

THE CHARTER REVIEW COMMISSION RECOMMENDS TO THE PUBLIC FOR THEIR CONSIDERATION AT A PUBLIC HEARING THE FOLLOWING CHANGES TO THE CHARTER OF COLUMBUS, GEORGIA, A CONSOLIDATED CITY-COUNTY GOVERNMENT.

Pursuant to Georgia Laws 1980, p. 2045, the Charter Review Commission for the City of Columbus has been meeting since February, 2011 to review the current Charter of the Columbus Consolidated Government and now presents the following changes for public comment at two hearings to be held on September 26, 2011 and October 17, 2011.

Charter Review Commission / Summary of Proposed Changes to Article IV

To amend the Charter to state that the Mayor shall be aided by City Officers who shall be responsible and accountable to the Mayor. The City Officers, identified in Section 4-300 of the Charter, as amended are as follows: the City Manager, the City Attorney, the Internal Auditor, the Chief of the Columbus Police Department, the Chief of the Columbus Fire/EMS Department and the Warden of the Muscogee County Prison.

To amend the Charter to state that the Executive Branch shall consist of the office of the Mayor, the City Officers, the directors of departments; and departments, boards, commissions and authorities ordained by the Columbus Council or established by law.

To amend The Charter to define the manner in which the Mayor will nominate the City Officers and the manner in which such City Officers may be removed from office.

To delete, in its entirety, the current Chapter 3 of Article IV of the Charter and substitute a new Chapter 3, which sets forth the powers and duties of each City Officer, provides the residency requirements, makes provisions for their compensation, and provides for the appointment and dismissal procedure for City Officers.

Subchapter H of Chapter 3 provides the three procedures for dismissal of City Officers and the method to have such dismissal reviewed by the Columbus Council:

- 1) The Mayor may recommend to the Columbus Council the removal and dismissal of any City Officer by serving such City Officer with written notice of the recommendation and an opportunity to be heard before Columbus Council. Such removal and dismissal shall be effective only when confirmed by the affirmative vote of six (6) members of Columbus Council.
- 2) The Mayor may remove, dismiss or discharge any City Officer in which case such City Officer shall have the right to appeal such dismissal within ten (10) days to the Columbus Council which shall provide a public hearing within twenty (20) days from the filing of the notice of appeal. Upon completion of the hearing, the removal, dismissal or discharge of the City Officer may be

overruled by the affirmative vote of six (6) member of Columbus Council, otherwise the dismissal is final.

- 3) The Columbus Council, without a recommendation of, or any action by, the Mayor may remove, dismiss or discharge any City Officer upon the affirmative vote of seven (7) member of Columbus Council.

Charter Review Commission / Summary of Proposed Changes to Article VI and Appendix II

The subcommittee charged with reviewing the content of Article VI – Elections and Recall and Appendix II – Code of Ethics and Prohibited Practices recommends changes to both of these Charter sections. Notwithstanding changes made for grammatical or clerical corrections or errors and omissions from the last Charter revision, i.e. stating the census year [Section 6-101], the subcommittee recommends the following substantive changes:

1. Section 6-101(1). Remove the listing of precincts, tracts, blocks and VTD's from the Charter. These designations are subject to the work of the Redistricting Commission and the exclusion of them will make it unnecessary to change the Charter after each census.
2. Section 6-102(1). Add “final [grand jury] of each decennial year” and change “qualified” to “registered.” In the remaining portions of Section 6-102 there are specific time constraints for the work of the Redistricting Commission. In order to make the work of this commission efficient, it was necessary to establish a starting point that aligns with the release of census data and insures that the work of this commission is timely. Further, a voter can be “qualified” but not registered. To make it clear who can serve on this important commission voter should be “registered” in the council district from which the voter is nominated.
3. Section 6-201 and Section 6-400. Add “including that with the largest circulation” to align with other sections of the Charter that allow for public notice. State law makes some provisions for notice and publication. This will insure that notice relevant to the Charter is maximized. It was decided not to include alternative forms of the media.
4. Section 6-201,202 and Section 6-400(5) and Sections 6-500 and 6-501. Add O.C.G.A. code references. State law makes provision for petitions and removal of elected officials. Referring to state laws will allow the Charter to remain fluid and current.
5. Appendix II 7(a) and 7(b). Add the words, “in Muscogee County.” In order to allow employees of the Columbus Consolidated Government to participate in the processes of government where they live and work it was necessary to limit the

provisions of this section to Muscogee County residents. Further, the HATCH ACT provides additional controls for active participation in political activities.

Charter Review Commission / Summary of Proposed Changes to Article VII

The Charter Review Commission proposes an amendment to Article VII, Section 7-100(2), concerning the Columbus Council's ability to impose fees, giving Council the specific authority to impose a fee, not to exceed \$500.00, upon all property owners, to cover the cost of police and fire services provided by the City, provided that such fee shall be reduced by the amount of ad valorem taxes paid on the same property for the same calendar year.

Charter Review Commission / Summary of Proposed Changes to Article VIII

Sec. 8 – 203. Conflict of Laws.

The Charter Review Commission is proposing that the second sentence in Sec. 8-203 be deleted and replaced with a new second sentence as follows:

CURRENT VERSION

For purposes of all applicable laws, the consolidated government shall constitute a municipality and a county or both. If a law applicable to municipalities and the same or another law applicable to counties are in conflict, the urban services district shall be considered a municipality and the general services district shall be considered a county.

PROPOSED VERSION

For purposes of all applicable laws, the consolidated government shall constitute a municipality and a county or both. To the extent permitted by state law, if a law applicable to municipalities and the same or another law applicable to counties are in conflict, the Columbus Council shall have the power to choose the law that most benefits the Columbus Consolidated Government.