



CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
April 23, 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 MINUTES

1. CALL TO ORDER

Mayor Michael Owens called the Meeting to Order at 6:37pm.

2. ROLL CALL

Deputy City Clerk Benson called the roll and a quorum was present. Councilmember Davis was absent.

3. INVOCATION

City Manager Tanks led the Invocation.

4. PLEDGE OF ALLEGIANCE

City Manager Tanks led in the Pledge of Allegiance.

5. APPROVAL OF AGENDA

Motion was made by Councilmember Auch to Approve the Agenda with an amendment removing item 10(c), Planning and Zoning 2025 Calendar, and moving it to New Business (12(a)). Councilmember Ferguson seconded the motion. The motion passed 6-0.

6. PUBLIC HEARINGS

7. PRESENTATIONS/ACKNOWLEDGEMENTS/PROCLAMATIONS

a. Oaths Swearing -In of Enforcement and Inspections Staff

Mayor Owens announced the official swearing-in of the code enforcement and inspection staff as sworn City officers. Director Ferrell introduced the team. Mayor Owens administered the oaths and recognized the team's proactive efforts thus far. Mayor Owens emphasized a focus on community engagement, upholding codes and improving the quality of life for residents.

Councilmember Ferguson acknowledged Mayor Owens' efforts on the 'Mableton 311' app.

b. FY 25 Q3 Financial Report

City Manager Tanks acknowledged the efforts of the Finance Director, Karen Ellis, and her team. He reviewed the topics to be discussed, which included: a summary of the City's revenue and expenditure trends, an overview of net revenues over expenditures and an update on the current cash position.

City Manager Tanks provided an overview of the City's third-quarter revenue status, noting that revenues are currently 29% below projections. He stated that the City estimated 14 million dollars in revenue but is currently projecting 10 million dollars. He indicated that the shortage is due to an anticipated insurance premium tax that the City isn't eligible to collect until the fall. To address the shortage, the Council approved a conservative hiring strategy.

Councilmember Ferguson asked for the timeframe for this report. City Manager Tanks said this is a 3rd quarter report based on 9 months of operation. He noted that the trends are monthly averages and serve as projections. He assured the Council that on June 30th (end of FY25), they would receive a comprehensive financial report with real annual figures. Councilmember Ferguson asked if the numbers are trending similarly to last year. City Manager Tanks responded that this year's report offers a better idea of the City's true operations needs.

Mayor Pro Tem Jeffcoat asked how to explain the surplus in business and occupation tax revenue collected to date. City Manager Tanks confirmed that it is due to the growth of new businesses and ongoing development within the City.

Councilmember Ferguson asked about reporting versus non-reporting businesses and whether the City has begun pursuing those not in compliance. City Manager Tanks stated that the City will set goals during the micro-transition phase, aiming for at least 90% compliance through soft enforcement and compliance checks.

City Attorney Walker-Ashby added two contributing factors: delinquency notices were sent to hundreds of businesses, leading to an increase in revenue. Second, the data provided by the county and likely used for the feasibility study, failed to account for 200 Mableton businesses. The county later provided the missing income.

City Manager Tanks outlined the expenditures, noting that the City is currently under budget. He noted that all departments are currently below the 75% spending threshold and later noted the goal is to stay within 80% by year-end. He stated that the City projects a 145% increase in net revenue and commended the Council for this achievement. Lastly, he projected that the City would end the year 60% under budget.

City Manager Tanks detailed the City's current fund balance and noted the difference between the operating budget and capital expenditure. He mentioned that capital expenditure is projected to exceed the budget by 17%, but total expenditure is expected to be 63% under budget.

City Manager Tanks outlined the City's current cash position. He reported that the City has

a general fund of \$7.9 million set aside for capital investments or to manage economic downturns. He highlighted a few additional details of the City's cash position.

Councilmember Ferguson asked for clarity on the projected expenditures for facility maintenance and operations. He asked if the 38% under-budget projection is sustainable. City Manager Tanks noted that facility maintenance and operations will likely have the largest increase in FY 2026 budget as the City continues to expand.

8. APPOINTMENTS

a. Board of Zoning Appeals Appointments

Mayor Owens introduced the item and reviewed the role of the Board of Zoning Appeals. He noted that the official swearing-in will likely take place at the Board's first meeting. A date has not been set.

Mayor Owens read the names of the appointees and acknowledged those present. He named: Conrad A. Woods (District 1), Gerri Aldridge (District 2), Helen Butler Simmons (District 3), Christopher S. Semler (District 4), Wendy Brown Sanders (District 5), and Jenelle Weithers (District 6).

Mayor Owens explained that the purpose of the BZA was a quasi-judicial board to hear appeals of the City's zoning cases before the cases are assigned to the Superior Court of Cobb County and to ensure adherence to City zoning policies.

Motion was made by Councilmember Oladapo to approve the appointees for the Board of Zoning Appeals. Mayor Pro Tem Jeffcoat seconded. The motion passed 6-0.

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.

Denny Wilson voiced concerns about the City's recent meeting with the County on Service Delivery. She stated that residents have been paying property taxes to the County for years, and if the County plans to charge the City for police and DOT services, then residents should receive a tax reduction.

Phyllis Arthur expressed concerns about the beautification of Mableton. She also reported an issue with speeding on Dodgen Road and asked about the installation of speed bumps.

10. CONSENT AGENDA

Mayor Owens reviewed the items on the Consent Agenda.

Motion was made by Mayor Pro Tem Jeffcoat to approve the Consent Agenda. Councilmember Ferguson seconded. The motion passed 6-0.

A friendly amendment was made to the Motion to move item 10C (Planning and Zoning Calendar) to New Business as 12A. Discussion ensued due to a clerical error.

Motion was made by Mayor Pro Tem Keisha Jeffcoat to Approve the Consent Agenda with the exclusion of item 10C (Planning and Zoning Calendar) moving to New Business as 12A. Councilmember Auch seconded. The motion passed 6-0

- a. **Approval of April 7, 2025 Work Session Minutes**
- b. **Approval of April 9, 2025 Regular Meeting Minutes**
- c. **Approval of Board of Zoning Appeals 2025 Calendar**

11. UNFINISHED BUSINESS

12. NEW BUSINESS

- a. **Approval of Planning and Zoning 2025 Calendar**

The item was originally listed under the Consent Agenda as item 10(c). During the meeting, Deputy City Clerk Benson actively updated the agenda, and at the request of Councilmember Auch, the item was moved to New Business as item 12(a). Deputy Clerk Benson acknowledged the mistake and cleared up any confusion. Although it now appears as item 12(a) on the live agenda, Mayor Owens will proceed using the original numbering from the printed agenda.

Mayor Owens noted challenges with the current calendar and acknowledged a request for an amendment. Councilmember Auch requested on behalf of her appointed commissioner, to keep the originally scheduled May 6th date and all other confirmed dates going forward. She noted that the proposed calendar lists May 8th. Mayor Owens asked the reason for the request. Councilmember Auch detailed the scheduling conflict.

The City Attorney mentioned that she asked the Planning and Zoning Manager, Chris Wheeler, to notice the public hearing for May 6th and recommended sticking with that date. A lengthy discussion ensued.

Director Hughes confirmed with Manager Wheeler that the public hearing was advertised for May 6th, and the May 8th date was an oversight. Councilmember Ferguson asked whether all other dates had been confirmed by the Planning Commission.

Councilmember Oladapo asked for confirmation that her commissioner's scheduling conflict had also been resolved. Councilmember Auch confirmed that the revised schedule, except for the May 6/8th date, should address all scheduling conflicts. A motion was agreed upon.

Motion was made by Councilmember Ferguson to approve the 2025 Planning and Zoning Calendar with the exception of changing the May 8th date to May 6th. Councilmember Auch seconded. The motion passed 6-0.

- b. **First Read - An Ordinance Updating Chapter 2, Administration, of the City of Mableton Code of Ordinances, to create a new Article 4, Code Enforcement (First Read)(Code Enforcement) - City Attorney Walker-Ashby**

Mayor Owens introduced the item (12(a)) and acknowledged City Attorney Walker-Ashby. She stated this is a new Article 4 under Chapter 2, Administration Code of the City's Code of Ordinances, which outlines the City's Code Enforcement. She stated this was the First

Read and recommended the Second Read and adoption at the next regular meeting.

Councilmember Ferguson asked about the delivery of citations to non-local recipients. Mayor Owens highlighted that the City's Code requires delivery to be reasonable and practical. Director Ferrell confirmed that other service delivery options are available. City Attorney Walker-Ashby emphasized that the Code Officer has discretion to determine if delivery is reasonable and possible.

Mayor Pro Tem Jeffcoat asked if the Code Enforcement updates have been communicated to the public. Director Ferrell noted that many residents are unaware of code regulations, but efforts to educate the community are underway. Mayor Pro Tem Jeffcoat recommended a communication campaign.

City Manager Tanks mentioned that Director Ferrell and his team are coordinating a focused strategy to include education for the community. He emphasized the goal is to raise City standards, achieve compliance through education, and use enforcement as a last resort.

Councilmember Ferguson had additional concerns about citation delivery methods. Attorney Walker-Ashby emphasized that it is Code Enforcement's responsibility to identify the appropriate violator. Director Ferrell responded that there is some latitude in enforcement provided by the International Property Maintenance Code, if necessary.

Mayor Owens referenced GA Code 36-74-29 and asked if it should be incorporated into this ordinance. She confirmed that it is and referenced Subsection 243B (A-D).

c. First Read - An Ordinance Updating Chapter 10, Planning and Zoning, Article 3, Review and Decision Making Bodies, of the City of Mableton Code of Ordinances (Community Development) - City Attorney Walker-Ashby

Mayor Owens introduced the item (12(b)) and recognized Attorney Walker-Ashby. City Attorney Walker-Ashby reviewed the updates to Chapter 10, Planning and Zoning, Article 3, Review and Decision Making Bodies of the City's Code of Ordinances. She explained that the changes were informed by input from a current Mableton Planning Commission member who is also a former Cobb County Planning Commission member. The revisions provide clarity on specific terms within the Code. The updated sections are as follows:

1. Sec.10.3.1 (a)(2) – which states that if a Planning Commission member moves outside the City or the district of their appointing Councilmember, they will be automatically resigned.

- In response to a question from Councilmember Ferguson, the City Attorney will include language requiring members to notify the Council if they move outside their appointed district and/or the City.

2. Sec.10.3.1 (b)(5) – verbiage updated from “in January” to annually elect a chairperson.
3. Sec.10.3.1(d) Recommendations – various updates.

The City Attorney noted that the same updates were applied to Section 10.3.1 – Board of Zoning Appeals. She also stated that the adjustments recommended tonight will be made to both Section 10.3.1 – Planning Commission and Section 10.3.2 – Board of Zoning

Appeals.

She mentioned that staff was asked to publish the zoning code updates in the legal organ. She also noted that the public may attend the Planning Commission (PC) meeting on May 6th to provide comments. The PC as a whole will review the updates, then the item will return before the Council.

Attorney Walker-Ashby confirmed for Councilmember Ferguson that the Planning Commission is subject to the same open meetings requirements as the City, including the 72-hour notice.

d. First Read - An Ordinance Creating Article 4, Outdoor Lighting Standards ("Night Sky Ordinance"), under Chapter 10, Planning and Zoning, of the City of Mableton Code of Ordinances - Sustainability, Waste & Beautification Director Emily Groth and City Attorney Emilia Walker-Ashby

Mayor Owens introduced the item (12(c)) and recognized Director of Sustainability, Waste & Beautification, Emily Groth and the City Attorney. Attorney Walker-Ashby explained that the Ordinance, also known as the "Night Sky Ordinance," creates Article 4, Outdoor Light Standards, under Chapter 10, Planning and Zoning in the City's Code of Ordinances. She also requested that Zoning Manager Wheeler add the item to the Planning Commission's May 6th agenda for a Public Hearing since some provisions of the Ordinance relate to land use. The Commission will then submit the final recommendations to the Council.

Attorney Walker-Ashby outlined the terms of the proposed Article 4, Outdoor Light Standards. Councilmember Oladapo asked if this Article applies to residential and commercial. In response, City Attorney Walker-Ashby referred to Sec. 10.4.5 - Applicability, which states "all land uses, developments and buildings that require a permit."

Director Groth added that it would strengthen the City's application for Green Communities certification.

e. First Read - An Ordinance creating a new Article 2, Tree Preservation and Beautification, under Chapter 11, Environment and Natural Resources, Including Tree Preservation & Replacement Standards Exhibit of the Mableton Code of Ordinances -Sustainability, Waste and Beautification Director Emily Groth and City Attorney Walker-Ashby

Mayor Owens introduced the item (12(d)) and recognized Director Groth and the City Attorney. Attorney Walker-Ashby recognized Director Groth for her contributions and recommendations for the Ordinance.

Attorney Walker-Ashby noted how Director Groth has been an in-house subject-matter expert and explained that the Ordinance creates Article 2, Tree Preservation and Beautification, under Chapter 11, Environment and Natural Resources in the City's Code of Ordinances. Attorney Walker-Ashby conducted the first read by providing an overall review of the ordinance. Attorney Walker-Ashby noted the Ordinance also includes the adoption of the Tree Preservation and Replacement Standards, which provides guidance to

developers on adherence to the City's tree regulations. She explained that as the City grows, the code would be fluid, and subject to amendments. The ordinance is not set in stone, and the City can always update and make changes.

Councilmember Auch reminded staff to consider staffing needs for an Arborist and Landscape Architect. City Manager Tanks noted that he and Director Groth would consult with the City Attorney and review best practices from other cities to address those needs.

Director Groth added that the adoption of this Ordinance would also strengthen the City's application for both the Green Communities certification and the Tree City USA certification.

f. First Read - An Ordinance Creating Article 3, Noise, under Chapter 13, Nuisances, of the City Code of Ordinances (Code Enforcement) - City Attorney Emilia Walker-Ashby

Mayor Owens introduced the item (12(e)) and recognized Attorney Walker-Ashby who stated that this Ordinance is creating Article 3, Noise, under Chapter 13, Nuisances, of the City's Code of Ordinances. She requested a review for First Read and a Second Read to take place before the end of the City's transition. Attorney Walker-Ashby conducted first read by providing overview of the different sections of the ordinance.

Attorney Walker-Ashby noted that the City's code enforcement officers would be responsible for the enforcement. Director Ferrell indicated that the City had started receiving complaints. He explained the difference between the violations handled by the City and the police. He provided an example of party noises being handled by the Police Department.

Mayor Pro Tem Jeffcoat asked about firework regulations and City Manager Tanks referred to the IGA in place between the City and Cobb County Fire Department that would address those complaints. Attorney Walker-Ashby detailed Sec 13.3.2 - Sound Level Limitations (b) Prohibited Conduct (5) Use or ignition of fireworks, to further address Mayor Pro Tem's question.

Councilmember Oladapo asked about the steps being taken to educate the community about the noise regulations. Director Ferrell confirmed that there will be an education process. Councilmember Oladapo also asked about dog noise complaints. City Manager Tanks stated that enforcing a barking complaint is typically impractical due to the measures required to substantiate the complaint. A discussion ensued.

Councilmember Ferguson asked which authority is responsible for handling dog complaints. Attorney Walker-Ashby explained that the City is finalizing an animal control agreement with the County and recommended utilizing it for consistent enforcement. She noted that both the Noise and Animal Control Ordinances will take effect when the City assumes full responsibility at the end of transition. She stated enforcement responsibility will remain with the County until then.

Attorney Walker-Ashby noted that the animal control agreement with the County does not include a fee. She explained that the services would be funded through the general fund and revenue, from fines and assessments. She emphasized that the County is willing to enter

into a contractual agreement to provide these services for the City.

Councilmember Ferguson asked whether animal control enforcement falls under the Cobb County Police or Sheriff's Department. City Manager Tanks explained the role of various enforcement agencies in animal control efforts. Attorney Walker-Ashby recommended that residents with complaints be directed to Animal Control. She mentioned that the County has Animal Service Officers that are responsible for the investigation and mitigation of animal-related issues.

Councilmember Herndon asked about the enforcement of human-produced noise violations (e.g., musicians). Director Ferrell explained that enforcement is case-by-case. For repeat offenders, his team may intervene, but soft enforcement usually ensures compliance. He mentioned that violations are handled by Cobb Magistrate Court.

g. Second Read - Consideration of an Ordinance Creating Chapter 6, Municipal Court of the City of Mableton Code of Ordinances - City Attorney Emilia Walker-Ashby

Mayor Owens introduced the item (12(f)) and asked the City Attorney if there had been any changes. She mentioned that City Manager Tanks received subject matter feedback and changes were proposed. Attorney Walker-Ashby requested deferment of the item until the next meeting. City Manager Tanks confirmed that he adjusted the Pay and Classification Plan to reflect the Ordinance so he can move forward with hiring even if the item is deferred.

Councilmembers Herndon and Oladapo asked for details of the changes. City Manager Tanks stated that he would provide a list of the changes. Councilmember Auch asked for the track changes to be included the next time it comes before Council. City Manager Tanks agreed.

Motion was made by Councilmember Auch to defer this item to the next meeting. Mayor Pro Tem Jeffcoat seconded. The motion passed 6-0.

h. Consideration and Approval of a Resolution Amending the Pay and Classification Plan - City Manager Tanks

Mayor Owens introduced item (12(g)) and called on City Manager Tanks, who outlined the changes to the Pay and Classification Plan. He noted that salaries for the City Manager and Municipal Judge (contracted position) are excluded, as they are set by the Council per the Charter. He noted that the pay and class plan serves to assist the City Manager during the hiring process for staff.

The other changes are as follows:

- The Public Relations Coordinator has been moved from the Communications Department to the Office of the Mayor under the Chief of Staff.
- The title of Accounting/Finance Manager has been changed to Deputy Finance Director.
- The title of Accounting Clerk has been changed to Finance Analyst.
- Three new positions have been added: Municipal Court Administrator, Municipal

Clerk of Court, and Municipal Court Clerk.

Councilmember Oladapo asked if titles could be changed to avoid possible confusion. The Mayor emphasized that these titles are standardized terms within the Municipal Court system. The City Manager added that some titles are mandated by law.

Motion was made by Councilmember Oladapo to Approve a Resolution Amending the Pay and Classification Plan. Mayor Pro Tem Jeffcoat seconded. The motion passed 6-0.

i. Consideration and Approval of a Resolution Recognizing Georgia Cities Week from April 21-26,2025 - Special Projects Manager Xavier Ross

Mayor Owens introduced the item (12(h)) and acknowledged City Manager Tanks. City Manager Tanks noted that Special Projects Manager Xavier Ross was attending a leadership development program. He mentioned that the goal of Cities Week is to spotlight municipalities across Georgia. This year, the City of Mableton will highlight the staff during Georgia Cities Week.

Motion was made by Councilmember Ferguson to approve a Resolution recognizing Georgia Cities Week from April 21-26, 2025. Mayor Pro Tem Jeffcoat seconded. The motion passed 6-0.

13. OTHER BUSINESS/DISCUSSION

14. CITY MANAGER'S ANNOUNCEMENTS/COMMENTS

City Manager Tanks recognized Lily Smith, Administrative Supervisor, for graduating from the inaugural Cobb Young Professionals Leadership Program. He also recognized Rochelle Blalock and the HR department for creating a City employee benefits book.

City Manager Tanks noted that the City is currently in budget season, and Finance Director Ellis will collaborate with department heads to develop the budget. He noted that few changes are expected from last year's budget, but assured that some of the Council's priorities will be taken into consideration. He indicated that a draft (initial priorities) for the budget will be presented to the Council on May 12th, with the goal of adopting the final version on June 25, during the last meeting of the fiscal year.

Lastly, City Manager Tanks recommended that the Council enter into Executive Session for real estate, litigation & personnel.

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

Deputy City Clerk Benson thanked the Mayor and Council for the opportunity to serve in place of City Clerk Hiott for tonight's meeting.

City Attorney Walker-Ashby recommended the Council enter into Executive Session for real estate, litigation and personnel.

16. MAYOR AND COUNCIL ANNOUNCEMENTS/COMMENTS

Councilmember Oladapo congratulated the code enforcement and inspection team, as well as the newly appointed members of the Board of Zoning Appeals. She announced the District 2 Town Hall, scheduled for April 24 at 6:00 PM at Pure Hope Church. Finally, she thanked everyone for attending tonight.

Mayor Pro Tem Jeffcoat thanked everyone for coming out and expressed condolences to Councilmember Davis for his recent loss. She recognized the code enforcement and inspection team for their swearing-in and acknowledged the newly appointed members of the Board of Zoning Appeals. She recognized birthdays for her mom, Councilmember Davis, and Mayor Owens. Mayor Pro Tem Jeffcoat encouraged everyone to get out a vote and mentioned the special election coming up for Cobb County District 2 & 4 on April 29th. She provided additional voting details. She acknowledged Pebblebrook's A Cappella Group, 'Sonic Edge,' for their invitation to defend their national title, but noted that they are in need of assistance with travel. She shared ways to offer support. Lastly, Mayor Pro Tem Jeffcoat highlighted the Cobb Parks Lunch & Learn event, 'I Got Bank,' focused on financial literacy for youth, taking place on Saturday, May 10, from 10 a.m. to 12 p.m.

Councilmember Auch thanked everyone who attended the District 4 and 6 Town Hall.

Councilmember Ferguson emphasized the importance of mental health in the community. He mentioned two events on May 5th and May 12th that the Mableton Pastors' Collective will host, in partnership with Wellstar Health Network.

Councilmember Herndon acknowledged the great feedback received from residents after the District 4 and 6 Town Hall and thanked everyone who helped organize it.

Mayor Owens thanked everyone for coming out and tuning in.

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 to enter into Executive Session for litigation, real estate, personnel and exemptions at 9:22pm. Mayor Pro Tem Jeffcoat seconded. The motion passed unanimously. Yeas: Oladapo, Jeffcoat, Auch, Ferguson, Herndon and Owens

Motion was made by Councilmember Oladapo to Close Executive Session at 11:19pm. Councilmember Auch seconded. The motion passed unanimously. Yeas: Oladapo, Jeffcoat, Auch, Ferguson, Herndon and Owens

a. Resolution Authorizing IGAs w/ Cobb County and For Other Lawful Purposes The Resolution was brought out of Executive Session and subsequently added and

approved.

Motion was made by Councilmember Auch to Approve a Resolution of the City of Mableton Authorizing Intergovernmental Agreements with Cobb County and for other lawful purposes. Councilmember Ferguson seconded. The motion passed 6-0.

- b. Authorization to send Notice to Cobb County and Other Applicable Laws, that the City of Mableton shall purchase and assume ownership of all County parks within Mableton, effective May 30,2025, for the purchase price of \$100 per acre**
The Authorization was brought out of Executive Session and subsequently added and approved.

Motion was made by Councilmember Oladapo to Authorize the City Attorney to provide notice to Cobb County, GA, pursuant to O.C.G.A. 36-31-11.1 and other applicable laws, that the City of Mableton shall purchase and assume ownership of all County parks within Mableton, effective May 30,2025, for the purchase price of \$100 per acre. Councilmember Ferguson seconded. The motion passed 6-0.

18. ADJOURNMENT

Motion was made by Councilmember Auch to adjourn. Mayor Pro Tem Jeffcoat seconded. The motion passed.

Mayor Owens adjourned the meeting at 11:22pm.

Dr. Michael Owens, Mayor

Susan Hiott, City Clerk