

**MINUTES OF THE 2011  
CHARTER REVIEW COMMISSION MEETING  
AUGUST 1, 2011**

A meeting of the Charter Review Commission was held on Monday, August 1, 2011 at the Government Center, Columbus Georgia. Mr. John Shinkle, Chairman, presiding.

**PRESENT:** other than Mr. Shinkle were Mr. Rick Alexander, Judge John Allen, Mr. W. J. Barrs, Mr. Mario Davis, Mr. Michael Eddings, Ms. Gladys Ford, Mr. Madden Hatcher, Jr., Mr. David Helmick, Mr. Julius Hunter, Jr., Mr. Bob Hydrick, Mr. D. L. Moore, Ms. Mary Sue Polleys, Ms. Brinkley Pound, Mr. Ben Richardson, Mr. Alton Russell, Mr. Tracy Sayers, Ms. Gloria Strode, Mr. Jorge Vega, Mr. Fife Whiteside, Mr. Brad Williams and Mr. John Woodward.

**ABSENT:** Ms. Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn. .

**ALSO PRESENT:** Mayor Teresa Tomlinson, City Manager Isaiah Hugley, Councilor Judy W. Thomas, City Attorney Clifton Fay, Assistant City Attorney Lucy Sheftall, Clerk of Council Tiny Washington, Recording Secretary Tameka Colbert and other guests and members of the media.

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This meeting was called to order at 3:00 p.m.

**APPROVAL OF MINUTES:** Minutes of the July 11, 2011 meeting of the Charter Review Commission was submitted and approved upon the adoption of a motion made by Mr. John Woodward and seconded by Mr. Jorge Vega, which carried unanimously by those 19 Commission Members present at the time, with Commissioners Mr. David Helmick, Mr. Tracy Sayers and Mr. Fife Whiteside, absent from this vote and Commissioners Ms. Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent from this meeting.

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**Note:** Mr. Fife Whiteside joined the meeting at 3:03 p.m.  
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Mr. Shinkle advised that Ms. Audrey Tillman would not be present today due to her son participating in the Little League Play-offs in Virginia. He said Mr. Bob Hydrick would be giving the presentation for Sub-Committee 1-Articles I, II, & VII. He also advised that Finance Director Pam Hodge would be giving a presentation, at the request of Mr. Bob Hydrick

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**Note:** Mr. Tracy Sayers joined the meeting at 3:06 p.m.  
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**SUBCOMMITTEE REPORTS:**

Committee 1-Articles I, II, & VII

Mr. Bob Hydrick started by apologizing for the absence of Ms Audrey Tillman. He said we have distributed two handouts and one of the handouts is called Recommended Changes. He said these are some small changes in the Charter, which deal with the consolidation of City and County and what we are doing is eliminating Bibb City. He went on to explain that when the Consolidated Government was formed Bibb City was still a Chartered Local Government but Bibb City has now dissolved their Charter. He said this is simply an amendment to the Charter to remove Bibb City from it. He said the second thing was included because of Bibb City and it was included in the Charter to define the relationship between the City of Columbus and Bibb City. He said the thought of the Committee is that Article I Section 1-104 be removed from the Charter. He also said the last article, which is Article VII, Section 7-402 we recommend that the letter A, which is in front of the word project be removed. *(A copy of this report is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment A).*

Mr. Hydrick moved that the recommended changes be taken to the citizens by way of Public Hearings. Seconded by Ms. Gloria Strode and carried unanimously by those 21 Commission Members who were present at this time, with Commissioner David Helmick being absent for this vote and Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

Mr. Hydrick explained that the other report deals with what has been talked about as the Service Fee. *(A copy of this report is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment B).* He said actually it has come back as a Public Safety Fee and this language was drafted by the City Attorney's Office. He said one of the aspects of the Articles in the Charter we were looking at had to do with the millage rate and the taxation process. He said there has been a great deal of concern among certain individuals in the community when it relates to the financial condition of the Consolidated Government. He went on to explain that property tax revenue is based on assessed value and the millage rate. He said in a large substantial number of households in the property tax base, the assessed value is frozen. He said the millage cap is topped out at 9 mills and said as far as property taxes from residential real estate on which homestead exemptions have been granted, that portion of the revenue coming into the Consolidated Government is for all intensive purposes frozen. Many of the assessed values have been frozen for almost thirty years now, and revenue growth that is severely restricted is something to be concerned about. He said a request came to the Committee to consider lifting the 9 mill cap. He said originally the 9 mill cap was 18 mills and with the passing of the first L.O.S.T the deal was made that if the first penny passed the cap would be reduced by 9 mills. A lot of discussion was held about the freeze and the millage cap. We finally decided that the freeze is not something that is in the Charter Review Commission's mission. It is not in the Charter and the Charter does not establish it. We were reluctant to do anything about the 9 mill cap for two reasons: the deal that was entered into by the Council with the public and if the millage cap is lifted it exacerbates the inequity of the freeze. He indicated that one of the suggestions that came forward was the idea of the \$500 flat fee.

At this time, Finance Director Pam Hodge distributed a written report regarding Homestead Exemption and gave a brief presentation of the information that she submitted. *(A copy of this*

report is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment C).

Upon completion of Ms. Hodge's presentation, several members of the Commission asked questions and made comments regarding the information that was submitted and after more twenty minutes of discussion, Mr. Bob Hydrick moved that the Commission take the proposal regarding the Service Fee under consideration. Seconded by Mr. Jorge Vega and carried unanimously by those 21 members of the Commission who were present at this time, with Commissioner David Helmick being absent for this vote and Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

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**OLD BUSINESS:**

**Tabled Motion – Subcommittee 2 – Article III:**

Mr. Shinkle said we have a tabled motion on a recommendation to change the current layout of Council Representatives. At this time Mr. Alton Russell distributed handouts to the Commission members explaining the motion in detail. *(A copy of this report is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment D).*

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**Note:** Mr. David Helmick joined the meeting at 3:39 p.m.  
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After reviewing the information submitted by Mr. Russell, Mr. D.L. Moore stated that he disagrees with the proposed change. He said he feels that this makeup would stop some of the individuals who would like to run for Council simply because they cannot afford to run for an at-large election.

Mr. Jorge Vega said this is an issue that tends to divide our community on a racial basis. He said he thinks we have an excellent Council with an excellent makeup. He also said this is not a system that is broken; it is a system that is working well.

Mr. Rick Alexander said with this makeup everyone would still have a District Councilor, in fact, they would have more representation because there would be five Council representatives. He said we have used the words "accountable to the whole city" and said even one of the Councilors admitted in a lot of cases at-large Councilors do have a different perspective. He indicated that he had spoken to both of the At-large Councilors and each one of them did confirm that it is more expensive to run for the at-large position but they also admitted that it is a lot easier to raise money. He said he does not see where it would penalize anyone.

Discussion went on for another fourteen minutes in regards to this matter, with several Commission Members stating why they agree or disagree with the proposed change.

After the discussion had taken place, Mr. Jorge Vega stated that Ms. Melanie Slaton requested that he advise the Commission of her opposition to the proposed change.

Ms. Brinkley Pound indicated that when the Charter was formed in 1971 there were four specific districts and six at-large Councilors.

At the July 11, 2011 Charter Review Commission Meeting, Mr. Alton Russell made a motion to take the proposed change regarding the current layout of Council Districts to the citizens by way of public hearings and seconded by Mr. Fife Whiteside. The motion to approve the proposed change was defeated by a vote of 18 to 4, with Commissioners Rick Alexander, J. W. Barrs, Alton Russell and Fife Whiteside voting in favor and all other 18 members present voting to defeat, with Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

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**SUBCOMMITTEE REPORTS CONTINUED:**

**Committee 3 – Executive Committee**

At this time, Mr. Hatcher made reference to the report that he submitted to Commission Members and guests at the beginning of the meeting, which states all recommendations of deletions and removals to the Charter made by Committee 3. *(A copy of this report is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment E).* He specified that the recommendation was unanimous from the Committee and said the Committee would like for the proposed change to be submitted to the public forum. He then made a motion that the proposed changes be taken to the public forum.

Ms. Mary Sue Polleys said she strongly opposes the concept of creating an arbitrary spoils system available to each new administration. She said she does not think the need has been established for this change. She said she could not recall any time the Mayor asked the Council to dismiss an individual and they were not dismissed. She then posed a question of why were these particular ones designated as City Officers and not other department heads such as, Finance, Engineering, Human Resources, Public Works and so forth. She then asked if any Mayor could just come in and dismiss those individuals on a whim.

Mr. Jorge Vega explained that immediately the affected individual could request the Council and the dismissal becomes overridden by six votes. He said the intent of the Committee was that the Mayor would be acting in a manner appropriate to that office. He said we have added one mechanism in addition to the existing ways that a Mayor can terminate; the only additional provision is that the Mayor could terminate immediately but the termination could be overridden.

Ms. Polleys reiterated the question of why is there a need for this change and how is the system broken.

Mr. Jorge Vega then addressed the question that was posed earlier by Ms. Polleys of why those members were selected. He explained that currently we have two existing Charter Members that are accountable to the Mayor, which are the City Manager and the City Attorney.

Ms. Polleys interrupted Mr. Vega's explanation by asking why those two persons should be accountable to the Mayor instead of the City Council.

Mr. Vega said they have always been accountable to the Mayor but the process for any adverse action against them has to begin with the Mayor and then go to Council or the Council could act independently. He said the Public Safety Officers are also apart of the Mayor's accountability chain and the only additional person that was included in that was the Internal Auditor, which was suggested by the Committee.

Ms. Gladys Ford said it was never the intent of the Committee to allow a new Mayor to come in and dismantle, however we looked at an organization chart that was provided to us and all of these positions were on there. She said the chart seemed pretty raggedy to us in the manner in which it was currently being executed; so we decided that if all of those persons were accountable to the Mayor they needed to be brought under the same or in the same way as the City Manager and the City Attorney.

Mr. Ben Richardson said he would like to piggyback what Ms. Polleys has already stated. He then pointed out a situation that occurred in Alabama where a City Manager was fired by the Mayor and reinstated by the Council. He said there was a lot of contention when that decision was made. He said if he were the Mayor he would not fire an individual without the support of the Council.

Ms. Ford responded to Mr. Richardson's comments by stating that the change came about in case of an emergency type situation.

Mr. Richardson suggested that the language be included to state in an emergency situation.

Ms. Gloria Strobe pointed out that sometimes the situation could be so serious that the Mayor may not have enough time to build consensus. She said often time people are not willing to take whatever the political risk is. She said this is not intended that when there is new leadership they can come in and change everybody out.

Ms. Polleys said why couldn't we have a provision that says for cause and they receive notice.

Discussion continued regarding this matter, with several Commission Members stating their opinions on the proposed change as well as Committee Members providing clarity of the proposed change.

At this time Mr. John Shinkle called attention to the motion that was made earlier by Mr. Madden Hatcher to take the proposed changes to the citizens by way of public hearings. Seconded by Mr. Bob Hydrick and carried by a vote of 17 to 5, with Commissioners Mario Davis, Mr. D. L. Moore, Mary Sue Polleys, Mr. Ben Richardson and Mr. Fife Whiteside voting in opposition to the proposed changes and all other 17 members present voting in favor, with Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

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**OLD BUSINESS CONTINUED:**

Mr. Shinkle said we had old business of term limits that was brought up and asked Mr. David Helmick if he would like to address the issue.

At this time Mr. David Helmick moved that the term limit legislation be taken to the public hearing . He then distributed the written proposal regarding City Council term limits. *(A copy of this report is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment F)*. He said we had primarily discussed the limit of three terms for City Council and after him and Mr. Rick Alexander discussed the issue a bit further they decided to move three terms with the option to run again after sitting out a full term. He said they felt that this was the best way to move forward. He said he has discussed the reasons for this change in a previous meeting. He stated that City Council should be not a career position. He said there are a lot of individuals in the community that think that there should be term limits. He said he does not see this legislation going to the voters unless the Commission brings it forth. He said the term limits would bring forth new energy and a new outlook, which would be very helpful on the Council.

Mr. Helmick restated his motion to take the term limit legislation to the public hearing. Seconded by Mr. Alexander.

Chairman Shinkle asked Mr. Helmick and Mr. Alexander if they were intending for a vote or would they like to table the motion until the September meeting to allow Commission Members to think about it.

Mr. Helmick responded by saying we would be happy to table the motion if it would enable the Commission to further consider the change and also speak with the community.

Mr. Vega moved to table the motion made by Mr. Helmick until the September meeting. Seconded by Mr. Bob Hydrick and carried unanimously by those 22 Commission Members present for this meeting, with Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

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**SUBCOMMITTEE REPORTS CONTINUED:**

**Committee 4 – Articles V & VII**

Judge John Allen said we are prepared to recommend one amendment to the 1993 Columbus Charter in Section 8-203. *(A copy of the written proposal is attached to the minutes and also filed in the Clerk of Council's Office. See Attachment G)*. He said we still have several counties that are not consolidated governments and laws are often passed to facilitate cities opposed to counties or counties as opposed to cities but this gives our body the power to choose the version that most benefits the county and/or populace at large.

At this time Judge Allen made a motion to take the recommended amendment to Section 8-203 to the citizens by way of public hearings. Seconded by Mr. Vega and carried unanimously by those 22 Commission Members present for this meeting, with Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

Judge Allen continued his presentation in saying the Committee makes no other recommendations for amendments to the Charter, however there were a couple of areas of concerns such as: the Marshal's Office and Recorder's Court.

After much discussion amongst the Commission Members, concerning both issues, no action was taken.

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**Note:** Mr. Mario Davis left the meeting at 4:42 p.m.

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### **Committee V – Article VI & Appendix**

Ms. Brinkley Pound began by expressing thanks to the members of her Committee. She said we addressed the issues in Article VI and Appendix 2. She said Article VI has to do with the designation of Council Districts, reapportionment procedures, election procedures and the removal of the Mayor or Councilors. She said specifically in Article VI we looked at runoff voting and partisan vs. non-partisan officers for the Mayor and Council. She said in Appendix 2 it's the ethics issues and prohibited practices by elected officials in any political activity. She said everyone should have two documents of proposed changes of our Committee. (*A copy of the written proposal is attached to the minutes and also filed in the Clerk of Council's Office. See Attachments H & I.*) At this time Ms. Pound briefly went over the written proposal regarding Article VI to provide clarity to Commission Members.

Ms. Pound made a motion to take the proposed changes regarding Article VI to the citizens by way of public hearings. Seconded by Mr. Hydrick and carried unanimously by those 21 Commission Members present at the time, with Commissioner Mario Davis being absent for this vote and Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

Ms. Brinkley Pound then briefly went over the written proposal regarding the Code of Ethics and Prohibited Practices, which is Appendix 2. She said we are making no proposed changes to Sections 1, 2, 3, 4, & 5; however there are proposed changes to Sections 6 and 7.

Ms. Pound made a motion to take the proposed changes regarding Appendix 2 to the Public Hearing. Seconded by Mr. Brad Williams and carried unanimously by those 21 Commission Members present at the time, with Commissioner Mario Davis being absent for this vote and Commissioners Melanie Slaton, Ms. Audrey Tillman, and Mr. Sam Wellborn being absent for this meeting.

In conclusion, Chairman Shinkle thanked the Commission for their hard work, and with their being no further business to discuss, the meeting was adjourned at 5:06 p.m.

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Tameka Colbert  
Recording Secretary

**Recommended Changes**

**Article I, Sec. 1-100. Consolidation of city and county; creation of consolidated government; name.**

All areas of Muscogee County outside of ~~Bibb City~~ and the Fort Benning Reservation are hereby annexed as part of the City of Columbus which is hereby consolidated with Muscogee County, and the single government hereby created shall be considered for all purposes as being a consolidation of the governments of Columbus as defined hereby with the County of Muscogee, and the single government which supersedes and replaces the governments of the City of Columbus and County of Muscogee shall be considered as a consolidation of the City of Columbus with boundaries to the Muscogee County line with the exception of ~~Bibb City~~ and the Fort Benning Reservation. It is the express intention of the General Assembly in enacting this provision to declare as a city and as a part of the City of Columbus all the area of Muscogee County with the exception of ~~Bibb City~~ and the Fort Benning Reservation.

**Article I, Sec. 1-104. Limitations. (Strike the entire section for irrelevance?)**

Nothing contained in this Charter shall be construed so as to affect the status of any incorporated municipality located within Muscogee County, other than the City of Columbus, and the status or relationship that such incorporated municipalities bear to Muscogee County and the City of Columbus prior to the adoption of this Charter shall continue to the same extent with the consolidated government.

**Article II – N/A**

**Article VII, Sec. 7-402. Consideration and adoption of budgets by Council.**

(5) The Council may delete a project from the capital program as submitted to it, but it shall not otherwise amend the capital program until it has requested through the mayor the recommendations of the department of community development.

## **ATTACHMENT B**

Proposed motion for Amendment to Article VII of the Columbus Charter in order to authorize a service fee on each property of the county in an amount not to exceed \$500 to offset the cost of providing fire and police services.

Upon completion of their review, the Charter Review Commission passed the following motion by a vote of \_\_\_ to \_\_\_.

"It is hereby recommended that Article VII, Sec.7-100 (2) be revised to insert the additional language authorizing Council by ordinance to assess a service fee in an amount not to exceed \$500 to offset a portion of the cost of providing police and fire services. As revised, Sec. 7-100(2) would read as follows:

'(2) In addition thereto, the Council shall have full power and authority to assess, charge, and collect rentals, interests, fees, penalties, fines, and costs; to assess and collect fees, charges and tolls for sewer and water services under such rules and regulations as prescribed by ordinance; to levy and collect the garbage, trash, refuse and rubbish collection service charges and sanitary taxes under such rules and regulations as prescribed by ordinance; **to assess and collect a service fee in an amount not to exceed \$500, on each property subject to taxation by the consolidated government to offset a portion of the cost of providing police and fire services under such rules and regulations as prescribed by ordinance provided that each assessment shall be reduced by amount of ad valorem taxes paid for the same calendar year in which the fee is assessed on the same property;** to collect income on investments and to accept funds, services or property from other political subdivisions and public agencies, either local, state or national, and from private persons, firms or corporations.'"

(New language appears in bold.)

**Charter Review Commission**

August 1, 2011

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**2010 Homestead Exemptions**

- The *Standard Homestead Exemption* is available to all homeowners who otherwise qualify by ownership and residency requirements and it is an amount equal to \$2,000 on the State portion and \$13,500 off assessment on local value which is deducted from the 40% assessed value of the homestead property. *The homestead exemption freezes the assessment on the property.* The exemption applies to the maintenance and operation portion of the mill rate levy of the county and the county school system and the State mill rate levy. It does not apply to the portion of the mill rate levied to retire bonded indebtedness.
- 27,460 of the 31,160 households that pay less than \$500 in Net City Operating taxes file this exemption.

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**2010 Exemptions-Paying less than \$500 in Net City Operating**

H1	Regular standard exemption	27,460*
H2	Elderly 65 & older-low income	2,603
H5	Disabled veterans	740
HC	Regular std exemption 65 & older	336
HD	Disabled veterans 65 & older	18
HE	Surviving spouse 65 & older	1
HS	Surviving spouse	2

\*Note: We are only discussing changing the Net City Operating Taxes for H1 filers

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**2010 Breakdown of Exemptions-Paying less than \$500 in Net City Operating**

\$	H1	H2	H5	HC	HD	HE	HS	TU
0-50	7,534	1,843	667	99	13	1	0	10,157
50-100	3,536	216	12	40	1	0	2	3,807
100-150	3,285	160	12	47	1	0	0	3,505
150-200	2,987	91	9	26	2	0	0	3,115
200-250	2,464	89	6	33	1	0	0	2,593
250-300	1,887	66	6	18	0	0	0	1,977
300-350	1,887	67	12	21	0	0	0	1,987
350-400	1,458	32	6	18	0	0	0	1,514
400-450	1,279	21	6	14	0	0	0	1,320
450-500	1,143	18	4	20	0	0	0	1,185
<b>Totals</b>	<b>27,460</b>	<b>2,603</b>	<b>740</b>	<b>336</b>	<b>18</b>	<b>1</b>	<b>2</b>	<b>31,160</b>

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**Effect of Imposing a \$500 minimum Service Fee on 2010 Net City Operating Tax Collections**

Exemption	2010 Actual	Proposed
H1	\$4,598,094	\$13,730,000
H2	155,288	155,288
H5	16,974	16,974
HC	56,050	56,050
HD	741	741
HE	0	0
HS	161	161
<b>Total</b>	<b>\$4,827,308</b>	<b>\$13,959,214</b>
<b>INCREASE</b>		<b>\$9,131,906</b>

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**Charter Review Commission**

**August 1, 2011**

**Motion to Change From 8 to 6 Council Districts**

Article III. Legislative Branch

Chapter 1. The Council

Section 3-100 (3)

Delete and Remove Paragraph (3)

Which Reads:

(3)Each council post shall be numbered. Members of the council serving on January 1, 1993, and any successor to such a member filling a vacancy for an unexpired term shall continue their respective post designations in effect on January 1, 1993, for the remainder of the term of office. Beginning with the regular elections in 1994 and 1996, the post numbers shall correspond with the numbering of the respective council districts as members are elected to the eight (8) council districts provided for in Section. 6-101 of this charter. The member elected to the council as an at-large member in 1994 shall continue to be, the designated Post 9 councilor and the member elected to the council as an at-large member in 1996 shall continue to be the designated Post 10 councilor. After the regular elections in 1994 and 1996, the council shall have eight (8) district councilors and two (2) councilors at large.

And Substitute in Lieu Thereof,

The Following:

(3)Each council post shall be numbered. Members of the council serving on January 1, 2013, and any successor to such a member filling a vacancy for an unexpired term shall continue their respective post designations in effect on January 1, 2013, for the remainder of the term of office. Beginning with the regular elections in 2014 and 2016, the post numbers shall correspond with the numbering of the respective council districts as members are elected to the six (6) council districts provided for in Section. 6-101 of this charter. The member elected to the council as an at-large member in 2014 shall continue to be, the designated Post 7 councilor and the member elected to the council as an at-large member in 2016 shall continue to be the designated Post 8 councilor. After the regular elections in 2014 and 2016, the council shall have six (6) district councilors and four (4) councilors at large.

July 25, 2011

**CHARTER REVIEW COMMISSION - 2011  
COMMITTEE THREE (3)**

**Article IV – Executive Branch**

**Report of Committee 3  
to the Charter Review Commission**

1. Committee #3 recommends the deletion and removal of Section 1-101. Form of Government from the Charter. Said Section 1-101 which reads as follows, to wit:

“Sec. 1-101. Form of Government.

The Consolidated Government provided by this Charter shall be known as the Mayor-Council-City Manager form of government. The Mayor shall be aided by a City Manager, who, in the performance of his or her duties shall be responsible to the Mayor.”

and to substitute in lieu thereof, the following, to wit:

“Section 1-101. Form of Government.

The Consolidated Government provided by this Charter shall be known as the Mayor-Council-City Manager form of government. The Mayor shall be aided by City Officers, who, in the performance of their duties, shall be responsible and accountable to the Mayor. Those persons who are deemed to be City Officers are set forth in Section 4-300 of this Charter, as amended.

2. Committee #3 recommends the deletion and removal of Section 4-101 from the Charter of Columbus, Georgia. Said Section 4-101 reads as follows, to wit:

“Sec. 4-101. Organization.

The Executive Branch shall consist of the office of the Mayor; the office of City Manager, the Directors of Department; and Departments, Boards, Commissions and Authorities ordained by the Council or established by law.”

and to substitute in lieu thereof, the following, to wit:

“Section 4-101.     Organization

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 Council or established by law.”

3.     Committee #3 recommends the deletion and removal of part of Section 4-102(2), which reads as follows, to wit:

“(2) There shall be a director of each department who shall be the principal officer thereof, except the Department of Public Safety, the Director and principal officer of which shall be the Mayor.”

and to substitute in lieu thereof the following, to wit:

“(2) There shall be a director of each department who shall be the principal officer thereof.”

4.     Committee #3 recommends the deletion and removal of Paragraph (3)(a) of Section 4-201, Chapter 2. The Mayor from the Charter of Columbus which reads as follows, to wit:

“(3)(a). To nominate the City Manager and City Attorney. Such nomination shall become effective when confirmed by the affirmative vote of six members of the council;”

and to substitute in lieu thereof the following, to wit:

“(3)(a). To nominate the City Officers as defined in Section 4-300 below.. Such nominations shall become effective when confirmed by the affirmative vote of Six (6) members of the council;”

5.     To remove and delete from the Charter of Columbus Section 4-201(3)(b) which reads as follows, to wit:

“(3)(b). To recommend the removal of the City Manager and the City Attorney. Such recommendation shall become effective when confirmed by the affirmative vote of six (6) members of the council;”

6. To remove and delete the entire Chapter 3. City Officers of the Charter of Columbus, Georgia, and to substitute in lieu thereof a new Chapter 3. City Officers, which shall read as follows, to wit:

### Chapter 3. City Officers

#### Subchapter A.

Section 4-300. The City Officers of Columbus, Georgia shall consist of the City Manager, the City Attorney, the Internal Auditor, the Chief of the Columbus Police Department, the Chief of the Columbus Fire Department and the Warden of the Muscogee County Prison, all of whom shall be responsible to and accountable to the Mayor of Columbus, Georgia.

Section 4-301. The residency requirement contained in Chapter 3 of this Charter shall only be applicable prospectively to City Officers appointed after the effective date of these amendments to the Charter.

#### Subchapter B. City Manager

Section 4-305. Appointment. The City Manager shall be appointed in accordance with the requirements of Section 4-201(3) of Chapter 2 of this Article. The City Manager shall be removed in accordance with the requirement of Section 4-335 of this Chapter. Vacancies occurring in the office of the City Manager shall be filled in the same manner as prescribed in Chapter 2 for original appointment.

Section 4-306. Residence and Compensation. The City Manager need not be a resident of Columbus, Muscogee County, Georgia, at the time of his/her appointment, but must become a resident of Columbus, Muscogee County, Georgia within ninety (90) days thereafter and maintain such residency during his/her term of office. The City Manager shall receive such compensation as fixed by ordinance of the Council.

Section 4-307.

Powers and Duties.

The City Manager, under and subject to the direction of the Mayor shall:

- (1) Appoint and remove all heads of departments in the administrative service of the consolidated government who are subject to his or her control and direction as provided for by this Charter or personnel rules adopted pursuant to this Charter and by ordinance;
- (2) Direct and supervise the administration of all departments, offices and agencies of the consolidated government except as otherwise provided by law, this Charter, or ordinance.
- (3) Prepare and submit to the mayor the annual operating and capital budget and capital improvement program.
- (4) Submit to the mayor and make available to the public a complete report on the finances and administrative activities of the consolidated government as of the end of each fiscal year and at such other times as the mayor may direct;
- (5) Prepare and make such other reports concerning the operations of departments, offices and agencies of the consolidated government subject to the City Manager's direction and supervision as may be required by the Mayor or by the Council;
- (6) Keep the mayor and Council fully advised as to the financial condition and future needs of the consolidated government and make such recommendations to the Mayor and the Council concerning the affairs of the government as he or she deems desirable;
- (7) Have care and custody of all buildings and of all real and personal property of the government.

(8) Direct and supervise the administration of the construction, maintenance, and operation of public streets, roads, bridges, drains and buildings and other public works;

(9) Confer with and assist the directors of all departments, such as the department of health and department of family and children services whose responsibilities and activities are not under direct control and jurisdiction of the Council, but who are dependent upon appropriations therefrom;

(10) Confer with and advise all elected and appointed officials of the consolidated government who are not under the immediate control or jurisdiction of the Council but who financial support there from, such as sheriff, clerk of council and probate judge;

(11) At least annually, examine accounts, record and operations of every board, commission, authority, department, office and agency which receive appropriations for the Council;

(12) Provide general liaison between the Mayor, the Council and all departments, boards, commissions and employees of the consolidated government;

(13) Perform such other duties as may be required by law, this Charter, ordinance, or resolution of the Council.

#### Subchapter C. City Attorney

#### Section 4-310.

Appointment. The City Attorney shall be appointed in accordance with the requirements of Section 4-201(3) of Chapter 2 of this Article. The City Attorney shall be removed in accordance with the requirement of Section 4-335 of this Chapter. Vacancies occurring in the office of the City Attorney shall be filled in the

same manner as prescribed in Chapter 2 for original appointment.

Section 4-311. Residence and Compensation. The City Attorney need not be a resident of Columbus, Muscogee County, Georgia, at the time of his/her appointment, but must become a resident of Columbus, Muscogee County, Georgia within ninety (90) days thereafter and maintain such residency during his/her term of office. The City Attorney must be an active member of the State Bar of Georgia, in good standing, and shall have had at least five (5) years experience in active practice of the law. The compensation of the City Attorney shall be fixed by ordinance of the Council.

Section 4-312. Powers and Duties.

The City Attorney, under and subject to the direction of the Mayor shall:

- (1) Act as the legal adviser to and attorney and counsel to the consolidated government and all its officers in matters relating to their official duties;
- (2) Prepare all contracts, bonds and other instruments in writing in which the consolidated government is concerned and shall endorse on each approval of the form and correctness thereof, and no such written contract with the consolidated government shall take effect until the approval of the City Attorney is endorsed thereon;
- (3) Be the primary prosecutor in the recorder's court.
- (4) Perform such other duties as may be required by law, this Charter, ordinance, or resolution of the Council.

## Subchapter D – Internal Auditor

Section 4-315      Appointment. The Internal Auditor of Columbus, Georgia shall be appointed in accordance with the requirements of Section 4-201(3) of Chapter 2 of this Article. The Internal Auditor shall be removed in accordance with the requirement of Section 4-335 of this Chapter. Vacancies occurring in the office of the Internal Auditor shall be filled in the same manner in the same manner as prescribed by this Charter for original appointment.

Section 4-316      Residence and Compensation. The Internal Auditor need not be a resident of Columbus, Muscogee County, Georgia, at the time of his/her appointment, but must become a resident of Columbus, Muscogee County, Georgia within ninety (90) days thereafter and maintain such residency during his/her term of office and must be a licensed certified public accountant or certified internal auditor, in good standing and shall have had at least five years experience in active practice as a certified public accountant or as a certified internal auditor. The compensation of the Internal Auditor shall be fixed by ordinance.

Section 4-317      Powers and Duties.

The Internal Auditor shall:

(1) Be responsible for auditing internal accounting and financial management activities of the consolidated government to assure compliance with statutory requirement and sound accounting principles. The position examines and analyzes procedures, verifies accounts and expenditures and provides other analysis of financial and operating data as directed by the Mayor.

(2) Perform such other duties as may be

required by law, this Charter, ordinance, or resolution of the Council.

(3) Simultaneously report his/her findings to the Mayor and Council.

#### Subchapter E. Chief of Police of Columbus, Georgia

Section 4-320. Appointment. The Chief of Police of Columbus, Georgia shall be appointed in accordance with the requirements of Section 4-201(3) of Chapter 2 of this article. The Chief of Police of Columbus, Georgia shall be removed in accordance with the requirement of Section 4-335 of this Chapter. Vacancies occurring in the office of the Chief of Police of Columbus, Georgia shall be filled in the same manner as prescribed in Chapter 2 for original appointment.

Section 4-321. Residence and Compensation The Chief of Police need not be a resident of Columbus, Muscogee County, Georgia, at the time of his/her appointment, but must become a resident of Columbus, Muscogee County, Georgia within ninety (90) days thereafter and maintain such residency during his/her term of office. The compensation of the Chief of Police of Columbus, Georgia, shall be fixed by ordinance.

Section 4-322 Powers and Duties.

(1) The Chief of Police shall be the chief executive officer of the Columbus Police Department. The Chief shall be responsible to the Mayor for the overall operations of the department. The Chief of Police is the ranking officer of the department and shall have authority over all personnel, sworn and non-sworn, within the department.

(2) The Chief shall be responsible for the selection, training, assignment and promotion of all personnel. The Chief shall have the

authority to discipline, including the termination of, any departmental personnel.

(3) The Chief is authorized to promulgate rules and regulations and to establish policy and procedure governing the conduct of departmental employees and the activities and operations of the police department. The Chief is responsible for the fiscal management of the department and shall prepare and submit an annual budget to the Mayor and City Manager, as directed.

(4) The Chief may delegate any of the responsibilities of the office to any of his subordinates within the police department.

(5) The Chief shall perform such other duties as are required by law or ordinance.

#### Subchapter F. Chief of Columbus Fire Department

Section 4-325. Appointment. The Chief of the Columbus Fire Department shall be appointed in accordance with the requirements of Section 4-201(3) of Chapter 2 of this article. The Chief of the Columbus Fire Department shall be removed in accordance with the requirement of Section 4-335 of this Chapter. Vacancies occurring in the office of the Chief of the Columbus Fire Department shall be filled in the same manner as prescribed in Chapter 2 for original appointment.

Section 326. Residence and Compensation. The Chief of the Columbus Fire Department need not be a resident of Columbus, Muscogee County, Georgia, at the time of his/her appointment, but must become a resident of Columbus, Muscogee County, Georgia within ninety (90) days thereafter and maintain such residency during his/her term of office. The compensation of the Chief of the Columbus Fire Department shall be fixed by ordinance.

(1) The Chief of the Fire Department shall be in charge of the fire and emergency medical services and shall be the chief executive officer of the department of fire and emergency medical services. The Chief shall be responsible to the Mayor for the overall operations of the department. The Chief of the department of fire and emergency medical services is the ranking officer of the department and shall have authority over all personnel, sworn and non-sworn, within the department.

(2) The Chief shall be responsible for the selection, hiring, training, assignment, promotion and appointment of all personnel. The Chief shall have the authority to discipline, including the termination of, any departmental personnel.

(3) The Chief is authorized to promulgate rules and regulations and to establish policies and guidelines governing the conduct of departmental employees and the activities and operations of the department of fire and emergency medical services. The Chief is responsible for the fiscal management of the department and shall prepare and submit an annual budget to the Mayor and City Manager, as directed.

(4) The Chief may delegate any of the responsibilities of the office to any of the subordinates within the department of fire and emergency medical services.

(5) The chief is empowered to assign personnel as needed within the department.

(6) The chief of the department of fire and emergency medical services shall have general control and supervision of all the equipment and

all of the members of the department and shall be responsible for the condition and efficiency of the same and shall be in full command of all members of the department.

#### Subchapter G. Warden of Muscogee County Prison

Section 4-330. Appointment. The Warden of Muscogee County Prison shall be appointed in accordance with the requirements of Section 4-201(3) of Chapter 2 of this article. The Warden of Muscogee County Prison shall be removed in accordance with the requirement of Section 4-335 of this Chapter. Vacancies occurring in the office of the Warden of Muscogee County Prison shall be filled in the same manner as prescribed in Chapter 2 for original appointment.

Section 4-331. Residence and Compensation The Warden of the Muscogee County Prison need not be a resident of Columbus, Muscogee County, Georgia, at the time of his/her appointment, but must become a resident of Columbus, Muscogee County, Georgia within ninety (90) days thereafter and maintain such residency during his/her term of office. The compensation of the Warden of the Muscogee County Prison shall be fixed by ordinance.

Section 4-332. Powers and Duties.

(1) The rules of the State Board of Corrections governing the conduct and control of inmates shall apply at the Muscogee County Prison to all inmates sentenced from recorder's court, municipal court, state court and Superior Court for violations of city ordinances.

(2) The Warden of the Muscogee County Prison is charged with the responsibility of administering these rules for city-county inmates in the same manner that he administers said rules for state inmates. The Warden of the Muscogee County Prison shall maintain an up-

to-date copy of said rules of the Muscogee County Prison.

(3) The Warden is responsible for the fiscal management of the department and shall prepare and submit an annual budget to the Mayor and City Manager, as directed.

#### Subchapter H. Dismissal and Appeal

##### Section 4-335. Dismissal of City Officer

Any City Officer named in this Chapter may be dismissed as follows, to wit:

(1) The Mayor may recommend the removal and dismissal of any City Officer. Such removal and dismissal shall not be effective until confirmed by the affirmative vote of six (6) members of the Council within twenty (20) days of such recommendation by the Mayor.

(2) The Mayor may remove, dismiss and discharge any City Officer. Such dismissal shall be effective immediately subject to the affected City Officer's right to appeal such action by the Mayor as provided in Section 4-336 of this Subchapter.

(3) The Council, without a recommendation of the Mayor, may remove, dismiss and discharge any City Officer with the affirmative vote of seven (7) members of Council voting in favor of such removal, dismissal or discharge.

##### Section 4-336. Appeal of Dismissal by City Officer.

Any City Officer who is removed, dismissed, or discharged from his or her position as an officer of the City of Columbus, Georgia, shall have the right to appeal such removal, dismissal or discharge to the Council of Columbus, Georgia, by filing a notice of appeal with the Clerk of Council within thirty (30) days from the date of such removal, dismissal or discharge. Such

affected city official shall have the right to a public hearing before the Council of Columbus, Georgia, within 30 days from the date of filing such notice of appeal. Upon completion of the hearing before the Council, the removal, dismissal or discharge of such City Officer must be confirmed or overruled by an affirmative vote of at least six (6) members of Council.

## **ATTACHMENT F**

TO: Charter Review Commission,  
John Shinkle, Chairman

FROM: David Helmick

DATE: 8/1/2011

RE: City Council Term Limit Proposal

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I propose that the following sentence be added to Section 3-100(2) at the end of the paragraph:

“Beginning January 1, 2013, any councilor who is thereafter elected for three (3) consecutive four-year terms shall not be eligible to be elected for the succeeding term, although, such councilor shall be eligible to again serve upon expiration of the succeeding term.”

## **ATTACHMENT G**

TO: Charter Review Commission  
Chairman, John Shinkle

FROM: Subcommittee on Articles V & VIII

DATE: August 1, 2011

RE: Recommendations

This subcommittee recommends the following amendments to the 1993 Columbus Charter:

- (1) Sec. 8-203. For purposes of all applicable laws, the consolidated government shall constitute a municipality and a county, both. If a law applicable to municipalities and the same or another law applicable to counties are in conflict, *"the governing body shall have the power to choose that version of said law that most benefits the county and/or populace at large."*
- (2) This sub-committee makes no other recommendations for amendments to the Charter, however, the committee, by a majority vote, feels the following observations concerning Charter controlled agencies are worthy of sharing and/or recommendation:

A - Marshal's Office. The Marshal's office in its modern (latest form) was established, integrally, with the Municipal Court in Ga. Laws 1983, p. (1443.) The Marshal's office, with an elected Marshal, is not inferior to the Municipal Court, rather, an important, independent arm of the Municipal Court whose principal duties are defined in relation to said court.

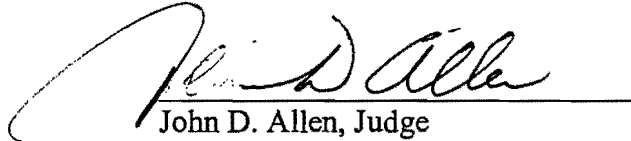
The Marshal's office is extremely busy and, apparently, effective in performing its designated duties with the Municipal Court being dependent on such effectiveness.

A majority of this sub-committee recommends the continued existence of the Marshal's office. Issues of the efficiency of this office in any extended operation are matters more appropriately addressed by the Public Safety Director in an overall efficiency assessment of law enforcement relations and function.

B - Sec. 5-6-5 (Recorders Court). This subcommittee is of the opinion that clearly defined lives of authorities with attendant duties and responsibilities should be posited by Ordinance of Council, with consideration to the notion that Recorders should have some responsibility over operations and practices for which they are responsible.

The appointment and retention of clerks of said court are reasonably addressed by the presently proposed ordinance, with a caveat. The Chief Clerk or Clerk should be a person with proven experience in conducting administrative business of courts including scheduling and receiving, disbursing and accounting for monies received. The power to appoint such person is appropriately in Council.

Submitted this 1<sup>st</sup> day of August, 2011.

A handwritten signature in cursive script, reading "John D. Allen", written over a horizontal line.

John D. Allen, Judge  
Chair of Subcommittee  
Articles V & VIII

Charter of Consolidated Government Columbus, Georgia

Article VI: Election and Recall.

**Proposed Changes**

Subcommittee Members: Brinkley Pound [Chairman], Mario Davis, Melanie Slaton, Bradley Williams

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Chapter 1. Representation: General Provisions

Sec. 6-100. Regular elections, time for holding voting.

- (1) The regular election of the consolidated government shall be held on the Tuesday next following the first Monday in November in each even-numbered year. Except for special elections to fill vacancies in office, all officers who are required by this charter to be elected shall be elected at the regular election of the consolidated government.
- (2) The entire electorate of the consolidated government shall be entitled to vote in the elections for mayor and councilors at large. The mayor and councilors at large shall be residents of the consolidated government. Each district councilor shall be a resident of the council district he or she represents and shall be elected only by the voters of the district he or she represents.

Sec. 6-101. Council districts.

- (1) For the purpose of electing the district councilors, the territory of the consolidated government shall be divided into eight (8) council districts\* as follows:designated by the decennial districting commission provided for in Sec. 6-102.
- (2) For the purposes of this section:
  - a. The terms "tract," "block," and "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of ~~1990~~ 2010 for the State of Georgia;
  - b. The term "Precinct" is synonymous with the term "voting precinct" and means a geographical area designated by Article 7 of Chapter 2 or 3 of Title 21 of the O.C.G.A. within which all electors vote at one (1) polling place;
  - c. Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any council district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of ~~1990~~ 2010 for the State of Georgia shall control;
  - d. Any part of the consolidated government which is not included in any council district described in this section shall be included within that council district contiguous to such part which contains the least population according to the United States decennial census of ~~1990~~ 2010 for the State of Georgia; and

- e. Any part of the consolidated government which is described in this section as being included in a particular council district shall nevertheless not be included within such council if such part is not contiguous to such council district. Such noncontiguous part shall instead be included within that council district contiguous to such part which contains the least population according to the United States decennial census of ~~1990~~ 2010 for the State of Georgia.

(3)

- a. At the regular election in 1994, the mayor shall be elected and the members shall be elected to the council from Council Districts 2, 4, 6, and 8 and the at-large member shall be elected to Post 10, From the commencement of their terms of office as provided in subsection (2) of Section 3-100 and until the expiration of the terms of members elected to the council in 1992, the council shall consist of the five (5) members elected at the 1994 regular election as provided in this paragraph and the five (5) members elected to the council in 1992 or any successor to such a member who is filling a vacancy for an unexpired term.
- b. At the regular election in 1996, members shall be elected to the council from Council Districts 1, 3, 5, and 7 and the at-large member shall be elected to Post 9, From the commencement of their terms of office as provided in subsection (2) of Section 3-100 and thereafter, the council shall consist of the eight (8) district councilors and two (2) councilors at large.
- c. The mayor and the members elected to the council as provided for in paragraphs (a) and (b) of this subsection and their representative successors shall be elected at the general election held immediately preceding the expiration of their respective terms of office.

Sec. 6-102. Reapportionment of council districts.

- (1) The final grand jury of each decennial year shall, ~~after each official United State decennial census,~~ nominate four (4) ~~qualified~~ registered voters from each of the eight (8) council districts\* as nominees to comprise a districting commission. The mayor and the Council shall each appoint one (1) member of the districting commission from the nominees submitted by the grand jury for each council district. The voters chosen shall neither hold any elective office nor be employed by the consolidated government in any capacity. In the event of vacancy in office of a member of the commission for any cause, the vacancy shall be filled in the manner for original appointment. The Judge of the Probate Court shall be an ex officio member of the districting commission with the same voting rights, privileges and duties as other members thereof.
- (2) With six (6) months after the publication of each federal census of population of Columbus, Georgia, the districting commission shall file with the Council a report containing a recommended plan for reapportionment of the council district boundaries to comply with the following specifications:
  - a. Each district shall be formed of contiguous, and to the extent reasonably possible, compact territory, and its boundary lines shall be the center lines of streets or other well-defined boundaries; and

- b. Each district shall contain as nearly as is reasonable the same population.

The report shall include a map and description of the districts recommended and shall be drafted as a proposed ordinance. Once filed with the clerk, the report shall be treated as an ordinance introduced by a Council member.

- (3) The procedure for the Council's consideration of the report shall be the same as for other ordinances, provided that the provisions of Section 3-206 of this Charter pertaining to publications shall require both the map and the description of the recommended districts be published.
- (4) The Council shall enact a redistricting ordinance within six (6) months after receiving such report. If the Council fails to enact a redistricting ordinance ~~with~~ within said six (6) months, the redistricting plan submitted by the districting commission shall become effective without enactment by the Council, as if it were a duly enacted ordinance.
- (5) Such redistricting ordinance shall not apply to any primary or regular or special election held within six (6) months after its becoming effective. No incumbent councilor or member of a board or commission shall be deprived of his or her unexpired term of office because of such redistricting.

## Chapter 2. Conduct of Elections

### ~~Section~~ Sec. 6-200. Applicability of general laws.

Except as otherwise provided by this charter, regular and special primaries and elections shall be conducted in accordance with provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as amended. Pursuant to the authority of Code Section 21-2-139 of the O.C.G.A. elections for Mayor and Council of the Consolidated Government shall be conducted in nonpartisan primaries and elections. As used in said code, the terms "election" and "general election" shall be construed to include the term "regular election" as provided in Section 6-100 of this charter; the term "governing authority" shall include the Council, of Columbus, Georgia; the terms "municipal," "municipality" or "county" shall include Columbus, Georgia; the term "public office" shall include elective offices of the consolidated government."

(Ga. Law 1994, Act No. 941, § 1)

### Sec. 6- 201. Special elections.

In the event the office of mayor or councilor shall become vacant for any cause whatsoever, then such vacancy shall be filled in the manner provided for this section. If a vacancy occurs within one and one-half (1 ½) years after the date of a regular election for the office of mayor or councilor, then the board of elections shall, within ten (10) days after the occurrence of such vacancy, call a special election to fill the balance of the unexpired term of such office by giving notice in one (1) or more newspapers of general circulation including that with the largest circulation in Columbus, Georgia. If vacancy occurs more than one and one-half (1 ½) years after the date of a regular election for the office of mayor or councilor, then a person shall be appointed by a majority vote of the total membership of the council to serve until a successor is elected for the office of mayor or councilor. The successor elected at such special election

shall serve the remainder of the unexpired term of such office. The special election required herein shall be held on ~~the a date specified in the advertisement, but not less than thirty (30) days nor more than forty five (45) days after the publication of the call of the election. by O.C.G.A. 21-2-540.~~ In all other respects, every special election shall be held and conducted in accordance with those provisions of the applicable laws of Georgia as provided in Section 6-200 of this Charter.

Sec. 6-202. Automatic recount.

Whenever the difference between the number of votes received by a candidate who has been declared elected to an office in a regular or special election and the number of votes received by any other candidate or candidates not declared so elected shall be not more than one (1) percent of the total votes which were cast for such office therein, ~~the board of elections shall order a recount of such votes to be made forthwith unless such other candidate or candidates shall waive a recount in writing.~~ pursuant to O.C.G.A. 21-2-495(c).

Chapter 3. Recall Elections. Reserved.

Chapter 4. Initiative and Referendum

Sec. 6-400. Petition for enactment; circulation; etc.

- (1) Any proposed ordinances, including ordinances ... indicated. NO CHANGES
- (2) All papers comprising a petition shall be... ordinance. NO CHANGES
- (3) The Council shall at once proceed to consider such petition and shall take final action....immediately cause notice of the placing of such copies of such petition to be published in ~~some newspaper of general circulation~~ one (1) or more newspapers of general circulation including that with the largest circulation in Columbus, Georgia...Council.
- (4) If an election is to be held not more than three (3) months... published. NO CHANGES
- (5) The ballots used when voting upon any such proposed ordinance shall ~~state the title of~~ be the ordinance to be voted on and below it the two (2) propositions, "For the Ordinance" and "Against the Ordinance," and those voting against the ordinance shall draw a mark through the words "For the Ordinance". ~~Voting shall be conducted pursuant to O.C.G.A. 21-2-284 and O.C.G.A. 21-2-285.~~ If a majority of the qualified voters on any such proposed ordinance shall vote in favor thereof, it shall thereupon become an ordinance of the consolidated government.

Sec. 6-401. Approval of ordinance form; drafting.

Sec. 6-402. Effect; manner of repealing.

Sec. 6-403. Repeal by referendum petition; contents; filing.

Sec. 6-404. Expenditure measures; action before election.

NO CHANGES to sections 6-401 through 6-404.

**Chapter 5. Removal of Mayor or Councilor.**

**Sec. 6-500. Grounds of removal.**

The mayor or any councilor shall be subject to removal from any office for any one (1) or more of the following causes:

- a. Incompetence, misfeasance or malfeasance in office;
- b. Conviction of a crime involving moral turpitude or a crime punishable as a felony;
- c. Failure at any time to possess any of the qualifications of office as provided by this Charter or by law;
- d. Violation of the Code of Ethics and Prohibited Practices provided in Appendix Two hereof which is hereby made a part of this Charter;
- e. Abandonment of office or neglect to perform the duties thereof; ~~or~~
- f. ~~Failure for any other cause to, perform the duties of office as required by this Charter or by law;~~  
or
- g. Any cause as described or defined in O.C.G.A. 21-4-3.

**Sec. 6-501. Procedure for removal.**

Removal of an elected officer provided for in this Chapter from office ~~may be accomplished by one (1) of the following methods:~~ pursuant to provisions in O.C.G.A. 21-4-1 through O.C.G.A. 21-4-21.

**\*Number of districts subject to Charter Review Commission recommendation**

Charter of Consolidated Government Columbus, Georgia

Appendix Two

Code of Ethics and Prohibited Practices

**Proposed Changes**

Subcommittee Members: Brinkley Pound [Chairman], Mario Davis, Melanie Slaton, Bradley Williams

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1. *Conflict of interest.*
2. *Disclosure.*
3. *Use of public property.*
4. *Testimony of public officials relating to public affairs.*
5. *Contracts voidable and rescindable.*

NO CHANGES TO THE ABOVE SECTIONS.

6. *Ineligibility of elected officials.* Except where authorized by law or as expressly provided in this Charter, neither the mayor or any councilor shall hold any other elective office during the time for which they were elected unless such councilor or mayor, prior to qualifying for election to such elective office, shall submit his or her resignation from his or her position as councilor or mayor, to be irrevocably effective on or before the date on which the tenure of office for which he or she offers is scheduled to begin. No former mayor or former councilor shall hold any compensated appointive office in the government until one (1) year after the expiration of the term for which he or she was elected.
7. *Political activities of certain officers and employees.*
  - a. No appointive officer or employee of the consolidated government shall continue in such employment upon qualifying as a candidate for nomination or election to any public office in Muscogee County, nor shall any appointive officer or employee thereof electioneer for a candidate or take any part in the management of the affairs of any political party or in any political campaign in Muscogee County, except to exercise his or her right as citizen privately to express his or her opinions and cast his or her vote.
  - b. No appointive officer or employee of the government shall be granted any leave of absence for the purpose of engaging in any of the activities set forth in paragraph (a) hereof.
8. *Penalties for violation.*

NO CHANGES TO THE SECTION 8.