

MINUTES

COUNCIL OF COLUMBUS,

GEORGIA

REGULAR MEETING

SEPTEMBER 12, 2006

The regular weekly meeting of the Council of Columbus, Georgia was called to order at 9:04 A.M., Tuesday, September 12, 2006, in the Council Chambers, Government Center, Columbus, Georgia. Honorable Robert S. Poydasheff, Mayor and 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., Evelyn Turner Pugh, Nathan Suber and Evelyn Woodson (arrived at 9:10 a.m.). Deputy City Manager Lisa Goodwin, City Attorney Clifton Fay, Clerk of Council Tiny B. Washington and Deputy Clerk of Council Sandra Davis were also present.

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ABSENT: City Manager Isaiah Hugley was absent, but was represented by Deputy City Manager Lisa Goodwin.

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INVOCATION: Offered by Dr. Charles Rodgers, Pastor Cathedral of Prayer.

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PLEDGE OF ALLEGIANCE: Led by students of Columbus First Seventh Day Adventist Church.

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PROCLAMATIONS:

“CONSTITUTION WEEK”

With Ms. Kitty Thompkins, Regent Daughters of the American Revolution George Walton Chapters, Ms. Erin Moore, President of the Lucy Spell Raiford Society Children

An Ordinance - A text amendment to the Unified Development Ordinance to amend requirements for existing nonconforming dumpsters. (53-A-06-Planning Dept.)

Councilor McDaniel reemphasized that if this ordinance is adopted that the staff notify everybody that manages property and suggested running an ad in the newspaper regarding it. Transportation Planning Director Rick Jones assured that we have had meetings and have done our best to get the information out.

Councilor Henderson suggested identifying the troublesome areas and addressing some of the concerns that way, because he was uncomfortable with approving the amendment as it reads now. Transportation Planning Director Jones agreed that it may be best to take a step back and look at this issue one more time. He suggested that we present the information to the Council again during a work session. He pointed out that there is an October deadline on the existing ordinance and we need to put that on hold for the time being until we get this ordinance or another ordinance in place.

Councilor Suber called attention to the improvements that have occurred by picking up around their particular dumpsters. He mentioned the undue burden and expense that would be incurred on apartment owners and some business people. He then suggested that the enforcement is the most important element. He recalled that we have two less employees in Special Enforcement; however, we do have radios in our garbage trucks for security and reporting purposes.

Councilor Davis reminded the viewing audience that there is a hardship clause in the ordinance, which provides a number of options, one of which, they could go before the Board of Zoning Appeals to present their case, and we would be able to work with those people.

Councilor Anthony suggested that the following issues should be approached: the current dumpsters and if they are being maintained by the owners, current dumpsters and if the gates would actually accomplish the objectives that the Council has discussed and addressing the dumpsters that are built in the future. He requested that with the delay, the staff should put some additional teeth involved in maintaining of the current dumpsters that exist.

In response to a comment of Councilor Suber, Transportation Director Jones advised that the ordinance reads now that any new construction, the City requires four-sides with gates and they have to be of a light material of the same building. He explained that for existing dumpsters or nonconforming uses now, we do require four-sides with gates but they don't have to be of a light material. He recalled that the proposed ordinance reads that there could be only three sides with no gates, provided that the dumpsters is oriented

away from public view. He said that there is no grandfathering in of current dumpsters.

After some additional discussion, Councilor Henderson made a motion for a delay at least until the next work session. Seconded by Councilor McDaniel.

Councilor Turner Pugh requested that the staff go out and take pictures of these dumpsters that we have been talking about so we can look at them and have more discussion on it.

Transportation Planning Director Jones further clarified some of the questions raised by the members of Council. Deputy City Manager Goodwin added that the Planning Advisory Commission recommended that all existing nonconforming dumpsters be grandfathered in and that recommendation did not come from the Planning Department.

Councilor Allen requested that the staff look at the ordinance going forward and put in some type of catch-up clause that reads that existing dumpsters would have to meet the requirements of the new ordinance by a certain date in the future. He then asked if there was a way to require a scheduled pickup for commercial and apartment type units.

OPPOSITION:

Mr. Fred Greene, Chairman of Property Management Committee for the Columbus Board of Realtors, expressed concerns that older complexes do not have room to accommodate a dumpster that has three sided enclosures much less four. He then requested that we be involved with some of the discussions surrounding this ordinance.

Mr. Tom Calhoun, 2520 Wynnton Road, came forward to advise that his biggest concern is the cost of the enclosure. He suggested additional enforcement of the current ordinance.

The following individuals also came forward to express similar concerns and matters regarding the notification process, as well as their particular concerns: ***Mr. Richard Clark, 575 Holland Drive; Mr. Arch Arnold, 3217 Catherine Drive; Mr. Tray Carmick, 2506 Hilton Avenue;***

Mr. Frank Comer, 4827 Techwood Drive, representing Wynnton Hardware and Chapmans, expressed several concerns including the notification process, possible activity by vagrants that could cause security issues and comments regarding existing problems within the community.

Councilor Suber requested that we speak to the Police Chief regarding these matters and we need to do better. Deputy City Manager Goodwin stated that the staff would

contact Mr. Comer to get some additional information from him. Mayor Poydasheff suggested a public notice in the newspaper and scroll it on the television.

Mayor Poydasheff called attention to the motion for delay and suggested that the Council extend the period of time for the delay. City Attorney Fay advised that the City Manager is going to hold off on any enforcement on the UDO provision that would affect existing nonconforming dumpsters.

Councilor Woodson spoke of similar incidents as mentioned by Mr. Comer. She advised that the Police Department is working on complaints, but they cannot discuss what actions they are taking because it is a lot of undercover work to catch the perpetrators in the act. She advised that there is a State Law that could be used where if drug activities continue at a property and the individuals are cited on three occasions; then, that property owner loses their property.

Councilor Suber then made a substitute motion to delay the ordinance for two months. Seconded by Councilor McDaniel and carried by a vote of six to two with Councilors Hunter and Turner Pugh voting no and all other six members voting yes with Councilor Davis not casting a vote and Councilor Woodson being absent for the vote.

Councilor Suber also suggested that when this matter is brought forth during a work session, that we allow the citizens to be heard. Mayor Poydasheff suggested making a motion at that time for the citizens to be heard.

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**THE FOLLOWING ORDINANCE WAS SUBMITTED AND EXPLAINED BY
CITY ATTORNEY FAY AND INTRODUCED ON FIRST READING:**

An Ordinance - providing for the demolition of structures located at:

- (1) 3150 Plateau Drive, Lot 711 (Michael James Burton, owner);
- (2) 1032 42nd Street (Nina T. Crook, owner);
- (3) 3400 St. Mary's Road, Lot 155 (Bennie Foster, owner);
- (4) 1633 Shepherd Drive (Deborah Green, owner);
- (5) 4249 Willis Street (Leola Love Jones, Estate %Percy Jones);
- (6) 1500, 1504 & 1506 24th Street (Christobal Lopez, owner);
- (7) 4610 17th Avenue (Steve M. Oliver, owner);
- (8) 1509 26th Street (Judith Orange & Obra Williams, owners);
- (9) 3211 10th Street (Mamie Pace, owner);
- (10) 2506 4th Avenue (Saving House, Inc. %Lagenia F. Arnold, owner);
- (11) 819 Winston Road (Brenda Joyce Fulford Taylor, owner);