

CITY OF MABLETON, GEORGIA

Riverside EpiCenter
135 Riverside Pkwy, Austell, GA 30168
March 13, 2024 @ 5:15PM

The Honorable Michael Owens, Mayor
The Honorable Ron Davis, District 1 Councilmember
The Honorable Dami Oladapo, District 2 Councilmember
The Honorable Keisha Jeffcoat, 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 WORKSESSION AGENDA

1. **CALL TO ORDER** Mayor Michael Owens
2. **ROLL CALL**
3. **DISCUSSION:**
 - a. *City of Mableton Records Management Policy and Procedures (Susan Hiott)*
 - b. *City of Mableton Agenda Management Policy (Susan Hiott)*
4. **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)*
 - Exemptions O.C.G.A. 50-14-3 (b)(4)&(5)*
5. **ADJOURNMENT**

Public comments are limited to 2 minutes per speaker. 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.

March 13, 2024 City Council Worksession Agenda

CITY OF MABLETON RECORDS MANAGEMENT POLICY AND PROCEDURES

PURPOSE AND SCOPE OF POLICY:

This policy and procedure provide for the systematic review, retention, and destruction of documents received or created in the transaction of City of Mableton (“City”) business. This policy is designed to ensure compliance with federal and state laws, regulations, and City ordinances. The purpose of the policy and procedures is to eliminate accidental or innocent document destruction of records and to facilitate City operations by promoting efficiency and reducing unnecessary storage of documents.

The City of Mableton retains and preserves vital records of its business and operations to preserve any historical record of the City, to ensure current and future operations, and to comply with its legal obligations as specified by the Georgia Records Act, O.C.G.A. §50-18-90 - § 50-18- 103 and the State Record’s Retention and Disposition Schedule which can be accessed at www.georgiaarchives.org.

This policy is in conjunction with Mableton Code of Ordinances, Chapter 2, Administration, Section 2.1.3 Records and Document Retention:

(a) All requests for City records made under the Georgia Open Records Act, O.C.G.A. 50-18-70 et. Seq., shall be submitted in writing to the city clerk. Requests for records stored by outside agencies, such as police and/or fire records, shall be made to the agency who stores such records.

(b) The City adopts the records management plan and record retention schedules recommended by the Georgia Secretary of State, as may be additionally amended from time to time by future resolutions of the city council.

This policy is in conjunction with Section 3.13 of the City of Mableton Charter. *The city clerk shall be custodian of the official city seal and city records; maintain city council records required by this charter; and perform such other duties as may be required by the city council.*

DEFINITIONS:

“APPROVED RECORD’S RETENTION AND DISPOSITION SCHEDULE” - The approved State of Georgia’s Record Act, O.C.G.A. 50-18-90 through 103 and the State’s Record’s Retention and Disposition Schedule for the City of Mableton. It can be accessed via internet at www.georgiaarchives.org.

“RECORDS” – Under the Georgia Records Act, O.C.G.A. § 50-18-99, (c) “all records created or received in the performance of public duty and paid for by public funds by a governing body are deemed to be public property and shall constitute a record of public acts.” “Records” means all documents, papers, letters, maps, books (except books in formally organized libraries), microfilm,

magnetic tape, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in performance of functions by (the City). For practical purposes, a record is anything containing information reflecting City business transactions regardless of format (paper, digital, photographic, recordings, etc.). Typical records include official publications, fiscal data, incoming/outgoing correspondence including email, website postings, meeting minutes, reports, and maps.

“RECORDS CENTER/ROOMS” - the facilities used to provide centralized and secure storage for non-current and permanent City records.

“DEPARTMENT” - any department, division, commission, authority, committee, task force, or similar entity of the City.

“DEPARTMENT RECORDS SCHEDULE” – records schedule from each department listing all record types that corresponds with the State of Georgia’s Records Retention and Disposition Schedule.

“DIRECTOR” - the person who is in charge of a department of the City that creates or receives City records.

“ESSENTIAL RECORD” - any City record necessary to resume or continue operations of the City in an emergency or disaster; recreate the legal and financial status of the City; or to protect and fulfill obligations to the citizens of the City.

“PERMANENT RECORD” - any City record for which the retention period on a Records Retention and Disposition Schedule is given as permanent.

“RECORDS DISPOSITION” - the removal or destruction of a City record from a department or from a non-current records storage center and for a City record that has passed its minimum legal retention period and no longer has value to the City, or for a permanent City record, transfer of the record to *RECORDS CENTER (ROOMS)* for archival accession.

“RECORDS INVENTORY” - the process of locating, identifying, and describing in detail the records of a department.

“RECORDS COORDINATOR” - a person designated by each Director/Chief/Department Head to implement the Records Management Program in their department.

“RECORDS MANAGEMENT” - the creation and implementation of systematic controls for City records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation and disposal, for the purpose of achieving adequate and proper documentation of the policies and

transactions of City government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping requirements that ensure City records are created to adequately document the City's business transactions.

“*RETENTION PERIOD*” - the minimum time that must pass after the creation, recording, or receipt of a City record, or after the fulfillment of certain actions associated with a City record before the record is eligible for disposition.

OWNERSHIP OF CITY RECORDS:

As defined in O.C.G.A. § 50-18-102(a), all records created or received in the performance of duty and paid for by public funds are deemed to be public property and shall constitute a record of public acts. Every City record is the property of the City of Mableton. **No City officer or employee has any personal or property right to a City record even though they may have developed or compiled the record.** The unauthorized alteration, destruction, deletion, removal from files, or use of a City record is prohibited. A City record exempted from public disclosure under state or federal law is not made subject to disclosure by its designation as City property under this section.

PASSWORD PROTECTED ELECTRONIC RECORDS:

Only confidential documents may be password protected as long as the creator of the document provides his/her supervisor with the password.

RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, PENDING LITIGATION OR PENDING AUDITS:

The destruction of a City record involved in a pending request under the Open Records Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved Records Retention and Disposition Schedule.

POLICE DEPARTMENT AND COURT SERVICES DOCUMENTS:

The *Records Custodian* of the Cobb County Police Department oversees the records in accordance to the Georgia Records Act, O.C.G.A. §50-18-90 - § 50-18-103 and State Records Retention and Disposition Schedule. The Cobb County *Clerk of Court* oversees the records on behalf of the City of Mableton in accordance Georgia Records Act, O.C.G.A. §50-18-90 - §

50- 18-103 and State Records Retention and Disposition Schedule. Both departments will partner with the Records Manager/City Clerk to ensure compliance with federal and state laws, regulations, and City ordinances pertaining to records management.

When the City of Mableton Municipal Court is activated, the City of Mableton Clerk of Court oversees the records of the City of Mableton

RECORDS MANAGER (CITY CLERK) DUTIES AND RESPONSIBILITIES:

In addition to other duties assigned by this policy, City ordinances, and state law, the Records Manager (City Clerk) shall:

1. Coordinate the City's Records Management Program and provide advice and assistance to Directors and Records Coordinators in its implementation;
2. Prepare the requirements, policies and procedures for the City's Records Management Program;
3. In cooperation with the Director and Information Technology Department (IT) staff, will identify essential records and establish a records disaster and recovery plan for each department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
4. Monitor retention/disposition schedules and administrative rules issued by the Georgia Secretary of State;
5. Disseminate information concerning State laws and administrative rules relating to City records to the Directors;
6. Direct Records Coordinators and other personnel in the conduct of records inventories;
7. Partner with the Information Technology Department (IT) to ensure that the creation, maintenance, preservation, scanning, electronic storage, destruction, and other disposition of City records are carried out in accordance with the requirements, policies, and procedures of the Records Management Program, this policy, City ordinances, and State law;
8. Develop procedures to ensure the permanent preservation of the historically valuable records of the City;
9. Initiate and practice electronic storage whenever possible;
10. Provide uniform standards and efficient controls over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of City records. (i.e. The storage of paper documents are to be stored in boxes measuring 10”Hx12”Wx15”D) The City Clerk shall maintain a Retention/Inventory/Disposal Log.)
11. Serve as the City's liaison to the Georgia Secretary of State for Records Management Program requirements; and maintain supplies for the storage of documents.

Pursuant to §50-18-103, Whenever laws or rules and regulations prescribe where record series must be kept, the custodian of the records shall be considered in compliance with the laws and rules and regulations if the custodian transfers the records to a local holding area, a records

center, or the Georgia State Archives when the custodian does so in accordance with an approved retention schedule.

DEPARTMENT DIRECTOR DUTIES AND RESPONSIBILITIES:

Every Director/Department Head shall:

1. Cooperate with the Records Manager/City Clerk and Records Coordinator in carrying out the policies, procedures, and requirements of the Records Management Program, this policy, City ordinances, and State law.
2. Cooperate with the Records Manager/City Clerk and Records Coordinator for the period of time the records are to remain in their department before moving to a record center or record rooms.
3. Notify the Records Manager/City Clerk within 24 hours of the discovery of any loss, theft, or damage to a City record;
4. Partner with Information Technology (IT) and Records Manager/City Clerk to ensure the ability to access records regardless of form or medium; Notify the Records Manager/City Clerk and Information Technology (IT) of proposed electronic record keeping systems to ensure compliance with electronic record keeping requirements established by the Records Management Program, this policy, City ordinances, and State law;
5. Partner with Information Technology and Records Manager/City Clerk to ensure electronic records in the director's custody are migrated forward as technology changes, for as long as the records are determined to have value, and to ensure that requests for funding for new systems or systems enhancements address requirements for backup, recopying, disaster recovery, security, public access, audit trails, and other record keeping requirements in accordance with the Records Management Program, this policy, City ordinance, and State law;
6. Appoint a department Records Coordinator in accordance with this program.

RECORDS COORDINATOR DUTIES AND RESPONSIBILITIES:

The Records Coordinator shall be designated by the department's Director or Department Head. A person designated as a Records Coordinator shall be thoroughly familiar with departmental policies and activities and have full knowledge of and access to all City records created and maintained by the Division/Department and by all officers and employees of the department. In cooperation with the Records Manager/City Clerk and Department Director, the designee shall coordinate and implement the requirements, policies, and procedures of the Records Management Program in the department.

RECORDS RETENTION AND DISPOSITION SCHEDULES:

The Records Manager/City Clerk in cooperation with Information Technology (IT) staff, Directors

and Records Coordinators, shall follow the State's Record Management guidelines on Records Retention and Disposition Schedules. Each Department shall also have their departments' records retention schedule that corresponds with the State's Records Retention and Disposition Schedules or any other applicable schedules.

Records may not be destroyed prior to the time periods stated, however, they may be retained for longer periods for sufficient reasons. The State's Records Retention and Disposition Schedules are on the website www.georgiaarchives.org.

A City record whose retention period has expired should be destroyed unless an Open Records Request is pending on the record; the subject matter of the record is pertinent to pending litigation or a pending audit; the Director requests to the Records Manager/City Clerk in writing that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or the Records Manager/City Clerk sends written notification to a Director that the records must be held pending review for historical appraisal.

DESTRUCTION OF RECORDS:

The Records Manager/City Clerk shall approve City records proposed for destruction on a regularly scheduled basis, according to the maximum retention and records disposition guidelines provided in the State of Georgia guidelines. No original record shall be destroyed without the review and concurrence of the Records Manager/City Clerk and the appropriate Director. The Records Manager/City Clerk is directed to supervise the destruction of records approved for final disposition on a regularly scheduled basis. Any City record, the subject matter of which is in litigation, shall not be destroyed until such litigation is final, including the expiration of any period for appeal or final adjudication.

Destruction Of Original Records That Have Been Duplicated - Original paper records that have been duplicated on microfilm, microfiche, scanning, data processing, or word processing equipment may be destroyed prior to the retention period specified in the records schedule without further approval provided the following three conditions are met:

1. The duplicate copy of the information contained in the original record is maintained for the specified time.
2. The original paper record has not been scheduled for permanent preservation.
3. The Records Management Officer has agreed to the destruction of the original paper record and the destruction is recorded.

Unscheduled Records – Records not on a schedule can be destroyed at the department head's discretion.

FINAL DISPOSITION – ELECTRONIC DOCUMENT MANAGEMENT SYSTEMS:

Disposition/destruction reports must be generated and submitted to the Records Manager/City Clerk for all electronic records removed within City-wide document management software systems in compliance with the Records Retention Disposition Schedules.

FINAL DISPOSITION – DESTRUCTION CERTIFICATE FOR PAPER DOCUMENTS:

Disposition of records must be approved first by the Director/Department/Division Head in accordance to the State Records Retention regulations. A Certificate of Destruction Notice is to be sent to the Records Manager/City Clerk for final approval. (EXHIBIT A – ATTACHED)

GUIDELINES AND PROCEDURES FOR STORAGE IN RECORD CENTERS (ROOMS):

Any designated City Hall Records Centers (Rooms) serve as centralized records storage facilities for all departments except the Mableton Municipal Court for storage of non-current City records and is under the direct control and supervision of the Records Manager/City Clerk. The Records Manager/City Clerk shall establish policies and procedures regulating the operations and use by City departments. Municipal Court record facilities are subject to change in accordance to any new locations of City facilities and buildings. The Clerk of Court may partner with the Records Manager/City Clerk.

RECORD CENTERS AND ROOMS SHOULD BE LOCKED AT ALL TIMES!

The following procedures should be followed:

- A. The Department's Record Coordinator, appointed by and under the direction of the Director/Division/Department Head, will be responsible for the coordination of the Department/Division's records storage in conjunction with the guidelines and procedures outlined in the Records Management Policy. The Records Manager (City Clerk) or designee (Deputy City Clerk) will witness receipt and approve all record storage deposits into the Record Centers (Rooms or other designated facilities).
- B. Type of Storage Box- All records must be stored in one cubic foot size boxes (10x12x15). Any larger boxes are hard to handle and dangerous! Large boxes will not be accepted in the Record Centers.
- C. Packing of Box - Records may be categorized by date and item description. Disposition of records will be by year and type record. Please store records in similar categories and dates (years) unless otherwise approved by the Records Manager (City Clerk).
- D. Packing of Box - Leave enough room equivalent to "one hand's width"(about 1 inch) in each box when packing. Do not over-pack the box.

- E. Paperwork submittal- An entry form must be completed with record descriptions and signed by Department/ Division Head and Record Coordinator.
- F. Receipt of Records to Record Centers (Rooms) - All boxes of records must be inventoried, reviewed for retention schedule assignments, and logged in through the City Clerk's Office by appointment.
- G. The box should be numbered and labeled as follows: **Department, Box #, Record Type, Destruction Date, Retention #, and Records/Departments Owner Name**
- H. Record Disposition - A *Certificate of Disposition* documenting records to be destroyed are in compliance to the retention schedules will be sent to the Department/Division Head and Records Coordinator prior to any destruction of records for their signature of approval.
- I. Disposition of records must be approved by Director/Department/Division Head and Records Manager (City Clerk) and in compliance with State Records Retention Regulations. A witness shall be present during the destruction of the records and will also sign the *Certificate of Disposition*.
- J. The *Certificate of Disposition* will become the permanent record.

RECORDS MAY BE MAINTAINED BY THE GEORGIA STATE RECORDS CENTERS

If needed, the City of Mableton may use the State Records Center, located 7815 Third Flag Parkway, Austell, GA 30168. The State Records Center maintains temporary records on behalf of local governments. Additional instructions and information are available at www.georgiaarchives.org/records.

ELECTRONIC MAIL (EMAIL):

The retention or disposition of E-Mail message are to be maintained in accordance to the State Record's Retention and Disposition Schedule (www.georgiaarchives.org).

Retention of emails are based on the information they contain or the purpose they serve. Because the content of E-Mail or on-line messages may vary considerably, no single retention period applies to all E-Mail messages. Therefore, message content must be evaluated to determine the length of time the E-Mail must be retained. Messages of short-term interest with no documentary or evidential value; for example, City event notices (holidays, parties, charitable campaigns) may be retained until no longer useful. An electronic message no longer required to be retained by the Records Retention and Disposition Schedule may be deleted.

An electronic message required to be retained by the Records Retention and

Disposition Schedule may be deleted if a record copy has been made by printing the message or by transferring it to another system. The preserved copy of the message must include information about the transmission of the message, including the sender, the specific recipients (not just names of distribution lists), the date sent, and any attachments.

AUDIO AND VIDEO RECORDINGS OF OFFICIAL MEETINGS

Although audio and video recordings of Council Meetings used for the preparation of written minutes have a state retention of only 90 days after minutes are prepared and verified (LG-01-006), the City of Mableton will keep videos and audio recordings for at least one year. Videos may be stored longer at Mayor and Council's discretion in cloud-based third-party agenda management software and in other electronic media systems. **Videos considered historical shall be kept/stored permanently.**

The destruction of a City video or audio involved in a pending request under the Open Records Act, pending litigation, or a pending audit is prohibited, even if the destruction of the video or audio is authorized by an approved Records Retention and Disposition Schedule.

AGENDA MANAGEMENT AND ITEM SUBMITTAL POLICY
FOR REGULARLY SCHEDULED COUNCIL MEETINGS
AND OTHER BOARDS/AUTHORITIES MEETINGS

PURPOSE

The Agenda Management and Items Submittal Policy ensures that the Mayor and Council have all background information in the agenda packet well in advance of Council meetings.

LEGAL BACKGROUND FOR AGENDA ITEM SUBMITTALS POLICY:

Pursuant to Section 3.13 of the City of Mableton Charter, *the city council shall appoint a city clerk who shall be the custodian of the official city seal and city records; maintain city council records required by this charter; and perform such other duties as may be required by the city council. The city clerk shall serve at the pleasure of the city council.*

Pursuant to Section 2.20 of Mableton City Charter, *the city council shall adopt its rules of procedure and order of business consistent with the provisions of this charter and shall provide for keeping a journal of its proceedings, which shall be a public record.*

Pursuant to RES 2023-05-11 Section 9 Rules and Procedures, adopted May 25, 2023, *the Mayor shall prepare an agenda of subjects to be acted on for each meeting. This policy clarifies that the City Clerk's Office shall be responsible for compiling and posting the agendas for council meetings and other authorities and boards appointed and established by the mayor and council. All agenda items should be briefed and confirmed through the City Manager and Mayor prior to submitting to the City Clerk.*

Pursuant to Section 2.30 of Mableton City Manager, *when a city manager has been appointed by the city council, the city manager shall be the chief executive and administrative officer of the city. The city manager shall be responsible to the city council for the administration of all city affairs placed in the city manager's charge by the city council or this charter.*

Pursuant to Section 2.16 of Mableton City Charter (a) *Except as otherwise provided by law or this charter, the city council shall be vested with all the powers of government of this city.* (b) *In addition to all other powers conferred upon it by law, the city council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter and the Constitution and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Mableton and may enforce such ordinances by imposing penalties for violation thereof.*

Pursuant to Section 6.31 of the Mableton City Charter, *contracting procedures, no contract with the city shall be binding on the city unless: (1) It is in writing; (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of course, is signed by the city attorney to indicate such drafting or review; and (3) It is made or authorized by the city council and such approval is entered in the city council journal of proceedings pursuant to Section 2.21 of this charter.*

Pursuant to Section 3.11 Boards, Commissions, and Authorities *(h) except as otherwise provided by this charter or by law, each board, commission, or authority of the city shall elect one of its members as chair and one member as vice-chair, 681 and may elect as its secretary one of its own members or may appoint as secretary an 682 employee of the city. Each board, commission, or authority of the city government may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the city.*

Pursuant to the Open Meetings Act Section 50-14-1, (e)(1) *prior to any meeting, the agency or committee holding such meeting shall make available an agenda of all matters expected to come before the agency or committee at such meeting. The agenda shall be available upon request and shall be posted at the meeting site as far in advance of the meeting as reasonably possible but shall not be required to be available more than two weeks prior to the meeting and shall be posted, at a minimum, at some time during the two-week period immediately prior to the meeting. Failure to include on the agenda an item which becomes necessary to address during the course of a meeting shall not preclude considering and acting upon such item.*

(2)(A) A summary of the subjects acted on and those members present at a meeting of any agency shall be written and made available to the public for inspection within two business days of the adjournment of a meeting.

(B) The regular minutes of a meeting subject to this chapter shall be promptly recorded and such records shall be open to public inspection once approved as official by the agency or its committee, but in no case later than immediately following its next regular meeting; provided, however, that nothing contained in this chapter shall prohibit the earlier release of minutes, whether approved by the agency or not. Such minutes shall, at a minimum, include the names of the members present at the meeting, a description of Open Meetings Act 2012 -5- each motion or other proposal made, the identity of the persons making and seconding the motion or other proposal, and a record of all votes. The name of each person voting for or against a proposal shall be recorded. It shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the name of the persons voting against the proposal or abstaining.

AGENDA AND MINUTE PREP RESPONSIBILITIES:

- **City Clerk's Office** – Responsible for posting, compiling agendas and minutes for Council and other Boards and Authorities as approved and confirmed by Mayor and Council.
- **Department Heads and Staff/Management** – Responsible for posting, compiling agendas and minutes for Ad Hoc and Advisory Committees related to their departments.
- **Community Development Staff and Management** – Responsible for posting, compiling agendas and minutes for Planning Commission and other Community Development related Quasi Judicial Boards.
- **All final signed minutes should be submitted to the Clerk's Office for the permanent record.**
- **Minute Approval** – The Summary should be within two business days and the minutes should be approved by the next regular meeting.

DOCUMENTATION REMINDERS FOR SUBMITTING ITEMS TO MAYOR AND COUNCIL AGENDAS

- Department Heads should brief the City Manager on agenda items prior to being submitted to the City Clerk for the Mayor and Council agenda.
- Council should brief any proposed agenda items with the City Manager and Mayor for placement of items on agendas.
- An Agenda Summary Memorandum, documenting pertinent background information, should be submitted to the City Clerk. This memorandum can be entered into Agenda Management System's Summary feature, or the memorandum can be a document uploaded into the Agenda Management System. (Sample of Agenda Summary Memorandum is attached.)
- Department Heads should enter their proposed item topics in the Agenda Management System or given to the Clerk by Noon on Wednesday prior to the regularly scheduled meeting. Department items should be approved by the City Manager prior to being finalized on the agenda. The meeting is normally the second and fourth Wednesday meetings of the month. (Certain holidays may affect the meeting date occasionally.)
- Agenda Item/placeholder and the Agenda Summary Memorandum and supporting documentation (attachments) should be finalized in the Agenda Management System or given to the City Clerk's Office by Wednesday, noon prior to the following Council Meeting. **(Items submitted after final publication are not recommended.)**
- All contracts should be reviewed and approved first by the City Attorney prior to signing by the Mayor or City Manager. Contracts (still in draft if needed and recommended by attorney) may be included in the agenda packet for Council's approval for mayor to negotiate and finalize.
- All bid/RFP awards/contracts should have review and recommendation documented by the Department Head in coordination of the Purchasing Manager/Finance Department. Bid result documentation and funding source should be included in the Agenda Summary Memorandum of the Agenda Management System and/or agenda background information submitted to the City Clerk.
- Funding source and account numbers are very important and must be listed on the Agenda Summary Memorandum for expenditure/Capital Improvement Project (CIP) approvals.
- Budget amendment ordinances should be composed and entered into the Agenda Management System by the department head in conjunction with the Finance Department's approval.
- The City Manager will notify and brief the Mayor and Councilmembers of any agenda items pertaining to their committee or district.
- A draft agenda will be submitted to the Mayor on Wednesday prior to 5:00 p.m. in coordination with the City Manager, Assistant City Manager, and Attorney. Once the Agenda has received final approval, items will only be added with the Mayor and City Manager's approval. There must be adequate justification and documentation when adding an item after the agenda is finalized. **(Items submitted after final posting are not recommended.)**
- Pursuant to RES 2023-05-11, adopted May 25, 2023, the agenda may be changed during a meeting by a majority vote of the City Council. A new item, other than a zoning decision, may be added to the agenda by a majority vote of the City Council.

DATE DEADLINES:

- A draft agenda will be sent to the Mayor by 5:00 p.m. on Wednesday prior to the regular meeting the following week. The draft agenda will be reviewed with the City Manager/Attorney/Clerk prior to sending to the Mayor.
- Agenda line-item place holders should be submitted to the City Clerk's office by Wednesday at Noon the week before the Council meeting.
- Please submit all power point presentations to the City Clerk's Office by 3 PM on Tuesday, the day before the meeting.

AGENDA AND MEETING POSTINGS

The final agenda will be posted on Friday by 4:00 p.m. prior to the Wednesday regularly held meeting. The City Clerk's Office will send the final agenda to: Communications, Mayor and Council, Department Heads, City Manager, City Attorney, Media and to staff (Executive Assistant or Receptionists/Staff) for posting outside City Hall. It is state mandated to notify the legal organ (The Marietta Daily Journal) of any meetings and to post at meeting location.

AGENDA NOTES/REMINDERS WHEN PROOFING:

- Please proof for spelling and grammar errors on agenda and ordinances, resolutions, etc.
- Please review the order of items on the agenda – i.e. Budget amendments may need to occur before a project's bid award is approved. Or consider having consultants' and attorney's presentations to go first to save money from paying consultants and attorneys to wait and stay a long time at a meeting.
- Please make sure public hearings are noted with time limits on the agenda.
- The agenda is reviewed at the City Manager's Staff Meetings prior to the meeting.
- The City Manager, City Clerk, Attorney, and Mayor should meet and discuss the agenda for any additional concerns or issues or missing information.
- Please make sure the funding source is known for those projects/ purchases/items on the agenda.
- Please remember to put the property address on the agenda for items related to new City property acquisitions.
- The Mayor and Council and Staff will use laptops, etc. to view agenda packets during meetings, and there will be one physical hard copy of work session and regular meeting agendas located at the back of the meeting room.
- Any items requiring public advertisements (i.e., millage rate hearings, zonings, budget) should have a copy of ad or dates of the published ads enclosed in supporting documentation. Any advertising issues or conflicts with agenda schedules should be run by the City Manager and City Clerk.

**A RESOLUTION ADOPTING RULES AND PROCEDURES FOR CITY COUNCIL
MEETINGS AND DECORUM 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 the City Charter Section 2.20(a), the City Council is empowered to “adopt its rules of procedure and order of business consistent with the provisions of [the City] charter”;

WHEREAS, the City Council through this Resolution desires to adopt rules of procedure and decorum to help ensure the orderly conduction of City business; 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 A. The City Council hereby officially adopts the following Rules and Procedures for City Council Meetings and Public Hearings:

**RULES AND PROCEDURES
FOR CITY COUNCIL MEETINGS AND DECORUM**

Section 1. Open Meetings. All City Council meetings shall be held in accordance with the City Charter and Georgia law. Only the Executive Sessions portion of a City Council meeting may be closed to the public, for the purposes allowed within State law. No Executive Session shall be held except pursuant to a majority affirmative vote of the City Council.

Section 2. Quorum. Four Councilmembers, including the Mayor, shall constitute a quorum and shall be authorized to transact business of the City Council. Voting on the adoption of ordinances, resolutions, or motions shall be by roll call vote and such vote shall be recorded in the minutes. Except as otherwise provided in the City Charter, the affirmative vote of the majority of the quorum shall be required for the adoption of any ordinance, resolution, or motion.

Section 3. Tie. In the case of a tie vote, the item will be reconsidered at the next appropriate upcoming council meeting, unless the item is withdrawn or a substitute motion is approved.

Section 4. Abstentions. Pursuant to the City Charter, no member of the City Council shall abstain from voting on any matter properly brought before the council for official action except when such councilmember has a conflict of interest which is disclosed in writing prior to or at the meeting and made a part of the minutes. Any member of the City Council present and eligible to vote on a matter and refusing to do so for any reason other than a properly disclosed and recorded conflict of interest shall be deemed to have acquiesced or concurred with the members of the majority who did vote on the question involved.

Section 5. Mayor. As provided in the City Charter, the presiding officer of the City Council shall be the Mayor. As presiding officer, he or she is responsible for the orderly conduct of the meeting. The Mayor shall be impartial and conduct the meetings in a fair manner.

Section 6. Mayor Pro-Tempore. The Council shall select a Mayor Pro-Tempore from the Councilmembers by a majority vote at the first regular meeting each January. The Mayor Pro-Tempore shall fulfill the duties of the Mayor in the Mayor's absence. Any such absence shall be declared by a majority vote of the City Council.

Section 7. Presiding Officer. If the Mayor and the Mayor Pro-Tempore are absent or otherwise unable to serve as presiding officer at a meeting and a quorum of Councilmembers is present, the remaining Councilmembers shall select a Councilmember to serve as presiding officer of the meeting until either the Mayor or Mayor pro-tern is present at the meeting.

Section 8. Parliamentarian. The City Attorney shall serve as the parliamentarian for City Council meetings.

Section 9. Agenda. The Mayor shall prepare an agenda of subjects to be acted on for each meeting. The agenda shall be made available to the public in accordance with Georgia law.

Section 10. Changing the Agenda. The agenda may be changed during a meeting by a majority vote of the City Council. A new item, other than a zoning decision, may be added to the agenda by a majority vote of the City Council.

Section 11. Consent Agenda. A consent agenda may be prepared by the Mayor for the City Council to unanimously adopt motions on routine items. At the appropriate time of the meeting, the items shall be read by the City Clerk for public notification. If a Council Member objects to an item being on the consent agenda, the Council Member shall direct to move that particular item to the regular agenda, without the need for a second. The City Council shall approve the consent agenda by majority vote.

Section 12. Decorum. All Council Members shall conduct themselves in a professional and respectful manner. Personal remarks are inappropriate and may be ruled out of order. A Councilmember may not speak at a meeting until he or she has been recognized by the Mayor. All comments made by a Council Member shall address the motion that is being discussed. The Mayor

shall enforce these rules of decorum. If a Councilmember believes that a rule has been broken, he or she may raise a point of order. A second is not required. The Mayor may rule on the question alone or may allow the City Council to debate the issue and decide by majority vote.

Section 13. Roberts Rules of Order. In the absence of direction under the Charter or other applicable procedures and law, Roberts Rules of Order shall be followed. Where Robert's Rules conflict with the Charter and/or City policy, the Charter and thereafter City policy shall control.

Section 14. Public Participation.

- (a) **Public Comments.** The floor may be open for public comments during the meeting. The public comments period may last a maximum of thirty minutes, and speakers will be limited to two (2) minutes each. All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the City Clerk prior to the start of any meeting. These limits may be waived by the Mayor or a majority vote of the City Council.
- (b) **Public Hearings.** The City Council may schedule public hearings for the purpose of soliciting public comment as required by law. Hearings may last up to, but not more than ten (10) minutes per side of an issue. These time limits may be waived by a majority vote of the City Council.
- (c) **Public Decorum.** Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with the rules of decorum that are established by the Mayor or City Council. Individuals violating any rules of the Mayor or City Council may be ruled out of order and removed from the meeting. The Mayor may rule on a point of order or submit it to the judgment of the City Council.

Section B. 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

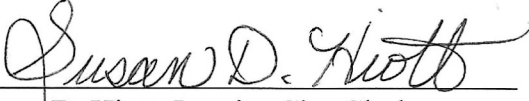
unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution.

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

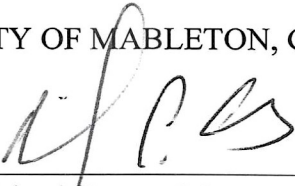
BE IT SO RESOLVED, this 25th day of May, 2023.

ATTEST:




Susan D. Hiott, Interim City Clerk

CITY OF MABLETON, GEORGIA:



Michael Owens, Mayor

APPROVAL AS TO FORM:



Emilia Walker-Ashby, Interim City Attorney

