

MINUTES
COUNCIL OF COLUMBUS, GEORGIA
WORK SESSION
MARCH 28, 2006

The regular monthly Work Session of the Council of Columbus, Georgia was called to order at 9:04 A.M., Tuesday, March 28, 2006, in the Council Chambers, Government Center, Columbus, Georgia. Honorable Robert S. Poydasheff, Mayor, and Honorable John J. Rodgers, Mayor Pro Tem presiding.

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PRESENT: Present other than Mayor Poydasheff and Mayor Pro Tem John J. Rodgers were Councilors R. Gary Allen, Wayne Anthony, Glenn Davis, Berry Henderson, Julius H. Hunter, Jr., Charles E. McDaniel, Jr., Nathan Suber and Evelyn Woodson. City Manager Isaiah Hugley, City Attorney Clifton Fay, and Deputy Clerk of Council Sandra Davis were also present. Councilor Evelyn Turner Pugh took her seat at 9:20 a.m.

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ABSENT: Clerk of Council Tiny B. Washington was absent.

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INVOCATION: Offered by Councilor Wayne Anthony.

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PLEDGE OF ALLEGIANCE: Led by Mayor Robert S. Poydasheff.

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WELCOME HOME CELEBRATION:

Mayor Poydasheff recalled that last Friday and Saturday were two very important days for Columbus. He thanked the members of Council for their

Petition submitted by David Cummings to rezone approximately 18.6 acres of property located at 3725 - 3741 Cusseta Road from GC (General Commercial) to RMF2 (Residential Multi-Family 2). **(Recommended for approval by both the Planning Advisory Commission and the Planning Division.)**
(19-A-06-Cummings)

Petition submitted by David Cummings to rezone approximately 6.0 acres of property located at 3051 Victory Drive & 3230 Clarabelle Street from GC (General Commercial) to RMF2 (Residential Multi-Family 2). **(Recommended for approval by both the Planning Advisory Commission and the Planning Division.)** **(20-A-06-Cummings)**

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Note: Councilor Turner Pugh arrived at the meeting during this part of the proceedings and upon the insight of Mayor Poydasheff, she requested that her vote be cast in the affirmative for the items on the Consent Agenda.

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WORK SESSION AGENDA:

LEGISLATIVE UPDATE:

City Manager Hugley asked that we postpone the Legislative Agenda, because Mr. Pete Robinson, from Troutman and Sanders, was expected to provide the update; however, this is the last day for the Georgia General Assembly session and he was unable to make it today.

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BIG BOX ORDINANCE:

City Manager Hugley also asked for a delay on the big box ordinance and would bring this matter back at a Pre-Council Meeting or the next Council Work Session.

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population of Columbus increases. Mr. Land said that we would continue to request monies for additional sirens as the population increases.

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UNIFIED DEVELOPMENT ORDINANCE (UDO):

City Manager Hugley pointed out that the UDO is a complicated document and Mr. Rick Jones would come forward first to outline how we plan to review this document. He said that there have been some issues that have surfaced related to what was passed in the UDO, and for this reason, we felt that we needed to go back through a review process. He said that Deputy City Manager David Arrington would be coming forward to talk about screening of garbage dumpsters at commercial properties. He recognized that there are individuals present that have and interest in this matter.

Using an overhead projector, **Mr. Rick Jones**, came forward to provide the following presentation:

Review of the Unified Development Ordinance:

There are 13 Chapters in the UDO:

- Chapter 1 General Provisions
- Chapter 2 Zoning Districts
- Chapter 3 Use Regulations and Standards
- Chapter 4 General Development Standards
- Chapter 5 Environmental Protection
- Chapter 6 Resource Conservation
- Chapter 7 Project Design Standards
- Chapter 8 Land Development Activities
- Chapter 9 Development Review Bodies
- Chapter 10 Development Review Procedures and Permits
- Chapter 11 Nonconformities
- Chapter 12 Administration and Enforcement
- Chapter 13 Definitions

The Heart of the UDO

Three Chapters are of Particular Importance:

- Zoning Districts (Chapter 2)

Defines purpose and intent of each district
Establishes the Property Development Regulations (Lot Size,
Setback Requirements, etc.)

Use Regulations and Standards (Chapter 3)

Defines the Permitted, Special Exception and Prohibited uses
Provides for Accessory Uses and for Variances in each of the
districts

General Development Standards (Chapter 4)

Identifies the needed standards for development in the community
Items include: Parking, Signs, Landscaping and Buffers, Tree
Preservation, etc.

Timetable to Review the UDO

Over the next several months, the Planning Department is prepared to:
Review each of the “Heart” chapters, in detail, with Council
Identify real issues and address them accordingly (GC vs. NC, RE1 vs.
RE5)

Proposed timetable:

April - Zoning Districts - Chapter 2
May - Use Regulations and Standards - Chapter 4
June - General Development Standards - Chapter 4

Briefings may be held either at Pre-Council meetings, or at monthly Council
Work Sessions

Proposed changes from Council discussions could be handled immediately or
grouped together for one final action.

In response to Councilor Suber, Mr. Jones explained that the issue needs to be
resolved before the document is sent back to the Planning Advisory Commission.

There suggestions on how the review would be handled. City Manager Hugley
pointed out that work sessions are only once a month; therefore, Pre Council
Briefing would be more suitable.

Deputy City Manager David Arrington approached the podium to explain that

issues regarding screening for trash bins are coming up now because it is time sensitive and will impact some of the businesses. He said the businesses have been expressing some concerns about the impact. He mentioned the meeting with several of the waste hauling companies and some of their customers.

Section 4.2.1 Screening Required for Trash Areas

Section 4.2.1

Applies to all trash area, dumpsters, recycling bins, compacters, outdoor storage area that are visible from any public street, or from residential uses or zoning districts

Location:

Dumpster have to be located as to be reasonable accessible for trash collection by sanitation vehicles
25 feet away from residential zoning district
Cannot be in public right of way

Screening:

All four sides
Gates to be closed when not used and be maintained in good use
Screened with materials of the same architectural style, color and materials as the principal use
Screening enclosures to be kept in good repair
Minimum height 6 feet
Dumpsters to be placed on hard surface

Nonconforming Dumpsters:

“All existing nonconforming dumpsters in the Columbus Consolidated Government jurisdiction, shall be in compliance with these regulations, with the exception of the requirement for materials as described under paragraph B.2.(C) of this section, NO LATER THAN 18 MONTHS FROM THE EFFECTIVE DATE OF THE UDO. Materials used for the screening of these dumpsters shall consist of either concrete, fieldstone, brick, stucco or wood picket fence to provide for an opaque design to screen the dumpster from the public’s view.”

Councilor Allen expressed concerns in that there is no mention of cleaning the dumpster area to make sure there are no rodents or odors. City Manager Hugley advised that this matter is identified in another code section regarding solid waste.

Councilor McDaniel suggested that a sign or sticker be placed on the dumpsters that have contact information. City Manager Hugley pointed out that the owner of that particular company would receive the citation but said that he would come back with the information on how we are handling this matter.

Councilor Davis asked about the number of Special Enforcement Officers for the purpose of calling attention to the enforcement side, at which time, City Manager initially stated there were five but later corrected that statement by saying the number is four.

In addition to comments by Councilor McDaniel regarding contact information on the dumpsters, Councilor Turner Pugh requested that City Attorney Fay get involved in the process to find out whom we can legally contact.

There were some suggestions on how to remedy the problem. Councilor McDaniel suggested eliminating the gate and just have the screening on three sides.

After conferring with Deputy City Manager Lisa Goodwin, City Manager Hugley reported that there are four Special Enforcement Officers and we find out who the management is for apartment complexes through the rental office; then, we cite the manager of the property.

City Manager Hugley then responded to questions from Mayor Pro Tem Rodgers regarding the height of the screening, which is to be six feet. Mayor Pro Tem Rodgers then suggested three sided screening to accomplish what we are hoping to accomplish to protect residents from viewing the dumpsters.

After some discussion by Councilor Davis indicating that some dumpster may need gate, where others may not. He said there are times where we could be flexible; however, we may need to be stringent in other situations. City Attorney Fay advised that we need to have a neutral requirement.

Several members of Council expressed their views in relation to making a

determination on three-sided screening versus four-sided screening for the dumpsters. Councilor Suber suggested that we allow those on the other side of this situation to come forward to let us know exactly what the issues are concerning the screening of the dumpsters. He then made a motion to allow Mr. Keith Paul to be heard. Seconded by Councilor McDaniel and carried unanimously by those ten members present for this meeting.

Mr. Keith Paul, spoke about the enforcement of the solid waste ordinance, the increase of operational cost at about 42% for his business because of the increased amount of time that would be needed and the increased risk of damages to enclosures and gates. He suggested not having enclosures at all, when asked by Councilor Allen for some potential solutions. Councilor Allen then suggested that Mr. Paul, along with other local solid waste collection businesses, check with other cities to gather information to present possible solutions.

After some additional comments Mayor Poydasheff requested that the staff check with other cities to see what they are doing so we can make a comparison to get a better understanding of this matter.

Several members of Council express their concerns with keeping Columbus clean. Councilor Turner Pugh specifically pointed out the dumpsters in front of the apartment complex on Martin Luther King, Jr. Boulevard. Mayor Pro Tem Rodger pointed out that keeping the area clean is the owner's responsibility and the pick up of solid waste is the collection businesses responsibility.

Mr. Terry White, came forward to express his concerns with the gates and four-sided screening but not necessarily with the three-sided screening. He spoke of the concerns raised by his drivers in that they would prefer not to get out of the truck in certain area, at which time, Councilor Turner Pugh requested to be provided with the areas that the drivers had concerns with getting out of the truck.

City Manager Hugley said that we could bring forward different concepts that depend on the location of the dumpster, rather it is located on an arterial road or close to a neighborhood, and situations dealing with similar matters.

At this time, Deputy City Manager Arrington returned to the podium to show slides of some nonconforming dumpsters that are consistent with the ordinance.

Issues With Non Conforming Dumpsters:

Cost to Businesses (42% increase in cost of waste hauling service)
Ability of Commercial Providers to Service
Compliance
Practicality
Aesthetics/Appearance

Deputy City Manager Arrington said that we are looking for some direction in this matter. He maintained that we are considering the following: maintaining the current requirements, remove the requirements for the nonconforming existing dumpsters altogether, reduce the screening requirements with some modification or go back to do some further research.

When Mayor Pro Tem Rodgers asked about comparisons with other cities, Mr. Rick Jones contended that they did study other communities, because this was one of the charges for the consultants that we working on this document. Councilor Suber asked about input from the business community, at which time, Mr. Jones said that the UDO was to dealing with anything built after it was to go into effect and not existing dumpsters or nonconforming dumpsters; however, the Council decided that we would go back and capture everything under nonconforming uses.

Councilor Hunter expressed his concerns with having only three sides. He said that if we are to have three sided screening; then, it would be for situations where the dumpster is up against the location.

Councilor Turner Pugh said that we need to look at our ordinance and how it relates to business that work on vehicles, junkyards and businesses of that nature. She said that the business is suppose to have some screening and the public is not suppose to be able to see the vehicles, but they are all over the place. She said that we need to look at the ordinance and what we are doing to make sure that it is being enforced. She then called attention to the business on Macon Road that is right across the street from the Muscogee County Library. Councilor Woodson requested that the auto parts stores need to be looked at; especially on Victory Drive.

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Note: *Councilor Anthony left the meeting during this part of the proceedings with the time being 11:05 a.m.*

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