



CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
January 28, 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 SPECIAL CALLED MEETING MINUTES

1. CALL TO ORDER

Mayor Michael Owens called the meeting to order.

2. ROLL CALL

Executive Assistant Alison Benson conducted the roll call and all were present. A quorum was established.

3. INVOCATION

Councilmember Ron Davis led the Invocation.

4. PLEDGE OF ALLEGIANCE

Councilmember TJ Ferguson led the Pledge of Allegiance.

5. 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.

Denny Wilson of District 2, congratulated the City on its victory in the lawsuit and spoke on behalf of the Family Life Restoration Center, expressing concerns about homelessness and the availability of shelters.

6. APPROVAL OF AGENDA

Motion was made by Councilmember Dami Oladapo to approve the agenda as written and seconded by Councilmember Ron Davis. The motion passed unanimously.

7. NEW BUSINESS

a. Discussion and Consideration of a Resolution Providing Notice of City's Intent to Adopt State Fire Standards - City Attorney Emilia Walker-Ashby

Mayor Owens introduced the item. The City Attorney explained that the next step in the process is to finalize the IGA and notify the State Insurance Commissioner's office. She further explained that this is the final action required by the Council, and the focus would now shift to finalizing the IGA.

Motion was made by Mayor Pro Tem Keisha Jeffcoat and seconded by Councilmember TJ Ferguson to approve the Resolution providing Notice of City's Intent to Adopt State Fire Standards. The motion passed unanimously.

8. UNFINISHED BUSINESS

a. Presentation, Review and Discussion - 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 - Mayor Owens and City Attorney Emilia Walker-Ashby

Mayor Owens introduced the agenda item and gave an overview of the City's decision to adopt the open market option for waste management services. He acknowledged and expressed gratitude for the valuable contributions to the Waste Ordinance from Brian Warren, President of the Trash Haulers Association; Emily Growth, the newly appointed Director of Sanitation, Waste & Beautification; and the residents and haulers who offered insights during the public hearing.

Mayor Owens announced that the Environmental Management Fee (EMF) has been lowered from 6.5% to 6% for residential consumers and emphasized the allocation of the funds toward the City's beautification initiatives.

Councilmember Auch questioned the commercial EMF at 13.5% & proposed a 5% flat fee for both commercial and residential.

Mr. Allen Owens, representing Waste Management, spoke on behalf of commercial haulers. He highlighted that typical rates range from 15% to 20%, noting that the higher rates ultimately offer better benefits for consumers.

Councilmember Oladapo suggested reducing the fee to 5% and also asked about specific exceptions in regard to residential services. A discussion ensued.

Mayor Owens proposed the City include the additional exceptions discussed this evening. Councilmember Ferguson recommended that, moving forward, further exceptions be considered in response to emerging needs.

The City Attorney provided a summary of the proposed exceptions previously mentioned.

City Manager Tanks noted that proof of dumping would be required for the exceptions made.

Councilmember Ferguson requested clarification on Section 12.3.2, specifically regarding the requirement for citizens to provide proof of disability for non-curbside services. Further discussion ensued.

Councilmember Auch inquired about the registration fee and decals, to which Mayor Owens responded that both fees had been reduced. A discussion ensued.

Mayor Owens referenced Table 2 and proposed that the contract renewal fee should align with the application fee on an annual basis, with a graduated scale structure.

Councilmember Herdon inquired when residents would receive additional information outlining specific issues/details not directly addressed in the ordinance. A discussion ensued.

Mayor Owens noted that most of these issues will be addressed as the City begins implementing various programs aimed at promoting a "Greener, Cleaner, and Healthier Mableton."

City Manager Tanks explained that the purpose of this ordinance is to establish a relationship between haulers and the City. He assured that the City is considering sustainability, enforcement efforts, and exploring additional measures to address residents' concerns.

The City Attorney highlighted a new chapter that was added to the City's Code of Ordinances, in which the City adopted very extensive and exhaustive fire burning protocols & accepted procedures for the State of Georgia through the Fire Insurance Safety Commissioner. Final thoughts were shared on the matter.

The City Attorney requested additional revisions to be included. She laid out the expected timeline until service rolled out, pending approval. Timeline as follows:

- Now – Feb 26, 2025 – The City will need to complete the necessary internal administrative tasks.
- Feb 26, 2025 – The City will assume responsibility for Waste Services
- Feb 26, 2025 - March 26, 2025 – The City will review applications and establish contracts with the haulers.
- April 1, 2025 – Fee enforcement will be initiated.
- April 1, 2025 – August 15, 2025 – First reporting requirement. The initial reporting requirement will include both quarterly fees and reporting dating back to April 1, 2025.

The City Attorney reiterated her request to include her revisions in the approval of the Ordinance tonight.

Councilmembers Auch and Herndon, along with Mayor Owens, reentered the discussion regarding the proposed fees of 6% for residential and 13.5% for commercial. Councilmember Herndon suggested lowering the commercial rate to 10%.

City Manager Tanks clarified the distinction between commercial and residential consumers, explaining how fees are structured and paid for both.

Mr. Warren requested a modification to Section 12.3.5(D) in order to shift the responsibility of trash can cleaning from haulers to the residents. The City Attorney proposed to amend the

section.

City Manager Tanks expressed concerns for large corporate investors that are making moves to push out small haulers. He asked Mr. Warren to share his thoughts on the matter.

Mayor Owens emphasized the importance of avoiding stereotypes between small and large haulers. He wanted to ensure that the City remained neutral and did not promote a divide between large companies and small businesses.

Councilmember Davis emphasized the importance of engaging in forward-thinking and finding a win-win for everyone.

Councilmember Auch asked if there is a way for the City to prove that the funds are going toward the allotted projects and not the general fund. A discussion ensued.

All discussions ended.

b. Second Read - Consideration and Approval of 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

Motion was made by Councilmember TJ Ferguson and seconded by Mayor Pro Tem Keisha Jeffcoat to approve Chapter 12, Solid Waste Management of the City of Mableton Code of Ordinances, adding the five changes requested by the City Attorney. The five changes are indicated below:

12.2.4 c (2) to include clarifying language about quarterly fees & reporting commencing from April 1, 2025

12.3.1 (a) residential - to allow a residential exception for business owners that take trash to their business establishments so long as their establishment is serviced by a commercial provider. City Manager William Tanks noted that proof of dumping would be required. **(Clerk note: now reads as 12.3.1 a (ii))**

12.3.1 (a) residential - to add another exception to include allowance for residents to take trash to a disposal facility at least twice monthly. City Manager William Tanks noted that proof of dumping would be required. **(Clerk note: now reads as 12.3.1 a (iii))**

Table 2 - Fee Schedule - adjust the fee schedule so the renewal fee aligns with the application fee

12.3.5 (d) - amend to say all containers shall be periodically cleaned by residents and maintain service and kept in a reasonably good state of repair by haulers

The Motion passed 6-1.

Ayes: Davis, Oladapo, Jeffcoat, Ferguson, Herndon & Owens

Nays: Auch

9. CITY MANAGER/CITY ATTORNEY/MAYOR AND COUNCIL ANNOUNCEMENTS/COMMENTS

City Manager Tanks asked to go into Executive Session for the purpose of litigation, real estate and personnel. He extended appreciation to Brian Warren, the small haulers & Allen Owens. He mentioned the City passed the final inspection for the Certificate of Occupancy

at 6116 Mableton Pkwy and expected to move soon.

Councilmember Ron Davis expressed appreciation for the opportunity to attend Cities United Summit and stressed the value of the information received while in attendance.

Councilmember Dami Oladapo seconded Councilmember Davis comments on the Summit. She also thanked the community for engagement in the ordinance process. She highlighted the City's ability to continue revising the ordinance.

Mayor Pro Tem Keisha Jeffcoat agreed with Councilmembers Davis & Oladapo's comments on the Summit. She recognized Mayor Owens for his Inaugural Mayor's Leadership award. She recognized Councilmember Davis for his training award and recognized Xavier Ross, Special Projects Manager, for becoming a member of the Game Changers. She remarked on the City's court ruling, and encouraged working together and focusing on doing the work of the City.

Councilmember Patricia Auch had no comment

Councilmember TJ Ferguson had no comment

Councilmember Debora Herndon touched on compromise & expressed gratitude for the City's progression.

10. EXECUTIVE SESSION 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 Dami Oladapo and seconded by Councilmember Debora Herndon to enter into Executive Session for real estate, personnel and litigation. The motion passed unanimously. Ayes: Davis, Oladapo, Jeffcoat, Auch, Ferguson, Herndon and Owens

Motion was made by Councilmember Dami Oladapo and seconded by Councilmember Debora Herndon to close Executive Session for real estate, personnel and litigation. The motion passed unanimously. Ayes: Davis, Oladapo, Jeffcoat, Auch, Ferguson, Herndon and Owens

Motion was made by Councilmember Dami Oladapo and seconded by Mayor Pro Tem Keisha Jeffcoat to authorize the Mayor to approve agreements for professional consulting service delivery services within the confines of the current budget. The motion passed unanimously. Ayes: Davis, Oladapo, Jeffcoat, Auch, Ferguson, Herndon and Owens

11. ADJOURNMENT

Motion was made by Councilmember TJ Ferguson and seconded by Mayor Pro Tem Keisha Jeffcoat to adjourn. The motion passed unanimously.

There being no further business, Mayor Owens adjourned the meeting at 10:40pm.

Dr. Michael Owens, Mayor

Susan Hiott, City Clerk