

CHARTER REVIEW COMMISSION MEETING
March 7, 2011

A meeting of the 2011 Charter Review Commission was held on Monday, March 7, 2011 at the Muscogee County School District's Administrative Building, Columbus Georgia. Mr. John Shinkle, Chairman, presiding.

PRESENT: 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, Mr. D. L. Moore, Ms. Mary Sue Polleys, Mr. Ben Richardson, Mr. Alton Russell, Mr. Tracy Sayers, Mr. John Shinkle, Ms. Gloria Strode, Ms. Audrey Tillman, Mr. Jorge Vega and Mr. John Woodward.

ABSENT: Mr. Rick Alexander, Mr. Bob Hydrick, Ms. Brinkley Pound, Mr. John J. Rodgers, Ms. Melanie Slaton, Mr. Sam Wellborn and Mr. Brad Williams.

ALSO PRESENT: Mayor Teresa Tomlinson, City Manager Isaiah Hugley, Councilor Judy Thomas, City Attorney Clifton Fay, Assistant City Attorney Jaimie DeLoach, Ms. Shondell Duncan, Ms. Tameka Colbert, Secretary and members of the media were present as well.

This meeting was called to order at 3:03 p.m.

APPROVAL OF MINUTES: Minutes of the January 18, 2011 meeting of the 2011 Charter Review Commission was submitted and approved upon the adoption of a motion made by Mr. Mario Davis and seconded by Mr. David Helmick, which carried unanimously by those 18 members of the Commission who were present for this meeting.

Minutes of the February 7, 2011 meeting of the 2011 Charter Review Commission was also submitted and approved upon the adoption of a motion made by Mr. David Helmick and seconded by Ms. Audrey Tillman, which carried unanimously by those 18 members of the Commission who were present for this meeting.

COMMITTEE REPORTS:

Sub-Committee 1 - Articles I, II, VII:

Ms. Audrey Tillman advised that Sub-Committee 1 met on February 23, 2011 at the North Columbus Library. She said the meeting was very successful. She said although we did view each article, the Committee felt that some articles did not need discussion or attention in any significant way. She said in Article I, which talks specifically about the creation, form, boundaries and services of the Government, there was a reference to Fort Benning and Bibb City being excluded from the Consolidated Government. She explained that currently Bibb City is not excluded from the Consolidated Government

and as a result the Committee made notation that the references to Bibb City in Article I should be stricken. She said there was also some discussion relating to General Services vs. Urban Service. She advised that the Committee made a notation in the minutes to ask the City Attorney whether there were any pending laws in the legislation that the Committee may be unaware of, which could impact what is being discussed and recommended. She said in relation to Article II the Committee did not feel that there was a need to make any recommendations or changes and most of the recommendations were related to Article VII, which deals with taxes, revenue and financial administration. She advised the Commission that the Committee would like to have some expertise from City personnel to come and talk with the Committee to bring clarity to some of the terminology used as well as address specific questions and concerns of committee members. She then advised that Finance Director Pam Hodge would be attending the next meeting along with a staff member of the Tax Assessor's Office. She said the Committee talked briefly about the mileage rate homestead in conjunction with basic services that the City provides. She said there was some discussion in relation to assessing a basic services fee across the board to property tax payers as well as the individuals who do not pay property taxes. She went on to explain how the basic services fee would be assessed. She said for example if there was a \$500 fee per residence as a basic services fee and an individual was paying property taxes in excess of \$500 they would not be affected by the fee, but if an individual does not pay at least \$500 in property taxes the basic services fee could affect them. She said she forwarded the information to Ms. Hodge and requested that she run the numbers to see how much revenue could be generated based on the number of people who are property owners who do not pay property taxes. She expressed that she feels this would be a significant source of revenue for the City of Columbus. She said the Committee is not recommending the basic services fee at this time, but the Committee does believe that the opportunity is worthy of investigation. She advised that the next Committee meeting would be on March 22, 2011 at the North Columbus Library at 3:30 p.m.

Sub-Committee 2 – Article III:

Mr. Julius Hunter advised that Sub-Committee 2 met on February 17, 2011 in the Ground Floor Conference Room of the Government Center. He advised that the meeting was an organizational meeting and there were no recommendations that were made. He said with regards to Section 3-100 there was some discussion in relation to the structure of the City Council. He said Council is made up of 8 Councilpersons who represent specific districts along with 2 at-large positions. He then said the issue that was discussed was should there be an increase in the amount of at-large positions. He said the Committee also spoke briefly about the term limits of the Council members. He said with regard to Section 3-101 concerning qualifications, there was discussion on the age an individual has to be to serve on City Council. He said with regard to compensation in Section 3-102 there was some discussion and said it seems as if the compensation for the City Council is a bit low. He said with regard to Section 3-103 there is language that calls for a Council meeting every week but it subsequently states that there must be at least 2 meeting every month. He said currently the Council holds 2 regular monthly meetings,

which are held on the 2nd and 4th Tuesday of the month. He went on to explain that the Council meets on the 1st Tuesday of the month in a Proclamation Session and the 5th Tuesday of each month has become a Work Session. He said the Committee would be taking a closer look at the issue to ensure that it is in line with the article. He said with regard to the language in the Charter that refers to old dates and so on, Assistant City Attorney Jaimie DeLoach recommended that the language remain as is for the sake of historical purposes. He advised that the City Attorney's Office would be reviewing the language in the City Charter and making corrections to typographical errors. He said due to Article VI dealing with the makeup of the respective districts, the Legislative Committee is going to speak with the Article VI Chairman to request collaboration between the two Sub-Committees when the issue is discussed. He advised that the next Committee meeting would be on March 17, 2011 at 4:00 p.m. at the Government Center.

Committee 3 – Article IV:

Mr. Madden Hatcher advised that Committee 3 met on March 1, 2011 at the offices of Pezold Management. He said we would meet again at the same location on March 28, 2011. He said each committee member was asked to review the article before attending the meeting. He said the issue that seemed to be a concern for a number of the members was the issue of the Internal Auditor having status equal to that of the City Manager and the City Attorney. He said currently the Mayor and Council appoints the Internal Auditor and the Auditor can only be removed by the Mayor and at least 6 votes from Council. He said the Committee also discussed Boards, Commissions and Authorities as it relates to whom those appointed individuals report to or to whom they are accountable.

Sub-Committee 4 – Article V & VIII:

Judge John Allen advised that Sub-Committee 4 met on February 24, 2011. He said although the Committee was not prepared to make any recommendations, there were a number of concerns addressed. He suggested that a footnote be added under each section to maintain the historical perspective of what is in the Charter. He indicated that Sections 5-100, 5-200 and 5-300 generally deal with the offices and agencies that are not controlled by the government such as the Courts. He said although the City does not control those offices, there are some relationships between the two entities; therefore there should be an agency to monitor the matters that are of mutual interest. He then pointed out that there has been a lot of problems revolving around Recorders Court. He said there appears to be no definitive directive or administrative structure of how Recorders Court should be setup. He went on to say that there is nothing in the Charter that explains how to get rid of a Judge. He said they are appointed for 4 years and there is nothing in the ordinance that says you can remove them during their 4-year term. He then suggested that a footnote referring to laws changing be added to Juvenile Court of Chattahoochee Circuit and attendant references. He said in Section 8-104 there should be a footnote reference to law changing School Board composition. He said one of the major concerns, which deals with Section 8-302 is that an elected official can

elect to place their employees under the merit system so as to limit power of incoming elected officials to handle personnel issues. He said the Charter talks about amending some things by resolution and some by ordinance and said we need to observe how serious the impact is concerning resolution vs. ordinance. He advised that the next meeting would be on March 24, 2011 at the Government Center in his conference room or courtroom.

Mr. Madden Hatcher asked if an employee is placed under the merit system could they later get out of the merit system.

Mr. Ben Richardson explained that once an employee is under the merit system they cannot get out of it.

Sub-Committee 5 – Article VI & Appendix:

Mr. Mario Davis advised that Sub-Committee 5 met on February 25, 2011 to discuss Article 6 and the Appendix. He said Ms. Nancy Boren, Director of Elections and Registration was present for the meeting and made several recommendations in relation to Section 6-101. He Ms. Boren recommended that Precinct names be removed from the Charter and the Council Districts be recognized only by block and tract numbers. He said she also recommended that VTD designation be reviewed, which is listed in Sub-section 2A. He said in Section 6-102 there was discussion in relation to the use of the word “qualified” voter and its actual meaning and said Ms. Boren recommended that the word “qualified” be changed to “registered” in order to align with other sections and current practices. He said Section 6-201 refers to special elections and in order to align with the State law, Ms. Boren recommended that the section read specifically “the special election required herein shall be held on the dates specified by State Code 21-2-540 and then continuing”. He indicated that Section 6-202 refers to automatic recount and advised that in order to align with State law the section should read “therein pursuant to State Code 21-2-49”. He that Section 6-400, which talks about print ballots and form of the ballot, should be reworded to refer to specific sections. He also advised that there was some discussion related to redistricting and whether there is a need for more at-large Council Districts.

Chairman Shinkle said the Sub-Committees are off to a terrific start and then advised that Assistant City Attorney Jaimie DeLoach sent out Charters from other Consolidated Governments for the Commission to observe. He then urged each member of the Commission to go to the website www.columbusga.org to review the information that was sent out by Ms. DeLoach.

City Attorney Clifton Fay made suggestions and expressed his concerns to the sub-committees on making recommendations to the following items:

- Basic services fee – can not be an advelorm tax

- Compensation of Council – should be a figure that is minimum compensation which would enable flexibility to go higher by ordinance
- Boards Commissions and Authorities – all report to Council unless State law specifies an appointment

With there being no further business to discuss, this meeting adjourned at 4:13p.m.

Tameka Colbert, Secretary