisting of less than the entire state, however authorized, including such taxes authorized by or pursuant to constitutional amendment, and regardless of whether another provision of law purports to the contrary, except for the following:

(A) A 1 percent sales and use tax for educational purposes exempted from such limitation under Article VIII, Section VI, Paragraph IV of the Constitution;

(B) Up to 1 percent in aggregate of any of the transportation related sales and use taxes authorized under Articles 5, 5A, and 5B of this chapter and Article 2 of Chapter 9 of Title 32; and

(C) Up to 1 percent in aggregate of any sales and use taxes authorized under Code Section 48-8-96, Code Section 48-8-97, Article 2B of this chapter, Part 3 of Article 3 of this chapter, and Article 4 of this chapter.

(2) Notwithstanding any provision of law to the contrary, any tax that does not comply with the limitations provided in paragraph (1) of this subsection as of July 1, 2025, but was initiated in compliance with the law in effect prior to January 1, 2025, shall be allowed to continue as authorized under laws that existed prior to July 1, 2025; provided, however, that upon the expiration or termination of any such tax, such tax shall not be renewed and the jurisdiction that levied such tax shall be fully subject to the limitations imposed by this subsection.

(3) This subsection shall not limit the imposition of any local excise tax, which is separately authorized under Chapter 13 of this title.

(4) Except as provided in paragraph (2) of this subsection, if the imposition of any otherwise authorized local sales tax, local use tax, or local sales and use tax would result in a tax rate in excess of that authorized by this subsection, then such otherwise authorized tax shall not be imposed."

SECTION 3-2.

Said title is further amended in Chapter 8, relating to sales and use taxes, by adding a new article to read as follows:

"Article 2B

48-8-109.30.

(a) Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution of this state, there are created within this state 159 special districts. The geographical boundaries of each county shall correspond with and shall be conterminous with the geographical boundaries of the 159 special districts.

(b) The territory of each special district shall include all of the territory within the county including all municipalities, to the extent the municipal boundaries lie within the geographical boundaries of the county and any consolidated government.

48-8-109.31.

(a) Subject to the requirement of approval by local referendum and the other requirements of this article, to impose within any given special district a special sales and use tax for a limited period of time for the limited purpose of property tax relief.

(b) Except as to rate, a tax imposed under this part shall correspond to the tax imposed by Article 1 of this chapter. No item or transaction which is not subject to taxation under Article 1 of this chapter shall be subject to a tax imposed under this article, except that a tax imposed under this article shall apply to sales of motor fuels as prepaid local tax as defined in Code Section 48-8-2 and shall be applicable to the sale of food and food ingredients and alcoholic beverages as provided for in Code Section 48-8-3.

(c) The special sales and use tax provided for in subsection (a) of this Code section may be imposed by a special district in 0.05 percent increments, but in no event shall such tax exceed 1 percent in total. The levy of such tax upon sales of motor fuels as defined in Code Section 48-9-2 shall only be imposed on the retail sales price of the motor fuel which is not more than $3.00 per gallon.

(d)(1) As a condition precedent to the issuance of the call for the referendum:

(A) The governing authority of the county whose geographical boundary is conterminous with that of the special district and the governing authority or authorities of all municipalities that levy an ad valorem tax on property, other than those municipalities that are excluded from the special district pursuant to paragraph (3) of this subsection, shall have in effect a base year value or adjusted base year value homestead exemption; and

(B) The governing authority of the county whose geographical boundary is conterminous with that of the special district and the governing authority or authorities, if any, that represent at least 50 percent of the special district's residents of municipalities that levy an ad valorem tax on property, other than those municipalities that are excluded from the special district pursuant to paragraph (3) of this subsection, shall enter into an intergovernmental agreement calling for the tax authorized under this article and specifying the proposed rate of the tax, the proposed maximum period of time that the tax is to be levied, and the proposed distribution of the tax.

(2) If the combined total of the populations of all such absent municipalities is less than one-half of the aggregate population of all municipalities located within the special district that levy an ad valorem tax on property, the political subdivisions entering into the intergovernmental agreement shall, on behalf of such absent municipalities, specify a percentage of that portion of the remaining proceeds which each municipality that levies an ad valorem tax on property shall receive, which percentage shall not be less than that proportion which each such absent municipality's population bears to the total population of all municipalities that levy ad valorem taxes on property within the special district multiplied by that portion of the remaining proceeds which are received by all such municipalities within the special district. No portion of the tax shall be apportioned to counties and municipalities that do not levy an ad valorem tax on property or do not have a base year value or adjusted base year value homestead exemption in effect.

(3) Subject to the limitation provided for in Code Section 48-8-6, any special district which wholly or partially contains a jurisdiction levying the tax provided for under Article 4 of this chapter is authorized to levy the tax authorized under this article. Such tax authorized under this article may only be levied in the areas of the special district outside of the jurisdiction levying the tax provided for under Article 4 of this chapter. Any jurisdiction levying the tax provided for under Article 4 of this chapter shall not be considered within the procedure necessary to levy the tax under this article and shall not be entitled to any portion of said tax.

48-8-109.32.

(a) The intergovernmental agreement required by this article shall specify the maximum period of time of the tax, to be stated in calendar years or calendar quarters not to exceed five years in total.

(b) Each such intergovernmental agreement shall prescribe that the county election superintendent shall issue the call for an election for the purpose of submitting the question of the imposition of the tax authorized by this article to the voters of the county. The call for and conduct of any such election shall be in the manner authorized under Code Section 21-2-540, on a date specified by the intergovernmental agreement from among the dates allowed under paragraph (2) of subsection (c) of Code Section 21-2-540. Such election superintendent shall cause the date and purpose of the election to be published once a week for four weeks immediately preceding the date of the election in the legal organ of the county or in a newspaper having general circulation in the county at least equal to that of the legal organ.

(c) The exact ballot language shall be prescribed in the intergovernmental agreement which imposes the tax authorized by this article, but shall contain, at a minimum, the purpose of the tax, the rate of the tax, and the duration for which the tax shall be imposed.

(d) All persons desiring to vote in favor of imposing the tax shall vote 'Yes' and all persons opposed to levying the tax shall vote 'No.' If more than one-half of the votes cast are in favor of imposing the tax, then the tax shall be imposed as provided in this article; otherwise, the tax shall not be imposed and the question of imposing the tax shall not again be submitted to the voters of the special district until after 12 months immediately following the month in which the election was held; provided, however, that, if an election date authorized under paragraph (2) of subsection (c) of Code Section 21-2-540 occurs during the twelfth month immediately following the month in which such election was held, the question of imposing the tax may be submitted to the voters of the special district on such date. The county election superintendent shall hold and conduct the election under the same rules and regulations as govern special elections. Such election superintendent shall canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the commissioner. The expense of the election shall be paid from county funds.

48-8-109.33.

(a)(1) If the imposition of the tax is approved by referendum, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than 50 days after the date of the election at which the tax was approved by the voters.

(2) With respect to services that are regularly billed on a monthly basis, however, the resolution or ordinance imposing the tax shall become effective and the tax shall apply to the first regular billing period coinciding with or following the effective date specified in paragraph (1) of this subsection. A certified copy of the ordinance or resolution imposing the tax shall be forwarded to the commissioner to ensure it is received within five business days after certification of the election results.

(b) The tax shall cease to be imposed on the final day of the maximum period of time specified for the imposition of the tax.

(c) For any special district in which a tax authorized by this article is in effect may, while such tax is in effect, the General Assembly may pass a local Act calling for a reimposition of a tax as authorized by this article upon the termination of the tax then in effect, and a referendum may be held for this purpose while the tax is in effect. Proceedings for such reimposition shall be in the same manner as proceedings for the initial imposition of the tax as provided for in Code Section 48-8-109.32. Such newly authorized tax shall not be imposed until the expiration of the tax then in effect.

48-8-109.34.

A tax levied pursuant to this article shall be exclusively administered and collected by the commissioner for the use and benefit of the special district imposing the tax. Such administration and collection shall be accomplished in the same manner and subject to the same applicable provisions, procedures, and penalties provided in Article 1 of this chapter except that the sales and use tax provided in this article shall be applicable to sales of motor fuels as prepaid local tax as defined in Code Section 48-8-2; provided, however, that all moneys collected from each taxpayer by the commissioner shall be applied first to such taxpayer's liability for taxes owed the state; and provided, further, that the commissioner may rely upon a representation by or on behalf of the county government or the Secretary of State that such a tax has been validly imposed, and the commissioner and the commissioner's agents shall not be liable to any person for collecting any such tax which was not validly imposed. Dealers shall be allowed a percentage of the amount of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due if such amount is not delinquent at the time of payment. Such dealer deduction shall be at the rate and subject to the requirements specified under subsections (b) through (f) of Code Section 48-8-50.

48-8-109.35.

Each sales and use tax return remitting sales and use taxes collected under this article shall separately identify the location of each retail establishment at which any of the sales and use taxes remitted were collected and shall specify the amount of sales and the amount of taxes collected at each establishment for the period covered by the return to facilitate the determination by the commissioner that all sales and use taxes imposed by this article are collected and distributed according to situs of sale.

48-8-109.36.

The proceeds of the tax collected by the commissioner under this article shall be disbursed as soon as practicable after collection as follows:

(1) One percent of the amount collected shall be paid into the general fund of the state treasury to defray the costs of administration; and

(2) The remaining proceeds of the tax shall be distributed to the county whose boundary is conterminous with the boundary of the special district to be distributed thereafter by such county among the political subdivisions within the special district in accordance with the distribution schedule, which shall be prescribed in the intergovernmental agreement imposing the tax.

48-8-109.37.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser either in another local tax jurisdiction within the state or in a tax jurisdiction outside the state, the tax may be credited against the tax authorized to be imposed by this article upon the same property. If the amount of sales or use tax so paid is less than the amount of the use tax due under this article, the purchaser shall pay an amount equal to the difference between the amount paid in the other tax jurisdiction and the amount due under this article. The commissioner may require such proof of payment in another local tax jurisdiction as the commissioner deems necessary and proper. No credit shall be granted, however, against the tax imposed under this article for tax paid in another jurisdiction if the tax paid in such other jurisdiction is used to obtain a credit against any other local sales and use tax levied in the special district or any political subdivision within the special district; and taxes so paid in another jurisdiction shall be credited first against the tax levied under Article 2 of this chapter, if applicable, then against the tax levied under Part 1 of Article 3 of this chapter, if applicable, then against the tax levied under Part 2 of Article 3 of this chapter, if applicable, and then against the tax levied under this article.

48-8-109.38.

No tax provided for in this article shall be imposed upon the sale of tangible personal property which is ordered by and delivered to the purchaser at a point outside the geographical area of the special district in which the tax is imposed regardless of the point at which title passes, if the delivery is made by the seller's vehicle, and including United States mail or common carrier or by a private or contract carrier licensed by the Federal Motor Carrier Safety Administration or the Georgia Department of Public Safety.

48-8-109.39.

No tax provided for in this article shall be imposed upon the sale or use of building and construction materials when the contract for which the materials are purchased or used was advertised for bid prior to the voters' approval of the levy of the tax and the contract was entered into as a result of a bid actually submitted in response to the advertisement prior to approval of the levy of the tax.

48-8-109.40.

The commissioner shall have the power and authority to promulgate such rules and regulations as shall be necessary for the effective and efficient administration and enforcement of the collection of the tax authorized by this article.

48-8-109.41.

The tax authorized by this article shall be in addition to any other local sales and use tax. The imposition of any other local sales and use tax within a county, municipality, or special district shall not affect the authority of a county, municipality, or special district to impose the tax authorized by this article, and the imposition of the tax authorized by this article shall not affect the imposition of any otherwise authorized local sales and use tax within a county, municipality, or special district.

48-8-109.42.

(a) Any proceeds received by a political subdivision from the tax authorized by this article shall be used by such political subdivision exclusively for tax relief and in conjunction with all limitations provided in the intergovernmental agreement authorizing the tax for such political subdivision.

(b)(1) Each taxpayer's ad valorem tax bill shall clearly state the dollar amount by which the property tax has been reduced as a result of the imposition of the tax imposed under this article.

(2) The roll-back rate for the political subdivision, which is calculated under Code Section 48-5-32.1, shall be reduced annually by the millage equivalent of the net proceeds of the tax authorized under this article, which proceeds were received by the political subdivision during the prior taxable year.

(c) If any political subdivision is not in compliance with the use of the proceeds of a tax levied under this article, the commissioner shall not certify the tax digest of such political subdivision until it complies with this Code section.″

PART IV

SECTION 4-1.

This Act shall become effective on January 1, 2025, and shall be applicable to taxable years beginning on or after January 1, 2025; provided, however, that, if a constitutional amendment which becomes effective on such date and which authorizes the General Assembly to provide by general law for a homestead exemption that applies statewide, but that permits political subdivisions to individually opt out of such homestead exemption, has not been ratified, then this Act shall stand automatically repealed on such date.

SECTION 4-2.

All laws and parts of laws in conflict with this Act are repealed.