



CITY/COUNTY
GOVERNMENT CONSOLIDATION:
COLUMBUS, GEORGIA

This Report in Brief: Citizens of Columbus and Muscogee County, Georgia, were dissatisfied with two governments providing similar services in overlapping geographical areas. City residents, taxed by the county and the city, complained of double taxation. County residents felt they were taxed for services used predominantly by city people. Separate requests from competing local governments to state officials and the Legislature often resulted in no action being taken.

Defeat of a consolidation effort in 1962 showed the necessity of public education and involvement. A second attempt in 1969-70 by a Citizens Charter Commission was followed by a Columbus Chamber of Commerce Publicity Steering Committee which conducted an intensive promotional and citizen education campaign that resulted in 4 to 1 passage.

On January 1, 1971, the new unified government took office, reducing some 44 functions and services of the separate governments to nine, and taxing property owners according to the services available to them.

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CITY/COUNTY GOVERNMENT CONSOLIDATION: COLUMBUS, GEORGIA

PROGRAM:

Consolidation of the governments of Muscogee County and the City of Columbus into one new government known as Columbus, Georgia.

ORIGIN OF PROBLEM:

Geography and economics were the underlying reasons for a change in the governments of Columbus and Muscogee County.

The city of Columbus, located on Georgia's western border, is the center of a metropolitan area of approximately 238,500, including the military personnel and dependents at Fort Benning, Georgia, residents of Chattahoochee County, Ga., and of Phenix City and Russell County, Alabama, on the west bank of the Chattahoochee River.

Columbus, hemmed in on the west by Alabama and on the south and east by the military reservation, was forced to grow by frequently annexing land along its northeast perimeter as its population spilled over into Muscogee County.

Between 1950 and 1970, the population of Columbus grew from 79,611 to 154,168. During this period, the city's geographical area was expanded twice by annexation. In 1960, annexation took the city from 12.6 to 26.6 square miles. In 1969, another 42.5 square miles, containing an estimated 52,000 people, came into the city through annexation. This last move left approximately 3,500 nonmilitary people in Muscogee County beyond the city limits.

Although much of the county land beyond the 1969 city limits is undeveloped, Muscogee is essentially metropolitan. Most citizens who live in the outlying areas work in Columbus or depend on the city for their livelihood.

Citizens were faced with two governments, providing duplicated services and the city residents were paying taxes to the county as well as the city.

OBJECTIVES:

To bring together two governments providing similar services, in overlapping geographical areas into one streamlined, more efficient, economical, and responsive government.

RESULTS

1. A consolidated government for Columbus and Muscogee County, Georgia, was approved in a referendum in May 1970.

2. On January 1, 1971, the consolidated government took office, with an elected mayor and ten member council, and an appointed city manager.

3. The community now has a single, unified government speaking at the state and federal level for all the people.

4. The Columbus government has reduced some 44 functions and services of the old governments to nine.

5. Through the creation of three urban services districts, property owners are taxed according to the services available within their geographical areas.

PROGRAM DEVELOPMENT

Double Government: Double Taxation

The governing body of Muscogee County, known originally as the Board of Commissioners of Roads and Revenues, was established as an arm of the Georgia General Assembly in 1825. Its main functions were construction and maintenance of a county road system, and the levying of taxes for the upkeep of roads and operation of schools.

Columbus was incorporated in 1828. Gradually, as the city grew and its population spilled over, the county began providing a variety of municipal services in response to demand. County citizens lived on streets paved by county forces. County trash and garbage collections were on the same semi-weekly basis as the city's collections.

The county government had its own administrator, attorney, engineering department, building inspection department, police force, and fire department.

The city was governed by a board of five commissioners who elected one from their ranks as mayor. It operated similar service departments as the county and joined with it in making annual appropriations for the Muscogee County Health Department and the community general hospital.

County taxes were collected by the Muscogee County tax commissioner (a constitutional officer of the State of Georgia) while the county had its own board of tax assessors. Taxes were levied countywide; property owners within the city paid the same 10-mill county tax as those outside.

City property owners paid the 10-mill county tax and a 17-mill city tax, based on values established by a separate city board of assessors and collected by a separate city tax office.

Under this system, city taxpayers complained of double taxation. County property owners contended they were taxed for roads and medical services used predominantly by city people.

City/county differences were echoed and amplified by the two commissions. Elected officials in the two governments disagreed over major and minor issues. They forwarded separate requests to state officials, who were never certain which government spoke for the people. They compiled separate requests for state legislation and sent them to a delegation that many times resolved the conflict by disregarding both.

Georgia law concerning city and county government is fairly representative of state laws in the United States. Power to effect change is generally at the state level, with the ultimate vehicle being a constitutional amendment. In addition, the General Assembly enacts general laws relating to an issue statewide; "population" statutes, which are general laws for certain population categories; and laws affecting one locality (which can be overturned by city ordinance.)

Most major Georgia cities operate under a charter which specifies the area's boundaries, type of government and establishes the organization of the city. A charter can be amended by a city council with the approval of the people or by petition from the people. A city can pass ordinances which are the equivalent of the general laws of the state.

As in most other states, Georgia cities exist and operate within counties. Each city's land area is also within and taxed by a county.

Counties are creatures of the state constitution. They operate under the general laws of the state and rarely are incorporated. The majority of Georgia's 159 counties are run by from one to nine commissioners. Counties may pass certain local laws dealing with the services role assumed by the county.

The Columbus/Muscogee area, with two local governments asking for different laws from the legislature, was hindered by its double governments. The Columbus Chamber of Commerce, interested in a united community leadership, especially in dealing with industrial prospects or desirable legislative proposals, frequently served as the centralizing force to bring the two differing government bodies together.

Early Action Toward Consolidation

The move toward consolidation was a gradual process, evolving over a period of two decades.

In 1940, the health departments were merged into one countywide department. In 1950, the school systems were consolidated. In both cases, the outcome was highly successful, and the school system, in particular, was repeatedly used as an example of the community wide benefits that could be realized through merger.

Throughout the decade of the 1950's, local leaders, reacting to public dissatisfaction over too much bureaucracy, debated the possibility of merging city and county departments that provided similar services.

In early 1961, a former chamber president, James W.

Woodruff, Jr., while serving on a Muscogee County Grand Jury, took the lead in persuading that body to recommend that the commissions explore the possibility of consolidation.

A joint city-county Consolidation Study Committee was created with the city's manager and attorney, county's clerk and attorney, and two private citizens, one from the chamber, as members.

Citizens Committee

From this Committee came a proposal that a Citizens Committee be appointed to investigate the subject thoroughly and submit a recommendation to the two governing bodies.

Both commissions agreed, and in June 1961, a 21-member Citizens Committee on Consolidation was appointed.

From the beginning, the Committee was plagued by controversy and dissension: first over the appointment of members, then over its mission and how to go about it, and finally, over differences within the committee itself. Commissioners burdened the Committee with irrelevant matters in view of their mission, such as hazardous railroad crossings.

But, by late 1961, the Committee presented its recommendation that the city and county commissions be abolished and a new single commission, composed of six commissioners and an elected mayor be created. Although the recommendation was not unanimous, it was given to the two governing bodies who forwarded it to the legislative delegation. Enabling legislation was approved by the Georgia General Assembly in early 1962.

Defeat

Meanwhile, strong opposition was developing to the plan, and those against consolidation began a campaign to defeat it. Consolidation was denounced as a "communist conspiracy" and a "metto-Castro" government.

A referendum was called in 1962 on consolidation of the two governmental entities. It failed in both city and countywide elections. The city vote was 6,032 to 5,563 against passage. The countywide vote (which included the second vote of Columbus residents) was 9,102 to 6,612 against consolidation. (City residents, who were naturally entitled to vote in a city election, were equally eligible to vote in an election affecting a countywide government to which they paid taxes.)

Despite this defeat of the total effort, one idea from the Citizens Committee did win acceptance. The city successfully sought legislative approval to expand its government to six commissioners and a full-time elected mayor. This was submitted in the form of a state constitutional amendment and was accepted by the voters. The larger commission and first elected mayor took office in 1965.

PROGRAM ACTION

The Second Attempt

Early 1966 brought renewed interest in consolidation and the first in a series of slow steps toward success.

The Columbus City Commission proposed that a constitutional amendment be sought to allow voters to consolidate the two commissions into one body that would govern both city and county.

The County Commission objected and voted unanimously to ask the legislative delegation NOT to introduce the measure sought by the city. Instead, the county suggested two constitutional amendments - one permitting a merger of city and county boards of tax assessors, the other permitting merger of city and county departments and boards.

All three constitutional amendments were introduced by the legislative delegation and in November 1966 were approved by the voters by a two-to-one margin.

However, all three amendments were permissive, not mandatory, and none was put into effect. The vote did serve, though, as an indication of the positive attitude of the voters toward some form of consolidation.

Consolidation Study Committee

In 1967, the Columbus City Commission again suggested that a committee be created to approach the question and, with the county government's concurrence, a Consolidation Study Committee was appointed. County leaders changed their attitude, in part, because of wide and favorable press coverage of consolidation in Nashville and Jacksonville. The new committee was instructed to make in-depth studies of consolidation attempts in other cities, but to keep its recommendations within the bounds of the three constitutional amendments that had been approved the preceding November.

Between February and August 1967, the Committee heard speakers from communities which were considering or had consolidation. It talked with state officials, attorneys and consultants. Any expenses that accrued were taken care of by members out of their own pockets.

The committee suggested that a charter commission, with power granted by the General Assembly, be created to draft a charter for a new government.

The chamber, which had gone on record backing formation of the study committee, joined in its recommendation for a charter commission and assigned staff to work for passage of the constitutional amendment authorizing creation of the commission.

The Muscogee County Charter Commission

In November 1968, the voters approved creation of the Commission by a vote of 15,140 to 3,817.

The constitutional amendment creating this body specified that no changes could be made by it in the state courts, the sheriff's office or the school district. Bibb City, an independent government with a population of 212, located

within the county, would not be affected. In this way, legislators avoided the possibility that a negative vote in Bibb City would undercut all other efforts.

The amendment also provided that the Commission, upon completion of its work, would submit its proposed charter directly to the people of Columbus and of Muscogee County. It would not be routed through the city and county commissions where as few as three votes could spell defeat.

In early 1969, the General Assembly adopted the enabling legislation and the bill was signed into law that April. (Exhibit A excerpts).

Another important measure approved by the General Assembly in its 1969 session permitted a vote on annexation in Columbus and Muscogee County. Although consolidation was the primary goal, annexation of 42.5 square miles, containing an estimated 52,000 people, was desired by the city government as a step toward consolidation and as a necessity if the metropolitan population of Columbus was to be reflected in the 1970 census, upon which state and federal grants would be based.

Almost immediately after both bills were signed, movement began to put them into effect.

Each government appointed seven members to the Commission whom they thought best qualified to serve, with no concerted attempt to have a cross-section of the community represented. The appointees, in turn, chose the 15th member.

The commission was composed of a college president, four attorneys, a contractor, a former city commissioner, a state government employee and seven businessmen. (Exhibit B).

Dr. Thomas Y. Whitley, President of Columbus College, was elected chairman at the first meeting, at which time the members also set a target date of April 1, 1970, for completion of the charter.

In July, the Commission employed Public Research and Management, Inc., of Atlanta, as consultant at a fee of \$18,000. City and county commissions agreed to finance this and other expenses up to \$26,500, or more, if necessary.

The Commission met frequently through the summer and, by the first week of September, had agreed on a mayor-council-city manager form of government.

Public input and criticism was sought at every meeting and each step was reported in the press.

The first of four public hearings was held in October, with 900 persons attending. At this meeting, a black community leader remarked that although blacks made up a third of Columbus' population, not one was on the Commission. Since the constitutional amendment and enabling legislation had provided specifically for appointment of 15 members, city and county commissions were unable to completely correct what was acknowledged to be an unfortunate omission. However, the two bodies ap

pointed four black advisory non-voting members, who were asked to participate fully in every phase of the charter drafting.

These appointees a state legislator, an optometrist, an insurance company executive and a retired USO director represented solid community leadership, and were influential in charter acceptance by black voters.

Creating a New Government

The Charter Commission never lost sight of its ultimate goal of delivering a new government to the people, despite numerous problems.

The Commission was concerned with handling the transition from the old to the new government. It wanted a council of eight to twelve members, but was concerned that unless it was large enough to accommodate all incumbents who might wish to serve in the new government, opposition would arise as a matter of job preservation. Eventually, three of the 12 incumbents indicated they would not seek office again and the commission settled on a 10-member council.

It also debated whether to carry over those commissioners whose terms would not have expired at the end of 1970. Their negative decision was made easier by the declaration by the mayor and four commissioners that they would gladly sacrifice the last two years of their terms to help assure acceptance of the charter.

Of special interest to the commission was the issue of at-large versus district posts on the council, and how to create districts so as to assure maximum opportunity for at least one black candidate to win election in the new government.

The Commission decided it would not be wise to create a council having a majority of district posts, because of the possibility of ward politics becoming dominant.

The result was a council of six at-large posts and four district posts with the districts having close to equal population. District boundaries, which can be redefined as the population changes, were established with the approval of the Justice Department.

A particularly difficult problem the Commission was unable to solve was a procedure for amending the charter quickly, especially in the event of any challenge during the transition period. Ultimately, it included three methods for amending the document, all requiring time. The legislature, as before, would be able to amend it, the other two required a referendum.

Attendance at the four public hearings was promoted widely by the news media, the chamber and the commission, which emphasized its open-door policy and wish for citizen participation.

The final public hearing was held on March 19, at which the virtually completed document was presented. The Judge of Muscogee County Ordinary Court received the completed charter on April 1, and called for a referendum on May 27, 1970. (Exhibit C - Synopsis of Charter).

CHARTER STEERING COMMITTEE

During the summer of 1969, Charles Crowder, then Executive Director of the Columbus Chamber, began attending all meetings of the commission, at the request of the chairman and began preparations for the chamber's role of winning acceptance for the charter.

The Chamber formed a volunteer Charter Steering Committee to promote voter acceptance, headed by a former chamber president and, avoiding past errors, made up of 24 well-known black and white residents. (Exhibit D).

Since tax funds could not be used to promote the charter, the Steering Committee, with the help of the chamber, raised \$12,000 from the business and professional community for its work. When this money was gone, the chamber provided an additional \$7,000 from its regular budget to finance the efforts.

For two months, the Chamber's public affairs director and a secretary worked full time with the Committee to assure an affirmative vote. An office was opened in the downtown district with the public affairs director as coordinator. The complete voters list was analyzed by computer to assist in determining citizens' attitudes. Several thousand brochures were mailed and distributed through banks and businesses.

Public endorsement of consolidation and the charter was obtained by the Steering Committee from the City Commissioners, from all but one of the County Commissioners, from all area state legislators, and community leadership groups.

Programs on consolidation were arranged for clubs and organizations by the Steering Committee's speakers bureau. The Committee also secured endorsements from a cross section of citizens for a special newspaper supplement, and sponsored television specials on consolidation.

Media Support

Columbus' news media, which had given the work of the Charter Commission saturation coverage during the year spent drafting the charter, gave consolidation increased attention in the weeks prior to the referendum.

Both television stations presented special panel and question-and-answer programs, and radio stations carried news reports and public service spots.

The newspapers ran analytical articles on the issue and in the final two months gave front page space daily to consolidation questions and answers. It was supported editorially by both newspapers and by television and radio stations.

On May 3, the *Columbus Ledger-Enquirer* published, as a public service, the full text of the charter in a special supplement, in order that every citizen would have access to the entire document before voting.

Final Passage

The combination of close to unanimous support from elected officials and the business and civic leadership created a bandwagon surge for passage.

Mayor J. R. Allen, who was later to win election as the mayor of the consolidated government, was a vigorous champion of consolidation. He campaigned tirelessly, urging citizens to exchange their "two-headed monster" for a modern government.

No effective campaign was organized against consolidation, but to offset the possibility of defeat due to apathetic voters not going to the polls, the Chamber Steering Committee, in the two days before the referendum, had volunteers manning 40 telephones at headquarters to get out the vote. On the decisive day, the chamber provided free transportation to anyone who asked for it and had volunteers monitoring every polling precinct.

On May 27, consolidation was approved by a four-to-one vote. In Columbus the vote was 12,379 to 2,788 for consolidation. The countywide total (including the city of Columbus) was 12,500 to 2,989.

In voting on consolidation, as was done previously on annexation, two elections were held: one for the city, the other countywide but including the city vote. Although this system was criticized by opponents of annexation and consolidation, the city attorney took the position that a city resident was a constituent and taxpayer in two governments—one city, one countywide.

THE NEW GOVERNMENT

In a special election on November 3, 1970, Mayor Allen and 10 Council members were elected to lead the new government. Six councilmen were elected at-large, and four were elected from the specific council districts.

Voting districts had been designed to give blacks a reasonable chance to win council representation. No district had a black majority but the one with the largest black population elected a black councilman. And, one of the six at-large seats was won by a black, who received the largest vote of all candidates.

These officials took the oath of office in November and began meeting weekly to prepare for the transition to a new government for some 170,000 people on January 1, 1971.

The new Columbus has a mayor-council-city manager government. (Exhibit F - Organization Chart)

It is in the mayor's office and the executive department that consolidation most clearly shows change. While the charter does not specifically guarantee great powers to the mayor's office, it makes an interpretation to that effect possible.

The mayor is the official spokesman for the government and its chief advocate of policy. He recommends the annual operations and capital budget and capital improvements program, and may appoint, for his own information and assistance, advisory boards, commissions and committees

which are to be answerable to him but are to serve only in an advisory capacity. He has no vote in council except in case of a tie.

The charter strengthened the mayor's hand by naming him the official spokesman for the government and its chief policy advocate, and by giving him authority to select the city manager, director of public safety and city attorney--with the approval of council. These three are accountable to the council as well as the mayor, but in practice, they work more closely with the mayor as an executive committee of government.

The city manager is responsible for professional, day-to-day administration and supervision over governmental affairs and has appointive and removal powers over department heads with the advice and consent of the council.

The 10-member council makes policy, has broad investigatory powers, including the power to reorganize the government through the creation and alteration of departments, etc.

Functions

Some 44 functions and services of the old governments have been consolidated into nine departments: legal; administrative, finance, elections; public safety; public works, engineering, community development; and parks and recreation. (See Exhibit G for chart of consolidation of overlapping functions.)

In the first eleven months of existence, there has been little evidence of change in the functions of government. Services essentially are the same although there has been reorganization of the service departments.

All permanent city and county employees automatically became permanent employees of the new government's merit system. They did not have to take any examinations and were guaranteed all previous employee rights and retirement benefits. As far as possible, the new government has tried to assign employees to positions similar to those they held under the county or city government. Personnel will be reduced gradually through retirements and resignations.

Reorganization of law enforcement agencies actually started prior to consolidation when the former county government placed its police force under the Muscogee County sheriff, who was not affected by consolidation. County commissioners were opposed to consolidating all police forces into one agency but the sheriff subsequently suggested that all police patrol units be under the new police department. The sheriff's department still retains a criminal investigative unit that is totally separate from the Columbus Police Department.

Yet to be funded is a division of environmental improvement. Three council members appointed as a committee to draft the first fiscal year budget recommended that this division be established with the part-time services of personnel from the Department of Community Development.

The most apparent change for citizens has been a single tax bill for the ad valorem levy due the government and the school district.

In former years, property owners within the city received two bills, one for the early part of the year from the city, and a second in the fall for county and school taxes.

To lessen the burden of one large payment, citizens were given the option of paying 40 per cent of the total bill by August 15, and the remaining 60 per cent during a second collection period from October 1 through November 15.

Taxing Districts

The new government was required to establish geographical taxing districts, with taxes to be levied according to the services available to the property owners within those geographical areas.

Three "urban service districts" were established. A special committee of council members, appointed by the mayor soon after consolidation became effective, designed these districts in which a graduated degree of tax is imposed, based on variations in fire protection, storm drainage and benefits from past bond issues.

The highest rate of 26.9 mills is levied on property in the "old" city of Columbus prior to the 1969 annexation. The next rate of 24.8 mills applies to property in the area annexed in 1969. The third rate, a 20.5 mill tax, takes in the largely undeveloped area lying outside the Columbus boundaries as established after the 1969 annexation.

These three districts cover the entire county with the exception of Bibb City, which receives no fire or police protection, public works, paving or storm drainage work from the consolidated government. Bibb City, designated as a "general service district", is taxed at the rate of 9.3 mills, for the general operating fund, previous county bonded indebtedness, and the hospital appropriation.

Budget

The FY '72 operations budget amounts to \$20.6 million or \$758,000 more than the combined operating budgets for the old governments.

Despite the small increase in expenditures, the budget calls for \$2.76 million more in ad valorem taxes than was collected in 1970—primarily because several items in the city's FY '71 budget were financed in part by federal grants.

Another 1970 revenue source not available in FY '72 was interest income. The last of a \$7.3 million bond fund for a new Government Center will have been spent before the year is ended.

Much of the budget increase will go into long-term capital improvements. The new budget allocates approximately \$1 million more for heavy equipment for the public works department and for street and road rights-of-way than was spent in the last year of the former governments.

Another \$522,000 was budgeted for debt service on a proposed \$5.9 million revenue certificate issue that is to provide almost \$4 million for completing the Government Center and also is to finance other construction improvements.

Still another addition to the budget is a supplemental government contribution to the new pension fund, a necessary compensation for years of underfunding the former city and county plans.

It is too early to evaluate the performance of the consolidated government, particularly with regard to long-range hopes for a more economical operation.

However, the community has gained a single, unified government speaking at the state and federal level for all the people. This stronger voice is credited with the successful application for more than \$12 million in federal grants alone.

Keys to Success

Numerous reasons are given for the success of consolidation:

Muscogee was a relatively small county, with only two municipalities. There were not many diverse centers of political interest with which to deal.

The political climate was favorable. Some form of consolidation or merger had been discussed over a period of twenty years. Failure in 1962 revealed the necessity of avoiding haste, of painstaking study, and of seeking unanimity at each step toward consolidation. The successful mergers of the health departments and the school districts showed what could be achieved.

The competition between governments for the decreasing tax dollar was a definite factor in keeping the issue before government leaders.

Many preliminary votes provided a test of voter attitudes before the final referendum. Citizens had time to explore both sides of the issues and each success helped set the stage for a positive attitude toward consolidation.

The Charter Commission did its work entirely in the open. All meetings were held in the public meeting chamber of the county government and were reported in detail by the news media. Citizens were urged to contribute ideas, which were incorporated into the text, and they came to look upon the charter as their creation.

The public hearings, held at four scattered high schools, were used to bring the people and the charter together. Almost all strong opposition was defused before the charter was completed. Controversial points were brought up early and fully discussed. Critics were invited to express opposition openly and to recommend alternatives resulting in several changes in the draft.

The Commission approached its task with a spirit of give and take. Members debated and fought over key points but did not lose sight of their ultimate goal: to draft a charter that would be accepted by the voters. Although the ideal was sought, members agreed it would be better to

have an imperfect charter that could be amended, rather than a flawless document rejected by the people

Elected officials supported the charter. Opposition from some commissioners was overcome with the decision to set the council size at 10 members, which was close to a guarantee to incumbents that they would not have to compete with each other.

City and county personnel supported it. All employees were assured of positions in the new government at no reduction in salary or loss of benefits.

The method of voting was decisive. One election was held in the city; the other was countywide, including Columbus voters. The countywide registration was 52,788, of these, 51,354 who resided in Columbus were also eligible to vote in the city election. Had there been separate elections, for the city and those outside the city, consolidation would have been defeated by those outside.

The news media conveyed to the public the importance of changing their governments and put the consolidation story in perspective by presenting volumes of factual information.

The Charter Steering Committee waged an effective campaign, expending tremendous energy and painstaking care in presenting the charter to civic groups and organizations.

Problems of the new government

One problem for the consolidated government lies in the outer urban services district where property owners prior to consolidation paid a 10-mill county tax, but were not subject to the city's 17-mill tax. With consolidation their tax bills have more than doubled, and understandably, many of them are not happy.

Four citizens who own property in the district filed a suit challenging the taxing district and tax millage ordinances adopted by the Council, but a Superior Court judge ruled in favor of the government. An appeal on this decision is now pending before the Georgia Court of Appeals.

The most serious situation the new government has faced came with the civil disturbances this summer that were not only costly but also affected the morale of the city. Losses were estimated at \$2 million, including property destroyed and damaged, lost wages from burned out businesses and overtime to city employees. A Chamber Ad Hoc Committee is spearheading an effort to identify and resolve the underlying causes.

The issues involved do not relate to this study but the government points out that one of two blacks serving on the council is mayor pro tem; a black lawyer serves in the Legislature and has support of blacks and whites; blacks have been appointed to all but one or two of the boards, authorities, commissions and committees in the government.

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ENABLING LEGISLATION FOR CHARTER COMMISSION

(Excerpts)

AN ACT To create the Muscogee County Charter Commission; to provide for the appointment of the members of said Commission; to provide for the organizational meetings of said Commission and for the election of a permanent Chairman; to provide for the powers and duties of said Commission; to provide that said Commission shall be authorized to employ a staff to assist it in carrying out its powers and duties; to provide for the expenses of the said Commission and for the payment of same by the governing authorities of the City of Columbus and Muscogee County; to provide that said Commission shall be authorized to study all matters relating to the governments of the City of Columbus and Muscogee County and all matters relating to the establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Muscogee County; to provide for the powers of said Commission relating to drafting a proposed county-wide government charter; to provide for the submission of such proposed county-wide government charter to the qualified voters of Muscogee County for approval or rejection; to provide the manner in which such charter shall be submitted to said voters; to provide for the conduct of such election and for the certification of the results thereof; to provide for all procedures and matters connected with the foregoing; to provide for severability; to repeal conflicting laws; and for other purposes.

SECTION 11

(a) Not less than fifteen (15) nor more than thirty (30) days after receipt of the certified copy of such proposed charter, it shall be the duty of the ordinary of Muscogee County to issue the call for an election for the purpose of submitting said charter to the qualified voters of Muscogee County and to the qualified voters of the City of Columbus for approval or rejection. The ordinary shall set the date of such election for a day not less than thirty (30) nor more than forty-five (45) days after the issuance of the call. The ordinary shall cause the date and purpose of the election to be published once a week for two (2) weeks immediately preceding the date thereof, in the official organ of Muscogee County. The ballot shall have written or printed thereon the following:

"For approval of the charter consolidating the governments of the City of Columbus and Muscogee County and creating a single county-wide government to supersede and replace said governments.

"Against approval of the charter consolidating the governments of the City of Columbus and Muscogee County and creating a single county-wide government to supersede and replace said governments."

All persons desiring to vote in favor of said charter shall vote for approval, and those persons desiring to vote for rejection of said charter shall vote against approval. The votes cast on such question by the qualified voters of Muscogee County and the votes cast on such question by the qualified voters of the City of Columbus shall be counted separately. If more than one-half the votes cast by the qualified voters of Muscogee County are for approval of said charter, and if more than one-half of the votes cast by the qualified voters of the City of Columbus are for approval of said charter, then said charter shall become effective as provided hereinafter, otherwise it shall be void and of no force and effect. The expense of such election shall be borne equally by the City of Columbus and Muscogee County.

MUSCOGEE COUNTY CHARTER COMMISSION

Dr. Thomas Y. Whitley, Chairman
President
Columbus College

✓ Ellis Swint, Vice Chairman & Secretary
President-Treasurer
Southern Foods

Ray Dowling
Ray Dowling Motors

✓ W. E. Harrell
Personnel Director
R. C. Cola

✓ Harold Jambon
Department Manager
State Department of Agriculture

✓ Bruce M. Land
Retired

✓ Nolan Mullah, Jr.
Vice President-Secretary
R. C. Cola

✓ W. B. Turner
Chairman of the Board
W.C. & Sarah H. Bradley Foundation

J. Gordon Young
Attorney
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C O P Y

SPECIAL SUPPLEMENT

"Building the Future with Consolidation"

The Sunday Ledger-Enquirer

May 3, 1970

SYNOPSIS OF PROPOSED CHARTER FOR CONSOLIDATED GOVERNMENT

The following is an outline of the provisions of the proposed charter for consolidation of the City of Columbus and Muscogee County.

ARTICLE I CREATION, FORM, BOUNDARIES AND SERVICES OF CONSOLIDATED GOVERNMENT

1. Provides for the consolidation of City of Columbus and Muscogee County and the establishment of a new county-wide governmental unit known as "Columbus, Georgia."
2. Form of government will be the "Mayor-Council-City Manager Plan."
3. Boundaries of the new government will be the same as Muscogee County.
4. Functions and services will be provided through two or more taxing districts to be established by the Council to consist only of such territories in which services are available and accessible so that people will only pay for the services they receive.
5. Nothing in the charter will affect the status of Bibb City.

ARTICLE II POWERS OF THE GOVERNMENT

1. The new government will be given the same powers which the City of Columbus and Muscogee County now have.
2. The new government will also be authorized to have any powers which the State legislature might give cities and counties following adoption of the Charter.

ARTICLE III LEGISLATIVE BRANCH

1. Total membership of 10 councilmen; six members known as councilmen-at-large elected from the entire county at-large and four members known as district councilmen, one each elected from four council districts. Councilmen serve for four year staggered terms. Vacancies in office filled by special election. Council posts numbered one through ten.
2. Councilmen have to be citizens of the United States, residents and electors of the consolidated government for two years prior to date of election, 25 years old, and if a district councilman, a resident of the district for one year prior to date of election. Removal of residence will vacate office. Councilmen cannot hold any other elective or appointive office in consolidated government.
3. Compensation of councilmen fixed in Charter at \$500 per month. Takes vote of seven members of Council to raise compensation. Cannot increase or decrease salary during terms of office.
4. Council has to organize each January following its election and elect from its membership a Mayor Pro Tem. It also appoints a Clerk of the Council and makes other confirmations. Council must adopt rules governing its proceedings which must be public. Vote of six members required for passage of ordinances. Must hold regular meetings at least once each week. May also hold special meetings. All meetings and records open to the public. Annual salary of councilmen subject to reduction for non-attendance at meetings. Clerk required to notify Mayor, councilmen and public of all meetings.

5. All legislative powers vested in the Council. Council may create, alter, abolish or combine departments, boards, agencies, etc. Council may bring charges against appointed employees for misconduct, etc.
6. All ordinances introduced must be in writing, confined to one subject, and read at two regular meetings. Requires vote of six members of Council to pass an ordinance. Each ordinance must be submitted to the Mayor for his signature. Mayor has five days to sign ordinance; if the Mayor signs ordinance it becomes law. If he does not sign ordinance, it is resubmitted to the Council with a written request that the ordinance be reconsidered and if Council reaffirms ordinance by vote of six members after discussion on the merits, the ordinance becomes law. If the Mayor does not sign or does not resubmit the ordinance to the Council, it automatically becomes law within five days after adoption.
7. All ordinances must be authenticated by the Clerk and recorded. The Council is authorized to adopt by reference codes of technical regulations such as building codes, electrical codes, etc. The Council is required to codify all ordinances of a general permanent nature within three years after adoption of the Charter. Ordinances must be published in the newspaper once within 10 days after adoption.
8. The Council has power to conduct or cause to be conducted inquiries and investigations of any operation of any office, department or officer or employee of the government. The inquiries and investigations must be public.

ARTICLE IV EXECUTIVE BRANCH

All executive and administrative powers of the government are vested in the executive branch which includes the Mayor, City Manager, heads of departments and the various boards and commissions of the government.

The Mayor

1. The Mayor is elected at large for a four year term; he must be a resident and qualified voter of the government for two years prior to the date of his election and he must be at least 25 years old when elected. He can only serve two consecutive four year terms. The Mayor will receive an annual salary of \$16,000 unless increased by the Council.
2. As official spokesman of the government the Mayor has the following powers:
 - a. Official spokesman and chief advocate of policy.
 - b. Preside at meetings of Council and see that laws and ordinances are enforced.
 - c. Nominate and/or recommend removal of City Manager, City Attorney and Director of Public Safety, which must be approved by six members of Council.
 - d. Vote in case of tie and for such purpose only deemed a member of Council.
 - e. Sign ordinances and execute legal instruments and documents.
 - f. Take command of police in case of danger and emergency with consent of Council.
 - g. Call special meetings of Council.
 - h. Submit budgets to Council, make studies, represent the government in intergovernmental affairs, appoint advisory boards and perform other duties as required by the Council.
3. Mayor Pro Tem serves in absence of Mayor.

City Manager

1. The City Manager is nominated by the Mayor and the nomination must be approved by six members of the Council. The Council may remove the City Manager upon seven votes of its members. The Manager has to establish residence in the consolidated government and his compensation is determined by the Council.
2. Powers and duties of the Manager include:
 - a. Appointment and removal of department heads under his control with advice and consent of Council.
 - b. Supervision of departments, seeing that laws and ordinances are enforced, and attending meetings of the Council.
 - c. Preparation for the Mayor of an annual operating and capital budget, preparation of financial reports for Mayor and advising the Mayor on the financial conditions and future needs of the government.
 - d. Care and custody of buildings and property.
 - e. Confer with and advise elected officials.
 - f. Examine accounts and records of boards and agencies of the government, and provide liaison between Mayor, the Council and all departments, boards, and commissions of the government.
 - g. Perform other duties as required by Mayor, and Council.

City Attorney

1. Appointment and removal same as for City Manager. Must be an active member of State Bar in good standing, five years experience in law practice, compensation fixed by Council.
2. Duties include providing legal advice to the consolidated government, preparation of contracts and legal documents, and performance of other duties as required by Mayor, and Council.

Director of Public Safety

1. Appointed and removed in same manner as City Manager.
2. Supervises and coordinates public safety activities, such as police and fire protection, appoints and removes police and fire chief, performs other duties as required by Mayor, and Council

Staff and Administrative Departments

The Charter establishes the following departments with general duties as indicated:

1. Department of Administration. Budgeting, data processing, personnel administration and provision of central services such as building maintenance, custodial services, records management, etc.
2. Department of Finance. Revenue collection, accounting, treasury, and centralized purchasing.
3. Department of Community Development. Planning, inspections and code enforcement, urban renewal and redevelopment, and environmental improvements such as air and water pollution control, noise abatement, etc.
4. Department of Engineering. General engineering services including, surveying, mapping, traffic engineering, municipal engineering, inspections, etc.

Operating and Service Departments

The Charter establishes the following operating and service departments: Public Safety, Public Works, Utilities, Transportation, Parks and Recreation, Cooperative Extension, Civil Defense, Public Health, Family and Children Services.

All departments will be headed by a director. Each department head responsible for supervision and management of his department. Heads of departments to be appointed on the basis of administrative and professional experience.

Boards, Commissions and Authorities

The Charter establishes or continues in existence the following boards, commissions and authorities.

A. Existing Agencies Continued: Board of Water Commissioners, Board of Health, Board of Family and Children Services, Recreation Advisory Board, Airport Commission, Housing Authority, Hospital Authority, Medical Center Board of Commissioners, Board of Tax Assessors (same functions except assess all properties, both city and county), Columbus Racial Relations Advisory Commission, Board of Elections, Building Authority.

B. Industrial Development Authority and Port Development Authority. Combined as one agency; performs functions of former separate agencies.

C. New agencies.

1. Personnel Review Board. Advisory functions only.
2. Board of Tax Appeals. Hear appeals from tax assessments.
3. Planning Advisory Commission. Advisory only.
4. Cooperative Extension Advisory Board. Advises cooperative extension service.

All overlapping existing city and county boards and commissions have been combined into the boards, commissions and authorities shown above.

All boards, commissions, and authorities consist of five members and are appointed by the Council unless otherwise specified or required by law.

The new government's structure eliminates the wholesale overlapping and duplication of functions and services that presently exist between some forty (40) city and county separate departments, boards, commissions and agencies. This will result in greater convenience and economy to the taxpayers of Columbus and Muscogee County.

ARTICLE V JUDICIAL BRANCH

1. Superior Court. Unaffected by Charter. Same powers and duties as present court.
2. Court of Ordinary. Unaffected by Charter. Same powers and duties as present court.
3. City Court. Redesignated as City Court of consolidated government; continued with same powers and duties as present City Court

4. Municipal Court. Redesignated as Municipal Court of consolidated government; present civil jurisdiction raised to \$5,000; criminal jurisdiction same as present.

5. Juvenile Court. Unaffected by Charter, and continued with same powers and duties as presently exercised and performed.

6. Recorders Court. (1) Present Mayor's Court redesignated as Recorder's Court of consolidated government; continued with all power and jurisdiction as now possessed to try ordinance violations; also given power to accept pleas of "guilty" and "no contest" for violation of criminal laws relating to traffic, driver's licenses and motor vehicle licenses where penalty does not exceed misdemeanor. (2) Provisions made for appointment of incumbent recorder and recorder pro tem; successor or additional appointments to be made by Council of consolidated government. (3) four year term of office. (4) Recorders must be 30 years of age, member of State Bar in good standing, five years experience in law practice. (5) Clerk and Clerk Pro Tem. appointed by police chief.

ARTICLE VI ELECTION AND RECALL

1. Regular election for Mayor and members of Council held on Tuesday next following first Monday in November of each even numbered year. Total electorate votes for Mayor and Councilmen at-large positions; electorate of council districts also vote for district councilmen.

2. Territory of government divided into four council districts. Districts to be reapportioned by a Districting Commission following each Federal census. Districting Commission composed of persons appointed by Mayor and Council from nominations submitted by Grand Jury. Ordinary is an ex-officio member of commission. Districts must contain as nearly as possible the same population.

3. Elections will be conducted under present Georgia Election Code by a five man board of elections appointed by Council from nominations submitted by political parties (two from each party and one appointed by Council as chairman.) Special elections for filling of vacancy in office of Mayor or councilmen. Automatic recount provided for.

4. Recall elections authorized upon 15 per cent petition of qualified electors in last regular election.

5. Initiative and referendum authorized under same procedures for proposal or repeal of ordinances as presently authorized by City of Columbus.

6. Removal of Mayor or Councilmen authorized by eight members of Council on certain grounds such as malfeasance, violation of Code of Ethics, etc.

ARTICLE VII FINANCIAL ADMINISTRATION.

1. Revenue and appropriations, including authority to levy and collect taxes and other revenues continued in the same way as now handled by the City and County. Tax and services districts authorized so that services can be paid for by those who actually receive them. Millage rate limited to 18 mills. Homestead exemptions continued as they now exist for all persons, including disabled veterans and persons 65 years of age or older.

2. Borrowing and indebtedness authorized in the same way as now handled by City and County. Debt limit fixed at 10 per cent of assessed value. Existing bonds of general benefit allocated on a county-wide basis, and existing bonds of specific benefit allocated to urban services district. New bonds issued on a county-wide basis.
3. Property tax administration including procedures for making returns, procedures for payment and collection of taxes, due dates, etc. handled by ordinance.
4. Fiscal year fixed on the first day of July each year, annual operating budget, a capital improvement program and capital budget required.
5. Post auditing by independent audit of all accounts and financial transactions required by a CPA or firm with a CPA.
6. Procurement and Property Management procedures specified, including contracting procedures, procedures for sale and disposition of property not needed to highest bidder for cash, and provisions for exchange of property.

ARTICLE VIII GENERAL PROVISIONS- County Officers and Agencies

Sheriff

The present sheriff of Muscogee County will be sheriff of the new government and shall serve for the same term and compensation as fixed by law; elections for sheriff on same basis as provided by law for sheriffs generally, sheriff given the same powers and duties as conferred upon sheriffs by the Constitution and laws of Georgia.

Ordinary

The present Ordinary of Muscogee will be the Ordinary of the consolidated government and will serve for the same term and receive same compensation as now fixed by law; elections for Ordinary, same as now provided for Ordinaries....

Tax Commissioner

The present Tax Commissioner of Muscogee County is continued in office for same term of office and compensation.... He will perform the same duties as presently performed as well as additional functions and duties required by ordinance of the Council.

Coroner

The Muscogee County Coroner will continue as coroner of the consolidated government.... However, the Council shall be authorized to establish a Medical Examiner System in the future if found feasible.

County Agencies

All county agencies such as the Grand Jurors, Superior Court, City Court, Court of Ordinary, Municipal Court, Juvenile Court, Department of Public Health and Department of Family and Children Services, etc. will be unaffected by the consolidated government and will continue to function as they presently function. All county officers and agencies authorized to submit budgets and have a hearing thereon.

Laws Applicable

The Constitution, and all general laws will apply to the consolidated government; claims against the government must be presented in 12 months; consolidated government authorized to deal with Federal and State agencies; and all Federal and State aid rights and privileges protected.

Pensions and Personnel

1. Existing Pension and retirement rights of City and County employees protected; Council authorized to establish new pension system or combine existing systems, but it cannot curtail or diminish any existing employee pension and retirement rights.
2. Classified Merit service established to include all present City and County employees except selected officials, members of boards and commissions, etc.
3. Council required to adopt personnel rules and regulations, establish a position classification and pay plan.

Amending Charter

Charter may be amended, repealed by:

- a. By an Act of the General Assembly.
- b. Ordinance of Council adopted by six members proposing amendment or repeal, and ratification by voters.
- c. Petition of 10 per cent of voters proposing amendment or repeal and approval in a referendum.

If the Charter is repealed, the consolidated government continues to function until a successor government is established.

ARTICLE IX INTERIM PROVISIONS

First Mayor and Council authorized to assume certain duties early following their election such as holding organizational meetings, setting up service districts and holding hearings thereon, scheduling merger of departments, appointing officers and employees, etc.

All existing ordinances and resolutions and rules and regulations, continued in effect until repealed or modified.

All contracts, obligations, pending actions, claims, etc. protected.

Existing City and County employees protected, made member of classified service automatically without having to take examination and required to be assigned similar duties as practical and possible in the new government, no loss of salary resulting from consolidation, etc.

Dissolution of existing governments and agencies provided for, transition for fiscal matters covered and transfer of records and equipment required.

CHARTER STEERING COMMITTEE

Frank W. Thompson, Chairman
Chairman of the Board
Southern Foods

Lee H. Henkel, Jr., Vice Chairman
Swift, Page, Henkel & Chapman

Dr. Delmar Edwards, Vice Chairman
Vice Chairman
Edwards & Sullivan

Jacob L. Riley, Jr., Financial Chairman
Chairman of the Board
Gas Light Company

Ford W. Pearce, Treasurer
President
First National Bank

James W. Key, Speakers Bureau
Executive Vice President
First National Bank

James O. Brown, President
Brown Realty & Insurance Company

Durward R. Clark, Secretary-
Treasurer-General Manager
Alaga Feed Cooperative

W. Mike Conlon, President
Aims, Inc.

Lovick P. Corn
Executive Vice President-Manager
W. C. Bradley Company

Charles Crowder
(then) Executive Director
Columbus Chamber of Commerce

Thomas M. Kenney, Jr.
Tom Kenney Advertising

Crawford Key
Registered Representative
A. G. Edwards & Son

Maury A. Klumok
President-Treasurer
U. S. Security Warehouse

Leonard Leavell, Agent
Prudential

Bobby E. Ledford
Georgia Power Company

Andrew B. Speed
Vice President
Georgia Power Company

Advisors:

James A. Byars, President
Jordan Mills

Norman Bishop
R-M, Inc.
Washington, D.C.

J. Ellis Swint
President-Treasurer
Southern Foods

Dr. Thomas Y. Whitley
President
Columbus College

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May 3, 1970

Commission Chairman's Statement

BY DR. THOMAS Y. WHITLEY

Chairman, Muscogee County Charter Commission

The Charter Commission began its work with an organizational meeting on Wednesday, May 21, 1969, and completed its assignment by the act of handing a copy of the completed charter to the Ordinary of Muscogee County on April 1, 1970. The mayor and County Commission chairman charged the Charter Commission with their responsibility to draft a charter under which the city and county governments might be consolidated.

Fourteen members of the commission were appointed, seven by the City Commission and seven by the County Commission. The enabling act directed that a 15th member be selected by the 14 and that a chairman and secretary be elected. The members of the commission were to serve without compensation.

These administrative details completed, the commission organized itself for the task ahead and began a search for competent consultive help. During this organizational and planning phase, several principles were adopted:

1. Meetings would be scheduled on Thursdays in the County Commission chamber to begin promptly at 4 p.m. and end on or before 6 p.m.
2. All regular meetings would be open to the public.
3. Public participation and discussion would be invited and encouraged.
4. Participation by high school and college students would be encouraged.
5. Three or more public hearings would be scheduled.
6. All decisions concerning charter provisions would be considered tentative and capable of change until after the third public hearing.

The Charter Commission completed a contract with Public Research and Management Inc. of Atlanta, on July 9, 1969. This consulting firm was employed to help the commission study the existing city and county governments and to propose alternative provisions which might be included in a charter for a consolidated city-county government.

For a period of 10 months and 10 days or 45 weeks, the average Charter Commission member gave over 100 hours of his time to Charter Commission affairs. Committee chairmen gave many additional hours.

An advisory committee of four prominent Negro citizens joined the commission Oct. 21, 1969, and were equally generous with their time during the remaining months of Charter Commission activity.

During the 45 weeks, the commission made a special effort to hear all interested persons, especially elected officials of both city and county. To my knowledge, all persons asking to be heard, had an opportunity to address the Charter Commission during a regular session. Additionally, many other persons were invited to appear as advisors to the commission or to air opinions that were opposed to actions proposed by the commission. These hearings were invaluable, resulting in many changes and modifications. The proposed charter handed to the Ordinary on Wednesday, April 1, 1970, is really a charter which can be appropriately described as being of and for all citizens of Muscogee County.

COLUMBUS, GA.

CONSOLIDATED FUNCTIONS

FORMER CITY FUNCTIONS

- LEGAL
- ADMINISTRATIVE
- PERSONNEL
- VEHICLE MAINTENANCE
- BUILDING MAINTENANCE
- CLERICAL
- FINANCIAL
- PURCHASING
- TAX COLLECTION
- ELECTIONS AND VOTER REGISTRATION
- POLICE
- FIRE
- JAILS
- STREET MAINTENANCE AND CONSTRUCTION
- PUBLIC WORKS
- STORM DRAINAGE
- REFUSE COLLECTION AND DISPOSAL
- ENGINEERING
- CODE ENFORCEMENT
- STREET LIGHTING AND SIGNALS
- RECREATION
- PARKS

TOTAL 22

FORMER COUNTY FUNCTIONS

- LEGAL
- ADMINISTRATIVE
- PERSONNEL
- VEHICLE MAINTENANCE
- BUILDING MAINTENANCE
- CLERICAL
- FINANCIAL
- PURCHASING
- TAX COLLECTION
- ELECTIONS AND VOTER REGISTRATION
- POLICE
- FIRE
- JAILS
- STREET MAINTENANCE AND CONSTRUCTION
- PUBLIC WORKS
- STORM DRAINAGE
- REFUSE COLLECTION AND DISPOSAL
- ENGINEERING
- CODE ENFORCEMENT
- STREET LIGHTING AND SIGNALS
- RECREATION
- PARKS

TOTAL 22

- LEGAL
- ADMINISTRATIVE
- FINANCE
- ELECTIONS
- PUBLIC SAFETY
- PUBLIC WORKS
- ENGINEERING
- COMMUNITY DEVELOPMENT
- PARKS AND RECREATION

TOTAL 9

