



CITY OF MABLETON, GEORGIA

Cobb Work Source Center
5656 Mableton Parkway
Mableton, GA 30126
May 30, 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 EMERGENCY SPECIAL CALLED MEETING MINUTES

1. CALL TO ORDER

Mayor Owens called the meeting to order at 6:57 p.m.

2. ROLL CALL

City Clerk Hiott conducted the roll call. All of the council members were present; there was a quorum.

3. APPROVAL OF AGENDA

Councilmember Auch made a motion to approve the agenda with the amendments that the Executive Session occurs at the beginning of the meeting and that Mayor and Council Comments be added before adjourning the meeting. The City Attorney clarified that the comments should be about the parameters of the SDS item on the agenda. The motion passed unanimously. Yeas: Owens, Davis, Oladapo, Jeffcoat, Auch, Ferguson, and Herndon

4. DISCUSSION

- a. **Discussions and consideration of resolution and documents pertaining to Service Delivery Strategy, Intergovernmental Service Agreements, Service Delivery Negotiations with Cobb County and Cobb County Cities - City Attorney Emilia Walker-Ashby**

Mayor Owens stated the reason for the meeting is to discuss and determine where the City ends up with the SDS negotiations specific to the County and to other cities. The discussion also includes specific Intergovernmental Agreements, being law enforcement services and for the Department of Transportation. There are matters related to the topics that are matters of litigation and personnel that need to be discussed in the Executive Session.

Motion was made by Council Member Jeffcoat for litigation and personnel related to items listed in item 4a. Councilmember Oladapo seconded the motion. Yeas: Owens, Davis, Oladapo, Jeffcoat, Auch, Ferguson, and Herndon

Mayor and Council returned from Executive Session at 8:22 p.m.

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

Mayor Owens thanked everyone for waiting for the Council to come out of the Executive Session. He summarized how the City was looking at the necessity of approving the Service Delivery Strategy and intergovernmental agreements (IGAs) that were remaining. Some IGAs have been approved, and he had just signed those last night. The two IGAs with the County that are remaining are law enforcement and Department of Transportation or roadway services. Mayor Owens commented on how important it was to hear from the entire Council, City Manager and City Attorney. He continued to summarize that there was an agreement/resolution that was passed on Tuesday by the County Board of Commissioners. The resolution passed on Tuesday by the Board of Commissioners meeting was not the same agreement that was agreed to at the previous Friday mediation. This had led to consternation, uncertainty and questions which led to a failed vote at the May 28 Council meeting. Since then, the City has been in constant communication with the County trying to get clarity of what happened and now was trying to reach some understanding and common ground to try to move forward. The conversations have been challenging, but there has been some progress made to bring back to the table to take another look at this. The City was doing all it could do to reach an agreement that was fair and equitable. Mayor Owens further commented that his goal was to maintain the safety of the citizens and that was his driving force.

Mayor Owens referenced an email he had sent to the Council and read a portion of the email.

As we prepare for this evening's Special Called Meeting, I want to be clear: I do not agree with much of what the County has stated, nor do I accept the premise of what we should be paying the county related to the IGAs or SDS. However, I also recognize that leadership sometimes requires us to advance in the face of disagreement to avoid deeper challenges and potentially even greater costs down the line. I am choosing to move forward—not because I concede the argument, but because I believe it is in the best interest of our residents and our future.

Mayor Owens continued to comment about the agreement before the Council was a one-year agreement. The goal was to get to a ten-year agreement. He opined he could not fully agree but could move forward and have further negotiations another day. Service Delivery Status (SDS) was set up to have an agreement every ten years. He continued to provide the SDS process. Two goals were to (1) be partners with the County and (2) utilize the County for police services as well as public works, i.e., road maintenance services. The City continues to discuss how much the services should cost. The County Chairwoman has

agreed to come back to the table to discuss the ten-year agreement with County leadership as well as herself.

Mayor Owens asked if Council had any comments regarding item 4a and the following commented:

Councilmember Herndon commented the City was created for better services but same taxes. Her concern was that Cobb County was continuing to levy taxes that at one time covered all the City's services, but the agreement proposed is paying for police services. The County was asking for \$9.5 million. There is no answer to what happened to the \$41 million the residents already paid. She felt the City had a chance to be trail blazers, but that is not going to happen. She realized there was a deadline, but she did not want to have the residents pay additionally. She was not happy about what was going on. She was concerned about the financial impact on Mableton citizens.

Councilmember Ferguson commented that at the end of the day; the City was in a bad place. The City will have to pay for something already paid for. He asked where is the .846 mileage rate or \$41 million going to? The biggest issue is that he cannot allow the residents to be unsafe. He needed to know whether the negotiations would continue, or he would vote against the agreement again. He commented about how difficult this has been. He was looking at the City, Citizens, and the County third.

Councilmember Auch expressed why she did not vote for the agreement the first time, stressing that nothing had changed. She did not feel compelled to vote for it now. She referenced the mayor's comment about not agreeing with the premise in the agreement and asked then why vote for it now. Residents were promised the City would happen without levying additional taxes, and the County helped facilitate that message. The County was coming back after the City's incorporation and asking for more cost. The first number was \$23 million which exceeds the City's revenue streams. That was a fatal blow to the City. If the County are not rolling back the millage, then the City is paying more for the same services. Unless the County rolls back the millage to account for the services the agreement is not fair and does not make sense. Same taxes and better service are worth fighting for. She understood it could be a difficult decision for the Council, but it is not difficult for her based on what is right for the citizens and her consciousness. She believed the people voted for the City on the premise that the City would provide same taxes and better service. She was committed, and she must vote her conscious.

Councilmember Jeffcoat stated it had been a difficult week, and the Council had been fighting on behalf of the City. It was important to all to collectively and collaboratively come to a general decision about Service Delivery Strategy, but it has been challenging. The City needs data to make informed decisions. There were so many things to consider such as constituents. The City does not want double taxation, but the payment must happen first. Trying to understand the full delivery strategy has been a heavy lift. She realized the County lost \$9.5 million because of the City becoming a City. She addressed the double taxation HB 489 law. She addressed the need to negotiate and continue to fight for the citizens. There is a common element of double taxation. You cannot go to a judge and say getting taxed twice because the act must happen first and show that. The neighboring cities will be affected by sanctions also. There are a lot of implications to consider. We had two

days to continue to fight. This is a step to continue to negotiate and continue to fight. Her concern is that they could come back and ask for more. The City will continue to fight.

Councilmember Oladapo expressed no matter how sliced it, the City was being double taxed. The City would be paying more for the services and that is why she voted the way she did on Wednesday (May 28). She was not happy and the reasons she voted no on Wednesday included (1) the agreement was not what was agreed to during mediation and (2) the deal was for a year. A year will go by so fast, and she did not feel secure with the agreement for one year. The County has put the City between a rock and a hard place. She spoke about how important it was to have police protection and needing it to continue. She will base her vote on the letter that was received this afternoon that the County offered to go back to the table and discuss and have a longer-term deal. The Council was keeping the residents at the forefront.

Councilmember Davis stated everyone has said what he felt. He did not think any of the Council are in favor of this. The situation is crappy. He was a man of strong conviction. He felt No, but on the other hand, the residents needed police protection, especially during the summer. He was a numbers guy, and the numbers did not add up. But, if one person does harm because safety has been compromised, or one kid or senior harmed, is it worth putting any resident at risk? This is not fair, but he did not want to read in the paper that someone did not get a response. Not one life is worth risking because the City was not happy with the deal. The Council will continue to fight. The City has come a long way without a transition team. The City will fight, and the City needs people such as those who are present on a Friday night because they are concerned. He asked everyone to remember who was in the office. The people still have power at the polls. Mableton is still going to thrive despite this agreement.

Mayor Owens thanked everyone for their remarks. There was a common theme through the comments. Each Council has valid points. Public Safety was paramount.

Mayor Owens commented that the negotiations started at \$23 million by Council and Mableton \$0. We are looking at \$9.5 million now. We have been actively negotiating for the last 8 weeks. We are not settling. There is a commitment to continue to negotiate. He believes it is the beginning of a change. He hopes for accountability of how the services are rendered. There are IGAs and the SDS agreement. We are negotiating an IGA for police service. The County has the right to charge for their service, and we have the right to offer what we feel is the value of the service. The idea of the true cost can be negotiated.

We cannot dictate all circumstances. We must deal with the cards dealt. Not doing anything is not a solution. This \$9.5 million is real money. The County may have the option to move funds around. The \$9.5 is a substantial part of Mableton's budget. The City will have to find a way to get money for the amount. He does not plan to levy a general property tax. Some argue that SSD and property tax are the same, but it is not. If the City must raise money through SSD, it will go for public safety only. He believes the City can be innovative with this and find an equitable way to raise the money. He did not have a solution that night and what this would look like. Today, this was getting terms for an agreement in place and fight another day. It is important to avoid any further calamity not only with the City of Mableton, but other fellow cities as well.

City Manager Tanks provided a summary of the negotiations with the County. They did talk about the \$22 million way back. The City's counter was zero. We had the protection of the transition period. This transition period ended while HB489 required an agreement. HB 489 forces governments to come together. The Council have fought down to the last hour. He continued to explain previous discussions and mediation. The offer went to \$17 million, and the City was still at zero. The City sent a counteroffer of \$5 million. Then there was a forced mediation. The Council continued to try to negotiate during the 12-hour mediation. Mr. Tanks opined his different scenarios of how the negotiations could go.

5. **PUBLIC COMMENTS** – Mayor Owens announced he would allow 3 minutes per speaker.

Speakers were:

Denny Wilson of District 2 thanked the Mayor and Council for their hard work dealing with the County. Mableton has been in transition period for two years and in those two years, the County has collected \$73 million. She referenced the County's Budget and made projections about police services being in the County's General Fund. She went to the County and asked how the County uses the Mableton residents' money. She suggested residents send open records requests asking how much money is being spent on police. She addressed that the County is double taxing all the cities. Mableton has opened Pandora's box. The one-year agreement is a ticking time bond. It is heartless and cowardly if the County can cut off police service after the residents have given them \$73 million.

Joyce Steel of District 4 thanked Council for all they have done. She commented she could not attend meetings on Wednesday. There are folks who are supportive. She asked what the residents can do to help. She urged Council to not feel defeated as it is a hard fight. She referenced the energy in the room during set up.

Sheila Edwards thanked the Mayor and Council for their comments and diligence in trying to work this out. She felt disturbed. She addressed how there was something wrong with the story. We do not have all the background and paper, not knowing costs, not able to give true numbers are concerning. Commissioners Cupid and Sheffield should be the first ones to protect us, and they have not offered to help us. All of this lies at their feet. The suggestion to not have our community without police coverage is disturbing. Ms. Edwards stated she was a senior living in a gated community. The County has an obligation to protect the Mableton residents. She thanked Council for what they have been through and what they are trying to do. Negotiations in that manner were not fair. Commissioners Cupid and Sheffield have failed in their jobs.

Cassandra Brown of District 4 thanked the Council for their struggle from Day 1 to now and how they got to this point and the personal sacrifice. The City has just gone through the proposed budget and would like to see it revised based on these additional costs. She would like to have information on SSD. She would like to know how the SSD is executed. She referred to Peachtree Corners, which operated without property tax but has an SSD. Peachtree Corners of Gwinnett County has a line item on their tax bill. How come Mableton was not getting that from Cobb? She asked if there were other sources of revenue to offset the cost about to incur. Is there

a credit from GDOT to go toward the cost? She hoped to get answers to the questions in the coming weeks.

Donte Philpot of District 1 expressed his appreciation for what the Council has gone through and described this evening. If anyone has been in any leadership role, they understand the type of tough decisions that are made. He thanked Councilmembers and Mayor, City Manager Tanks individually. They have been pulled away from families to do work for the City. It should not be overlooked, and it should be appreciated. He heard words he was listening to such as conscious, conviction, and he is seeing the passion and frustration in Mayor and Council's faces and body language. He knows double taxation has been made. He appreciates all who were working from their conscious and thinking of the residents first. There is a cause for action for everyone. He asked the Mayor and Council to let know how Mableton individuals can help their own council person. This is a community fight, and the residents need to be with the Mayor and Council.

Mayor Owens thanked everyone for their public comment. He closed public comment. It is important when people show up to speak. It is good to speak up at other venues as well where voices can be heard.

6. ACTION ITEMS

a. **Discussions and consideration of resolution and documents pertaining to Service Delivery Strategy, Intergovernmental Service Agreements, Service Delivery Negotiations with Cobb County and Cobb County Cities - City Attorney Emilia Walker-Ashby**

Mayor Owens noted the Resolution of the City of Mableton Authorizing Service Delivery Strategy and Related Intergovernmental Agreements with Cobb County and Cobb County Cities and for Other Lawful Purposes was given to the Council. While in Executive Sessions, some last-minute negotiations occurred to benefit the City. It is important during Budget season to know this does not impact the current budget. The terms modified and agreed to moments before coming back into session with County Chairwoman would relieve the City of any financial burden during this calendar year, so time is given to work through the terms. There was a last minute negotiated move agreed upon by he and County Chairwoman and two Commissioners.

Councilmember Auch asked if there would be collection from citizens this year. Mayor Owens stated the terms will not impact us this year. The City will have to look at collection and a lot of apparatus will need to be looked at such as software and accounting staff, so there is going to be an effort to build capacity. Mr. Tanks explained all the pieces so can give information to Council. Mayor Owens stated he did not want to commit to funds in this budget.

Mayor Owens recognized the City Attorney who requested the Council to proceed and move forward.

Motion made by Councilmember Oladapo and seconded by Councilmember Davis to approve the Resolution of the City of Mableton Authorizing Service Delivery Strategy and Related Intergovernmental Agreements with Cobb County and Cobb County Cities.

Councilmember Auch asked if there were any other changes other than the terms of payment. City Attorney Walker-Ashby replied that the Resolution references the IGAs that have some changes. The amount of \$9.5 million has not changed.

Mayor Owens asked for any other comments. There was none.

The motion passed 5-2. Yeas: Davis, Oladapo, Jeffcoat, Owens Nays: Auch and Herndon

Mayor Owens thanked the Council for their due diligence and thoughtful comments throughout the night.

(COPY OF RES 2025-05-05 IS ATTACHED.)

7. 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))

THERE WAS NOT AN ADDITIONAL EXECUTIVE SESSION.

Councilmember Auch asked if there could be additional comments per the motion at the beginning of the meeting. Mayor Owens asked if there were any comments.

Councilmember Herndon commented that she was thinking about courage. Whenever an individual or entity is courageous, they must stand on their own and go against the flow. She heard that many cities have complained about double taxation. She understands the City must do what it must do. She asked if the County would leave 80,000 people without police service when Mableton is part of the County. The City will never know. Could the City have brokered another deal to find out what it would cost to have police service. The City will never know. She commented about how she had hoped for a different outcome and had an opportunity for this to have full transparency. She commented further about the City having to make the decision without any real information, stressing it is unfair. The County says they will negotiate with the City, but the City has set the precedent that the City will pay \$9.5 million. She commented further about how she had hoped the City could be trailblazers.

Councilmember Jeffcoat commented the journey is not over. Mayor Owens stated the City lived to fight another day. This is not the end. The City will continue to move forward. During the last couple of meetings, there was one person in the community that stepped up to the County. He thanked Denny Wilson.

8. ADJOURNMENT

Motion made by Councilmember Jeffcoat and seconded by Councilmember Herndon to adjourn. The motion passed unanimously. The meeting adjourned at 9:42 p.m.

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.

DRAFT

A RESOLUTION OF THE CITY OF MABLETON AUTHORIZING SERVICE DELIVERY STRATEGY AND RELATED INTERGOVERNMENTAL AGREEMENTS WITH COBB COUNTY AND COBB COUNTY CITIES 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, Article 9, Section 3, Paragraph 1 of the Georgia Constitution authorizes the City and County to contract with one another for a period not exceeding fifty (50) years "for joint services, for the provision of services, or for the joint or separate use of facilities or equipment", provided that such contracts "deal with activities, services, or facilities which the contracting parties are authorized by law to undertake or provide.";

WHEREAS, Cobb County, Georgia ("Cobb County"), and the cities of Acworth, Austell, Kennesaw, Marietta, Powder Springs, Smyrna and Mableton (collectively, the "Cities") have engaged in discussions and negotiations to reach an agreement on a Service Delivery Strategy in accordance with O.C.G.A. § 36-70-20 et seq.;

WHEREAS, the City and Cobb County, Georgia have discussed and exchanged the service-related intergovernmental agreements and forms referenced herein;

WHEREAS, the City Council desires through this Resolution to authorize the Mayor to finalize and execute the service-related intergovernmental agreements and forms referenced herein, which shall constitute the implementation of the service delivery strategy of the Cities and Cobb County in accordance with O.C.G.A. § 36-70-20 et seq.; and

WHEREAS, this Resolution is enacted to safeguard and promote 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.

- a. Service Delivery Authorization.** The Mayor, in consultation with the City Manager and City Attorney, is hereby authorized to finalize and execute the following intergovernmental agreement(s) and forms with Cobb County, Georgia, and/or Cobb County cities:

- 1. Intergovernmental Agreement for Department of Transportation Services**
- 2. Service Delivery Strategy Agreement**
- 3. Georgia Department of Community Affairs, Service Delivery Strategy documentation, including Form 4: Certifications**

- b. **Service Clarification.** The City further hereby clarifies that the County has the City's full authorization and consent to continue to provide transportation, police and stormwater services and functions within City limits at the same level of service that the County previously provided prior to the City's incorporation, while the City and Cobb County work, by and through the Mayor and City Attorney under the authorization provided under this Resolution, to finalize and execute agreements and forms under the parties' currently pending Service Delivery Strategy, and submit the same to the Department of Community Affairs.
- c. **Abeyance Participation.** The City Attorney is further hereby authorized to join Cobb County and/or Cobb Cities with any request for an abeyance of sanctions, while this matter is facilitated.

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.

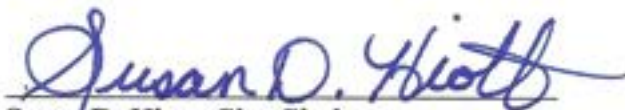
Section 3. The City Attorney and the City Clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing and renumbering purposes.

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 30th day of May, 2025.

ATTEST:

CITY OF MABLETON, GEORGIA:


Susan D. Hiott, City Clerk


Dr. Michael Owens, Mayor

APPROVAL AS TO FORM:


Emilia Walker-Ashby, Interim City Attorney

