

COUNCIL OF COLUMBUS, GEORGIA

CITY COUNCIL MEETING
MINUTES

Council Chambers
Muscogee County School Board Chambers- Public Education Center
2960 Macon Road, Columbus, GA 31906

June 18, 2024
9:00 AM
Regular Meeting

MAYOR'S AGENDA

PRESENT: Mayor B. H. “Skip” Henderson, III and Mayor Pro Tem R. Gary Allen (*Councilor District 1 Seat – Vacant*) and Councilors Tyson Begly, Joanne Cogle, Charmaine Crabb, Glenn Davis, R. Walker Garrett (arrived at 9:01 a.m.), Bruce Huff and Toyia Tucker. City Manager Isaiah Hugley, City Attorney Clifton Fay, Clerk of Council Sandra T. Davis, and Deputy Clerk of Council Lindsey G. McLemore.

ABSENT: Councilor Judy W. Thomas was absent.

The following documents have been included as a part of the electronic Agenda Packet: (1) Muscogee County Jail Update Presentation; (2) Muscogee County Jail Masterplan Presentation; (3) Jail Debt Impact Analysis Presentation; (4) Revenue Division Update Presentation

The following documents were distributed around the Council table: (1) Documents Submitted by PA#4 Kathy Tanner

CALL TO ORDER: Mayor B. H. “Skip” Henderson, III, Presiding

INVOCATION: Offered by Dr. Lynn Meadows-White with the Methodist Children’s Home of Columbus, Georgia

PLEDGE OF ALLEGIANCE: Led by Mayor Henderson

MINUTES

1. Approval of minutes for the June 11, 2024, Council Meeting and Executive Session. Councilor Tucker made a motion to approve the minutes, seconded by Councilor Cogle and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

PROCLAMATION:

2. **Proclamation:** Juneteenth Celebration

Receiving: Deputy City Manager Lisa Goodwin

Councilor Toyia Tucker read the proclamation into the record proclaiming June 12-22, 2024, as *Juneteenth Jubilee*, recognizing the series of events and activities held during the month of June in honor of the Juneteenth holiday that commemorates the emancipation of enslaved African Americans.

PRESENTATION:

3. Development Authority Update (Presented by Jerald Mitchell, President & CEO of the Greater Columbus, GA Chamber of Commerce.)

President & CEO Jerald Mitchell, Greater Columbus, GA Chamber of Commerce, approached the rostrum to provide an update by sharing information on the efforts of the Development Authority and the Chamber of Commerce in attracting businesses to the community. He also shared the positive impact that Fort Moore and robotic conferences have on encouraging future development opportunities.

RESOLUTION:

4. **Resolution (205-24):** A resolution expressing deep appreciation to Tyson Begly for his dedicated service to the Columbus Council and the citizens of Columbus, Georgia as the District 10 representative. Mayor Pro Tem Allen made a motion to approve the resolution, seconded by Councilor Tucker and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

Mayor Pro Tem R. Gary Allen read the resolution into the record and thanked Councilor Begly, as well as, presented him with a plaque for his unwavering dedication to serving the community in his role as an At-Large City Councilor.

CITY ATTORNEY'S AGENDA**ORDINANCES**

1. **Ordinance (24-035) - 2nd Reading-** An ordinance providing for the establishment of taxing districts, including a county-wide general services district and three (3) urban services districts and three (3) Business Improvement Districts (BID); providing for the levy, assessment, and collection of taxes for Columbus, Georgia within such districts for the year 2024 as provided under the Charter of the Consolidated Government of Columbus, Georgia; providing penalties for violations of the provisions of said ordinance; and for other purposes. (Budget Review Committee)
2. **1st Reading-** REZN-06-23-0113: An ordinance amending the Zoning Atlas of the Consolidated Government of Columbus, Georgia to change certain boundaries of a district located at **1720, 1728, 1730, 1744 Warm Springs Road and 1818 Spring Circle** (parcel # 036-013-002/036-013-003/036-013-004/036-013-005/036-013-007/036-013-008) from Neighborhood Commercial (NC) Zoning District to General Commercial (GC) Zoning District. (Planning Department and PAC recommend approval.) (Councilor Garrett) City Attorney Fay recognized the applicant. **(Public Hearing Held)**
3. **1st Reading-** REZN-03-24-0630: An ordinance amending the Zoning Atlas of the Consolidated Government of Columbus, Georgia, to change certain boundaries of a district located at **3711 Hamilton Road** (parcel # 030-019-011) from General Commercial (GC) Zoning District to Residential Multifamily - 2 (RMF 2) Zoning District. (Planning Department and PAC recommend approval.) (Councilor Garrett) City Attorney Fay recognized the applicant. **(Public Hearing Held)**

4. **1st Reading-** REZN-03-24-5716: An ordinance amending the Zoning Atlas of the Consolidated Government of Columbus, Georgia to change certain boundaries of a district located at **5617 Eastside Drive** (parcel # 083-014-019) from Single Family Residential -1 (SFR1) Zoning District to General Commercial (GC) Zoning District. (Planning Department and PAC recommend approval.) (Councilor Crabb) City Attorney Fay recognized the applicant. **(Public Hearing Held)**
5. **1st Reading-** REZN-04-24-0767: An ordinance amending the Zoning Atlas of the Consolidated Government of Columbus, Georgia to change certain boundaries of a district located at **5470 Schatulga Road** (parcel # 111-015-027) from Light Manufacturing/Industrial (LMI) Zoning District to General Commercial (GC) Zoning District. (Planning Department and PAC recommend approval.) (Mayor Pro-Tem) City Attorney Fay recognized the owner of the property. **(Public Hearing Held)**
6. **1st Reading- Public Hearing:** An ordinance renewing Business Improvement Districts in Columbus, Georgia through December 31, 2034; and for other purposes. (continued from 6-4-24) (Mayor Pro-Tem) City Attorney Fay recognized Mr. Ed Wolverton- President & CEO of Uptown Columbus, Inc. **(Public Hearing Held)**
7. **1st Reading-** An ordinance providing for the levy, assessment, and collection of taxes for the public school system of Columbus, Georgia; and for other purposes. (Mayor Pro-Tem) **(Public Hearing Held)**
8. **1st Reading-** An ordinance to amend Article VIII of Chapter 14 of the Columbus to revise certain requirements on businesses that offer Class B Coin Operated Amusement Machines on their premises; and for other purposes. (Councilors Huff, Cogle and Tucker) **(Public Hearing Held)**
9. **1st Reading-** An ordinance amending the Columbus, Georgia Pension Plan for General Government Employees, and the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety (collectively, the “Plans”) to address the treatment of retirees in pay status who are thereafter appointed or elected to the Columbus Council. (Councilor Davis) **(Public Hearing Held)**

City Attorney Clifton Fay introduced the ordinance, explaining this proposed amendment to the General Government and Public Safety Pension Plans by allowing retired city employees to be elected or appointed to the Columbus City Council and their pension not be suspended while serving. He went on to state this matter was reviewed by the Pension Fund, Employees’ Board of Trustees at a special called meeting last week, where they took no action on the matter.

Councilor Bruce Huff shared his concerns on this proposed ordinance only addressing appointed or elected City Councilors and not all elected officials.

In response, **Councilor Glenn Davis** stated the salary for the other elected positions are significantly higher than the salary of a City Councilor. He stated for the record that the Council is taking the right steps to address this issue.

City Manager Isaiah Hugley stated for the record, he is requesting the minutes of the Pension Fund, Employees’ Board of Trustees June 13, 2024 Special Called Meeting be incorporated and referenced

in the official minutes of this meeting as his comments regarding the proposed ordinance. (*A copy of the Special Called Meeting Minutes of the Pension Fund, Employees' Board of Trustees will be made a part of the June 18, 2024 Council Meeting Minutes as Exhibit "A".*)

Mr. Marvin Broadwater, Sr. approached the rostrum to speak in opposition to the proposed ordinance, expressing his concerns on the legality of the issue.

Mr. Nathan Smith approached the rostrum to speak in favor of the proposed ordinance, stating adoption of the ordinance is the right thing to do.

Mr. Danny Arencibia approached the rostrum to speak in favor of the proposed ordinance, stating individuals that have worked years to reach retirement should continue to receive those benefits that they deserve.

Ms. Karen Gaskins approached the rostrum to speak in favor of the proposed ordinance as a retired Columbus Police Officer.

RESOLUTION

10. Resolution (206-24): A Resolution authorizing payment of attorney fees which may be incurred for legal services rendered regarding various city issues during fiscal year 2025. (Mayor Pro Tem) Mayor Pro Tem Allen made a motion to approve the resolution, seconded by Councilor Tucker and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

PUBLIC AGENDA

1. Mr. Ruiz Jose, Re: Information on the elimination of parking minimums and elimination of zoning codes for rent and housing affordability. ***Not Present***
2. Mr. Marvin Broadwater, Sr., Re: The Columbus Charter.
3. Mr. Nathan Smith, Re: Free speech, Charter and Council District 1 appointment.
4. Mrs. Kathy Tanner, Re: Concerns at CACC.

CITY MANAGER'S AGENDA

1. Risk Management Legal Services

Resolution (207-24): A resolution authorizing payment of attorney fees which may be incurred for legal services rendered regarding risk management issues during Fiscal Year 2025. Mayor Pro Tem Allen made a motion to approve the resolution, seconded by Councilor Tucker and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

2. GEMA Emergency Management Performance Grant

Resolution (208-24): A resolution of the Council of Columbus, Georgia, authorizing the City Manager to accept a grant award from the Georgia Emergency Management and Homeland Security Agency in the amount of \$50,000, or as otherwise awarded, from the Emergency Management Performance Grant (EMPG), with a \$50,000 in-kind local match required which is already budgeted in the Department 450 Budget, to amend and reimburse the General Fund by the amount awarded. Councilor Huff made a motion to approve the resolution, seconded by Councilor Cogle and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

3. PURCHASES

A. Swim Gear and Lifeguard Accessories (Re-Bid) (Annual Contract) (Re-Bid) (Annual Contract) RFB NO. 24-0035

Resolution (209-24): A resolution authorizing the purchase of swim gear and lifeguard accessories, on an “as needed” basis, from Columbus Fire and Safety (Columbus, GA), Section 1 – Swim Gear, for the estimated contract value of \$10,120.88 and Eagle Creek Capital (North Salt Lake, UT), Section II – Lifeguard Accessories, for the estimated contract value of \$85,720.45, for the annual total estimated contract value of \$95,841.33. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

B. Motorcycle with Accessories for Columbus Police Department

Resolution (210-24): A resolution authorizing the purchase of one (1) Harley Davidson Motorcycle, with accessories, from Rally Point Harley-Davidson (Columbus, GA) in the total amount of \$39,449.64. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

C. Audio-Visual System for Homeland Security and Emergency Management

Resolution (211-24): A resolution authorizing the purchase of an audio-video system from Columbus Tape and Video (Columbus, GA), in the amount of \$187,134.61 for Homeland Security and Emergency Management Department. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

D. Mold Removal and Remediation Services

Resolution (212-24): A resolution authorizing payment to MLB EnviroHealth & Safety, LLC (Columbus, GA), in the amount of \$64,000.00, for mold removal and remediation services at the jail. Additionally, authorizing payment for the continued use of the vendor to provide the services, as needed, through FY25 to ensure the remediation is completed at the jail, and if needed, for other city locations. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

E. Milo Range Compact Theater Firearms Training Simulator for the Sheriff's Office - Federal GSA Cooperative Purchase

Resolution (213-24): A resolution authorizing the purchase of a MILO Range Compact Theatre Training Simulator for FAAC Inc./MILO (Ann Arbor, MI), in the amount of \$113,537.00. The purchase will be accomplished by cooperative purchase via Federal GSA Contract # GS-00F-332CA. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

F. Consulting Services to Assess the Cybersecurity Posture - Sourcewell Cooperative Purchase

Resolution (214-24): A resolution authorizing the purchase of consulting services from CDW (Vernon Hills, IL), in the amount of \$116,719.00, to perform an assessment of the City's cybersecurity posture. The purchase will be accomplished by cooperative purchase via Sourcewell Contract #081419-CDW. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

G. Forensic Software for the Sheriff's Office

Resolution (215-24): A resolution authorizing payment to Magnet Forensics (Atlanta, GA), in the amount of \$100,875.00 for the purchase of GrayKey Forensic Software. It is also requested that the Council approve payment for the annual license/maintenance/support fees for subsequent years, including cost increases for all aspects of the system, which will be budgeted in the appropriate fiscal years. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

H. Bucket Truck for Engineering Department - Sourcewell Cooperative Contract Purchase

Resolution (216-24): A resolution authorizing the purchase of one (1) bucket truck for the Engineering Department from Altec Industries (Birmingham, AL) in the amount of \$148,043.00. The purchase will be accomplished by cooperative purchase via Sourcewell Contract #110421-ALT. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

I. Fitness Equipment for the Sheriff's Office New Administrative Facility - Sourcewell Cooperative Purchase

Resolution (217-24): A resolution authorizing the purchase of fitness equipment from Life Fitness (Franklin Park, IL) in the amount of \$56,808.24. The purchase will be accomplished by cooperative purchase via Sourcewell Contract #081120-LFF. Councilor Tucker made a motion to approve the resolution, seconded by Mayor Pro Tem Allen and carried unanimously by the eight members present, with Councilor Thomas being absent from the meeting.

EMERGENCY PURCHASES

1. Information Only: Emergency Purchase

FACIAL RECOGNITION SOFTWARE FOR THE SHERIFF'S OFFICE

On May 11, 2024, the Sheriff's Office notified Finance of the need to purchase Facial Recognition Software by May 15, 2024, in order to meet a grant deadline.

On May 12, 2024, the Finance Director requested an emergency purchase on behalf of the Sheriff's Office due to the Exigent circumstances.

The City Manager approved the emergency purchase on May 12, 2024.

The purchase was made from Clearview.AI (New York, NY). The total cost of the software is \$88,749.00. The first of three payments in the amount of \$29,583.00 was due by May 15, 2024, for the initial term start date. The second payment will be due on the 1st anniversary and the last payment will be due on the 2nd anniversary.

The Sheriff's Office will use the software for investigative purposes.

The purchase is funded as follows: Multi-Government Project Fund – Sheriff – Georgia Gang Activity Prosecution Grant – Computer Software; 0216 – 550 – 3021 – GGAP – 6713.

PURCHASES INFORMATION ONLY:

1. Information Only: Exigent “Off the Lot” Vehicle Purchases – Resolution No. 106-24

1. ONE (1) 2024 FORD TRANSIT 350 15P-PASSENGER VAN

On June 3, 2024, a purchase order was executed for one (1) 2024 Ford Transit 350 15-Passenger Van for the Engineering Department due to exigent circumstances, as approved by Council per Resolution No. 106-24.

The vehicle will be purchased from Brannen Motors (Unadilla, GA) at a unit price of \$58,000.00. The vehicle will be used by Stormwater Staff to facilitate some of their EPD requirements. This is a replacement vehicle.

Funds are budgeted in the FY24 Budget: Sewer (Stormwater) Fund – Engineering – Stormwater – Light Trucks; 0202-250-2600-STRM-7722.

2. ONE (1) 2024 FORD EXPLORER

On June 10, 2024, a purchase order was executed for one (1) 2024 Ford Explorer XLT for the Information Technology Department due to exigent circumstances, as approved by Council per Resolution No. 106-24.

The vehicle will be purchased from Rivertown Ford (Columbus, GA) at a unit price of \$44,911.00. The vehicle will be used by Information Technology staff to go to various Departments for repair requests. This is a new vehicle.

Funds are budgeted in the FY24 Budget: General Fund – Information Technology – Information Technology – Light Trucks; 0101-210-1000-ISS-7722.

3. ONE (1) 2024 FORD EXPLORER

On June 10, 2024, a purchase order was executed for one (1) 2024 Ford Explorer XLT for the Information Technology Department due to exigent circumstances, as approved by Council per Resolution No. 106-24.

The vehicle will be purchased from Rivertown Ford (Columbus, GA) at a unit price of \$43,109.00. The vehicle will be used by Information Technology staff to go to various Departments for repair requests. This is a new vehicle.

Funds are budgeted in the FY24 Budget: General Fund – Information Technology – Information Technology – Light Trucks; 0101-210-1000-ISS-7722.

4. ONE (1) 2024 CHEVROLET SILVERADO

On June 17, 2024, a purchase order was executed for one (1) 2024 Chevrolet Silverado 2500HD for the Engineering Department due to exigent circumstances, as approved by Council per Resolution No. 106-24.

The vehicle will be purchased from Sons Chevrolet (Columbus, GA) at a unit price of \$69,975.00. The vehicle will be used by Traffic Engineering as a paint and maintenance vehicle. This is a new vehicle.

Funds are budgeted in the FY24 Budget: General Fund – Engineering Department – Traffic Engineering– Light Trucks; 0101-250-2100-TRAF-7722.

4. UPDATES AND PRESENTATIONS

A. Parks & Recreation Update - Holli Browder, Director, Parks & Recreation

Parks & Recreation Director Holli Browder approached the rostrum to provide an update on the Parks & Recreation Department. She shared information on the Columbus Outdoor Recreation Experience vehicles and Passport to Columbus Program. She then went on to provide an update on the renovations of pools at Rigdon Park, Psalmond Road and Shirley B. Winton, which have been delayed for various reasons to include weather and permits.

Executive Vice President David Hawkins, Freeman & Associates, came forward to briefly discuss the delays experienced throughout the renovation of the public pools.

NOTE: Councilor Cogle left the meeting at 2:24 p.m.

REFERRAL(S):

FOR THE CITY MANAGER:

- Request for a meeting with Parks & Recreation and Patirica Liddell regarding Veteran's Day Parade.
(Request of Councilor Tucker)

B. Jail Update - Drale Short, Director, Public Works, Doug Kleppin/Shane Clark, SLAM Collaborative, Henry Painter, Gilbane Building Company, Doug Shaw, Jericho Design Group, LLC, Pam Hodge, Deputy City Manager, Finance, Planning, and Development

Public Works Director Drale Short approached the rostrum to provide an update on the Muscogee County Jail. During the presentation, she explained that since 2022 \$4,098,219 has been spent by the Facilities Maintenance Division on plumbing costs for CCG buildings. She stated the estimated annual cost for CGL Companies to provide maintenance and preventative maintenance for Recorders Court, Muscogee County Jail and the Muscogee County Prison is \$1,500,000.

Deputy City Manager Pam Hodge came forward to explain the purpose of the RFP that was issued in August of 2023, stating this RFP was to assess the Muscogee County Jail and to establish a plan to move forward.

Owner/Principal Doug Shaw, Jericho Design Group, LLC, approached the rostrum to provide a presentation on the repair and maintenance recommendations, programming process, final programming report, and site options for the Muscogee County Jail.

Senior Project Executive Henry Painter, III, Gilbane Building Company, and **Principal Architect Paul Gibson, Barnes Gibson Partners Architects, LLC**, came forward to respond to questions and comments from Councilor Davis regarding the bricks that have fallen from the existing structure.

Sheriff Greg Countryman came forward to share the conflicts that would be faced with site option one, stating option two is a much safer option to transport to and from court.

Deputy City Manager Pam Hodge returned to the rostrum to present the Jail Debt Impact Analysis on behalf of Davenport & Company. During the presentation, she provided information on the total existing and committed debt and the various funding options to construct a new jail. She stated there is an internal debt policy that the debt margin shall not exceed 1.75% of the fair market value of all taxable property within the county. She emphasized this is an internal policy and not mandated by the State of Georgia.

REFERRAL(S):

FOR THE CITY MANAGER:

- Bring a sample or actual contract with CGL for Council to see the “punch list” and what is being prioritized. (*Request of Councilor Tucker*)

C. Revenue Update - Angelica Alexander, Director, Finance

Finance Director Angelica Alexander approached the rostrum to provide a presentation on the Revenue Division of the Finance Department. She shared information on the projected timeline to address the issues identified in the Revenue Division and the need for additional positions to handle the workload.

MUSCOGEE COUNTY JAIL:

Councilor Davis made a motion to budget up to \$6,000,000.00 to fund the first phase of remediation for the Muscogee County Jail, as suggested by the City Manager during the presentation, seconded by Councilor Crabb and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

REFERRALS:

CLERK OF COUNCIL’S AGENDA

ENCLOSURES - ACTION REQUESTED

1. **RESOLUTION (218-24)** – A resolution excusing Councilor Judy Thomas from the June 18, 2024 Council Meeting. Mayor Pro Tem Allen made a motion to approve the resolution, seconded by Councilor Crabb and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.
2. Honorary Designation Application submitted by Mr. Jason Crowson and Ms. Stephanie Callahan to place a stone with bronze plaque and a marble bench at Godwin Creek Golf Course in honor of Mr. Richard Callahan, Sr. *(The Council may vote to forward the application to the Board of Honor.)* Mayor Pro Tem Allen made a motion to forward the application to the Board of Honor, seconded by Councilor Crabb and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.
3. **Minutes of the following boards:**
 - Board of Tax Assessors, #18-24
 - Columbus Golf Course Authority, June 4, 2024
 - Land Bank Authority, May 8, 2024
 - Liberty Theatre & Cultural Arts Center Advisory Board, March 14, & May 9, 2024

Mayor Pro Tem Allen made a motion to receive the minutes of various boards, seconded by Councilor Garrett and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

BOARD APPOINTMENTS - ACTION REQUESTED

4. **COUNCIL'S DISTRICT SEAT APPOINTMENT- ANY NOMINATIONS MAY BE CONFIRMED FOR THIS MEETING:**

A. YOUTH ADVISORY COUNCIL:

A nominee for a seat on the Youth Advisory Council as the District 2 Representative for the 2024-2025 School Year *(Council District 2- Davis)*. There were none.

A nominee for a seat on the Youth Advisory Council as the District 4 Representative for the 2024-2025 School Year *(Council District 4- Tucker)*. There were none.

A nominee for a seat on the Youth Advisory Council as the District 5 Representative for the 2024-2025 School Year *(Council District 5- Crabb)*. There were none.

5. **COUNCIL APPOINTMENTS- READY FOR CONFIRMATION:**

- A. **KEEP COLUMBUS BEAUTIFUL COMMISSION:** Ms. Pamela Green Thomas was nominated to fill the unexpired term of Mr. Eddie Florence as the SD-15 Representative. *(Councilor Crabb's nominee)* Term expires: June 30, 2026. Councilor Crabb made a motion for confirmation, seconded by Mayor Pro Tem Allen and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

B. KEEP COLUMBUS BEAUTIFUL COMMISSION: Ms. Leasa Hastings was nominated to the At-Large seat that was formerly held by Ms. Pamela Green Thomas. (*Ms. Pamela Green Thomas was moved to the vacant SD-15 seat*). (*Councilor Crabb's nominee*) Term expires: June 30, 2027. Mayor Pro Tem Allen made a motion for confirmation, seconded by Councilor Tucker and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

6. COUNCIL APPOINTMENTS- ANY NOMINATIONS WOULD BE LISTED FOR THE NEXT MEETING:

A. COLUMBUS AQUATICS COMMISSION:

A nominee for the seat of Timothy Crabb (*Does not desire reappointment*) for a term expiring on June 30, 2024, on the Columbus Aquatics Commission (*Council's Appointment*). There were none.

A nominee for the seat of Richard Leary (*Eligible to succeed- Does not desire reappointment*) for a term expiring on June 30, 2024, as the Columbus Hurricanes Representative on the Columbus Aquatics Commission (*Council's Appointment*). There were none.

A nominee for the seat of Janet Bussey (*Not Eligible to succeed*) for a term expiring on June 30, 2024, on the Columbus Aquatics Commission (*Council's Appointment*). There were none.

A nominee for the seat of Bruce Samuels (*Not Eligible to succeed*) for a term that expired on June 30, 2022, on the Columbus Aquatics Commission (*Council's Appointment*). There were none.

B. HISTORIC & ARCHITECTURAL REVIEW BOARD:

A nominee for the seat of Libby Smith (*Not Eligible to succeed*) for a term expiring January 31, 2024, as the Historic District Resident on the Historic & Architectural Review Board (*Council's Appointment*). Clerk of Council Davis stated Councilor Cogle is nominating Mike Johnson to fill the unexpired term of Libby Smith as the Historic District Resident.

C. KEEP COLUMBUS BEAUTIFUL COMMISSION:

A nominee for the seat of David Houser (*Eligible to succeed- Interested in serving*) for a term expiring June 30, 2024, as a representative of Senatorial District 15 on the Keep Columbus Beautiful Commission (*Council's Appointment*). Mayor Pro Tem Allen renominated David Houser to serve another term.

D. REGION 6 REGIONAL ADVISORY COUNCIL FOR DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES:

A nominee for the seat of Christopher Posey (*Eligible to succeed- Does not desire reappointment*) for a term expiring on June 30, 2024, on the Region 6 Regional Advisory Council for Department of Behavioral Health and Developmental Disabilities (*Council's Appointment*). Clerk of Council Davis started Councilor Cogle is nominating Jennifer LeDenney to succeed Christopher Posey.

COUNCIL HEARINGS:

7. Request for Waiver of Penalty and Interest on property tax as submitted by Mr. Murray R. Jones for property located in Columbus, Georgia.

Muscogee County Tax Commissioner Lula Huff approached the rostrum to provide information on the citizen's request.

Mayor Pro Tem Allen made a motion to approve the refund of penalties and interest in the amount of \$618.30, seconded by Councilor Huff and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

8. Request for Waiver of Penalty and Interest on property tax as submitted by Mr. Kenneth Harris for property located in Columbus, Georgia.

Muscogee County Tax Commissioner Lula Huff approached the rostrum to provide information on the citizen's request.

Mr. Kenneth Harris came forward to state this was an honest mistake after he received a call from his bank regarding fraudulent activity in the account. He explained he did a "stop payment" on many checks not realizing the property tax payments were among the payments stopped.

Councilor Crabb made a motion to approve the refund of penalties and interest in the amount of \$3,279.66, seconded by Mayor Pro Tem Allen and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

9. Request for Waiver of Penalty and Interest on property tax as submitted by Ms. Ebonee Bryant for property located in Columbus, Georgia.

Councilor Tucker made a motion to approve the refund of penalties and interest in the amount of \$1,408.79, seconded by Councilor Huff and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, and Councilor Thomas being absent from the meeting.

EXECUTIVE SESSION:

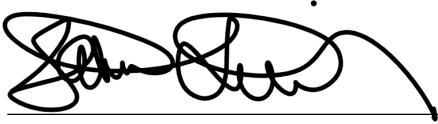
Mayor Henderson entertained a motion to go into executive session to discuss matters of property acquisition as requested by Councilor Davis. Councilor Davis made a motion to go into Executive Session, seconded by Councilor Tucker and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, Councilor Thomas being absent from the meeting, and the time being 1:41 p.m.

The Regular Meeting reconvened at 1:50 p.m., at which time, Mayor Henderson announced that the Council did meet in executive session to discuss matters of property acquisition; however, there were no votes taken.

PUBLIC AGENDA (continued):

2. Mr. Marvin Broadwater, Sr., Re: The Columbus Charter.

With there being no further business to discuss, Mayor Henderson entertained a motion for adjournment. Motion by Mayor Pro Tem Allen to adjourn the June 18, 2024 Regular Council Meeting, seconded by Councilor Tucker and carried unanimously by the seven members present, with Councilor Cogle being absent for the vote, Councilor Thomas being absent from the meeting, and the time being 1:54 p.m.



Sandra T. Davis, CMC
Clerk of Council
Council of Columbus, Georgia

EXHIBIT "A"

*MINUTES OF THE
BOARD OF TRUSTEES MEETING FOR THE COLUMBUS GEORGIA PUBLIC EMPLOYEE
RETIREMENT SYSTEMS PENSION AND BENEFIT TRUST FUND
Called Meeting*

June 13, 2024

TRUSTEES PRESENT:

Mayor, Skip Henderson, Chairman; and Finance Director, Angelica Alexander, Secretary

TRUSTEES ATTENDING VIRTUALLY: City Manager, Isaiah Hugley, Vice Chairman; Ricky Boren, Trustee; Roderick Graham, Trustee; Lisa Goodwin, Trustee; Jack Warden, Trustee; Elizabeth Cook, Trustee; and Dusty Wilson, Trustee

TRUSTEES ABSENT:

Fray McCormick, Trustee

OTHERS ATTENDING IN PERSON OR VIRTUALLY:

Pamela Hodge, DCM Finance, Planning & Development; Lucy Sheftall, Assistant City Attorney; Reather Hollowell, Human Resources Director; Cynthia Holliman, Senior Pension Plans Administrator; Gwen Ruff, Columbus Water Works; Savonne Monell, Columbus Water Works Representative; Angela Allison, Columbus Water Works, Clifton Fay, City Attorney, and Glen Arrington, Recording Secretary

ADVISORS:

Chuck Carr, Southern Actuarial Services; and Constance Brewster, Troutman Pepper

CALL TO ORDER

Mayor, Skip Henderson, called the June 13, 2024, meeting of the Board of Trustees of the Columbus Georgia Public Employee Retirement Systems Pension and Benefit Trust Fund to order. Attendance was taken and quorum was present and confirmed.

Mayor Henderson stated that this meeting has been called meeting for the board to discuss an ordinance requested and recommended by Councilor Davis and others. Because this meeting is to discuss policy and not investment performance, allocation or funding, it is open for public attendance but not for public comment. Mayor Henderson stated that this board's purpose is not political. The Board's purpose is to provide input to best protect the pensions of former, current and future CCG employees. The Board may decide to vote to recommend Council approves the ordinance; they may vote to recommend the Council does not approve the ordinance; or they may decide there is not sufficient information to make any recommendation. The mayor then turned the meeting over to Clifton Fay, City Attorney.

Minutes other than summary minutes will be released on a delayed schedule to protect the release of information made confidential by Official Code of Georgia Annotated Section 47-1-14(c) and (d).

Clifton Fay thanked the mayor for allowing him to participate in the meeting. He reported on a new development regarding virtual meetings for the Board of Trustees for large retirement systems. Since the Governor signed new legislation in February, this Pension Board will be able to meet like this with a virtual quorum with some members in the room. He noted that the same ability to meet virtually does not apply to council meetings.

He explained that the proposed amendment to be discussed proposed by Councilor Davis and others, will allow a retired city employee who is currently receiving a city pension to be appointed or elected to fill a vacancy on the Columbus Council and not have to suspend their current city pension. The draft ordinance had been distributed to Board members and those in attendance. He advised that pension attorney, Constance Brewster of Troutman Law Firm in Atlanta has worked with the City Attorney's office the last week to prepare an ordinance at the Councilor's request. He then turned the meeting over to Mrs. Sheftall and Mrs. Brewster so that they could go through each proposed change. Mr. Fay stated that it is straightforward. The changes will allow a person receiving a city pension to continue receiving that pension if they are appointed or elected as a councilor.

Lucy Sheftall, Assistant City Attorney, informed the board that when they looked at the ordinance, there were a lot of edits or small changes that were all crafted to make one change. She contrasted what happens now with and then what would happen under the proposed ordinance. Currently, part time city employees who are drawing an active retirement can come back to work for the city and keep their pension. Full time employees cannot keep their pension if they come back after retirement. They don't lose it forever; it's just suspended during the time they are back in city employment. When that pension is suspended, they are required to rejoin the pension plan and make contributions to start earning a new benefit for their new service.

Councilors are specifically defined by the pension plan as full-time employees; therefore, they are subject to the requirements that their pension be suspended when they come back. The amendment that proposed today would change that so that an active retiree who is drawing a pension from the city plan can come back to be a councilor, not any other elected official, just an elected or appointed councilor, without having his or her pension suspended. The Councilor would keep drawing their pension but would not have the option of paying in and joining the plan again and getting a new benefit. That is sort of the before and after, if you will. Ms. Sheftall then recognized Ms. Brewster of Troutman Pepper to discuss the plan amendments and answer questions.

Constance Brewster then spoke to the board and walked through the ordinance in detail. A copy of the ordinance was displayed. (Please see attachment – Columbus – Ordinance Adopting Plan Amendments re City Council Members Draft 6-13-24)

Looking at section 2.13, this section of the plan is governing creditable service. The idea is if the councilor is not going to be eligible to participate in the plan as an active full-time employee, accruing additional benefits, this section says that any service he performs as a councilor is not considered creditable service. So, this is essentially saying that he can

continue getting his pension, but the service that he has as a councilor is not going to count towards accruing any new benefits under the pension plan. Mrs. Brewster then opened to receive questions regarding this section of the amendment.

Moving to section 2.19, this deals with earnings. So, like in section 2.13 this clarifies that this councilor is not eligible for pension or building his service, we are also saying that any earnings the councilor receives as a councilor is not considered earnings for purposes of accruing a new benefit in the plan.

Moving to section 2.24, this is the section of the plan that defines full time employees to include appointed or elected officials as listed, the clarifying change, historically all officials, either appointed or elected have been treated the same. So, we added "appointed" just to clarify so there is no question. And then we added a proviso at the end to say that for any councilor, that he is a former member in pay status who has later entered into employment and sworn in as a councilor on or after July 1, is not going to be considered a full time employee for the purposes of the suspension provision that we will talk about and also for purposes of accruing additional benefits while serving as councilor.

Section 3.02 is a typographical change that is updating the section reference to reference to the correct numbers. This is just a clarifying piece.

Moving to section 4.06, and this is the heart of what brings this discussion. Pension benefits on reemployment. And this section usually says that if you are a member and you retire, and you are receiving benefits and you are reemployed as a full-time employee, your benefits will be suspended. So, the change is providing an exclusion and to say that if you are reemployed as a councilor, that is sworn in on or after July 1, 2024, that suspension provision no longer applies. So, the councilor may continue to receive pension payments while serving in his councilor role.

Moving down to section 4.06c, Eligibility for and Amount of Additional Pension, we added just for clarification, a provision at the end saying that if a former member comes back as a councilor, and is appointed on or after July 1, we are clarifying that he is not going to be eligible for an additional pension. So, he continues to receive his benefits but does not create any additional pension.

That was the general employee plan. If you move down to section 6, looking at section 2.14, you will see that this is virtually identical to provision 3 in that general governmental employee plan. 2.14 is just saying for this particular councilor, any service as a councilor is not considered creditable service for purposes of creating new benefits.

2.20 is the same. It is simply saying that the councilor's service is not considered earnings for purposes of accruing any new benefits.

2.25, we are saying that change as with the general governmental plan, the clarification that we are talking about is appointed or elected officials, and then also the proviso is clarifying

that this councilor would not be considered a full-time employee for purposes of the mandatory participation and the suspension of benefit provisions.

Moving to 3.02, this is updating the internal cite reference to ensure that it references the right cite.

Section 4.06, this is the same provision that we talked about in the general government employee plan, we are providing that the suspension of benefits while reemployment as a councilor does not apply.

If we move down, here is a proviso that just clarifies, again, that the councilor will not be eligible to receive an additional pension while receiving pension payments and then providing service as a councilor.

Section 11 just simply has the effective date of the ordinance. So as soon as it is adopted, it will be immediately effective.

Section 12 is the general provision that we include in all of our ordinances. It just says that any parts of the ordinance in conflict with this amendment are repealed and replaced with this ordinance that is adopted.

Mrs. Brewster then opened for questions.

City Manager, Isaiah Hugley expressed his concerns. He stated that, like others, he received the proposed ordinance, red lined less than an hour ago, in fact, looking at the email, he received it at 11:06 AM this morning. And there are several concerns. He stated that he was concerned that the proposed ordinance carves out or creates special legislation to fit one person or one class, members of city council. And it does not provide opportunity for equal treatment to other elected offices or elected officials. He stated that he was also concerned this is done hurriedly and does not allow sufficient time for review by the Pension Board. And it does not allow time for review by the city actuarial consultant. He stated that he assumed that Chuck Carr was with us, but, Mr. Hugley stated, that he did not know that he has had time to review to determine the actuarial impact of the recommended changes to the pension plan.

Chuck Carr responded that he did review the information quickly and stated that for him, it was straightforward. There is no actuarial impact for these changes. He stated that the actuarial concern could be taken off the table.

Mr. Hugley reiterated that he had not had enough time to review it. As a pension board fiduciary, he stated that he didn't know if other members of the pension board had a chance to see it, but he received the ordinance at 11:06. So, with that said, he stated that he was not comfortable voting on this matter today. If he was asked to vote on a matter that he is just received the email at 11:06, and he is expected to digest it or completely understand it, his vote would have to be no. He stated that his preference today is that that pension board would take no action. It is a political matter to leave it to the City Council because whether the

pension board says yay or negative, the council can vote to vote it up or down. And so, with his concerns, at least, he was not comfortable voting today. And his preference would be to take no action and refer it back to the City Council and let them pass their decision.

Mayor Henderson responded that he agreed. The mayor stated that he appreciated Mr. Hugley's comments. He asked if there was anything else that he wanted to add that may have any bearing at all on the main thing that we are discussing?

Mr. Carr stated that he thinks this is strictly a policy issue. From a financial perspective, if he understands it correctly, this only applies to someone who is in payment status. So, they are drawing the pension. And this is an individual who is retired at least from the pension funds perspective, and they are receiving their payments. Our assumption, of course, is that someone will then receive those payments for the rest of their life. So, we don't make any kind of assumption that there would be someone reemployed or anything of that nature. So, to the extent that someone is reemployed and is away or becomes a part of council or what have you, the fact that we would not be, now, with this member suspending their benefit, whereas before, we would, it really doesn't change any of the numbers from an actuarial standpoint. Arguably, it might even be argued that it would save a little bit of money. The savings would be miniscule. But, if he understood the plan right, right now, if someone, if this happens, the pension payments are suspended. But they would accrue additional service and additional benefit for that time that they are reemployed or what have you. So, because generally, these are folks, they are retired, so they are older. The cost of their accruals is generally going to be high as compared to someone who is younger. So, Mr. Carr stated, this is an actuarially neutral ordinance. But the reality is if anything, if it has any impact financially, there might be a very, very, very tiny savings from this, just from the fact that the fund is not going to give these folks additional pension accrual while they are reemployed. He again recommended looking at the issue from a policy perspective.

The mayor thanked the board and participants for making themselves available for this afternoon. He asked if there were any pension board members who had any questions or comments or wanted to clarify how they view their opportunity to recommend this.

Elizabeth Cook stated that she shared a concern and completely understood the timeliness issue. She stated that she works in this area and is familiar with the terminology and it is probably easier for her to understand than some others just because they don't see these words every day. She stated that she, frankly, would probably abstain if there was a vote because she didn't see this as the type of issue that the board deals with. The Board We deal with fiduciary issues. If they were to propose an amendment that had an impact on the plan in which it was something we could speak up for even a policy, but this is a neutral plan design change. She stated that she didn't know that it is up to the board to make the recommendation on neutral plan and design.

The mayor thanked Mrs. Cook for her comments.

Roderick Graham asked, for his clarity, are we talking about making a change that will only apply to an individual that has been voted for or elected as a council person.

Mr. Fay stated that the appointee is not sworn in yet.

Mr. Graham continued with, in the future, as the City Manager was referring to, how will this impact, or does this impact other individuals that retire and maybe want to come back for not an elected position but want to come back in some other capacity working for the City. Will their pension be suspended?

Mrs. Sheftall responded that the rules would stay the same as they are now, if they are only coming back part time, the pension is not suspended. If they are coming back full time, the pension is suspended.

Mr. Graham continued with, is a council position considered full-time or is it considered part time?

Mrs. Sheftall responded that the plan defines it currently as full time.

The mayor asked if there were any more questions or comments from the board.

Dusty Wilson asked if it was possible that we could hear from Councilor Davis as to why this was proposed. It seems fairly obvious that maybe it would allow the people who have great ideas to come back and work full-time in council. But he would worry with the City Manager, does this possibly create something for other areas in the city where somebody could come back and provide a great service, but they are limited or maybe they don't want to do that because they would have to give up their pension.

The mayor stated that typically the board does not allow comments from non-board members. But since this is a direct question to the individual who referred to it, he felt it certainly should be allowed.

Councilor Davis responded that he did not mind giving a little perspective on it. He stated that he thought Mr. Wilson was right. There are a lot of valuable, good, solid citizens in our community that have served this city well. And certainly, for many, many years. 25, 30, 35. You can make a case that they have a lot of knowledge and insight. And they would be good people to represent your city going forward. Taking all names out of this, unbeknownst to any council member, he thought the last time the council dealt with this was when Mayor Wetherington, but everybody was always, of course, he had options at that time with businesses or rental properties and things like that. But it did not matter to him, but we have always considered the mayor or others as full-time positions. And you look at the salary that equates to that. He stated that he thought you could make an argument that the council members are below the poverty level. You could make the argument that if they were full time, you would have to go back and recompensate every council member with minimum wage, which they are not making minimum wage, which is a federal requirement. If councilors were considered full time, he thinks the council members should be compensated in such a way that they are not. He stated that he found out about this idea at the eleventh hour when a letter was mailed out to a day before somebody was being sworn in, told that their, after

they have already gone through a process, that had been initiated, that they were going to, their pension was going to be suspended. Now, if you can imagine being that person, at an age where you have given 30+ years, and you are trying to make a living, and you are trying to have a life and support others, you can't do it. And not just that person, you have other people that have been qualified to run, who would have applied to run. He stated someone recently during the election, it would have applied to him. And he promised the board that they didn't know either. So, it opened his eyes to 1) we need a fact sheet that we can give to any candidate running for any office. They need to understand all the requirements, the ethics, the ethics rules, disclosures, what the rules are so that we are all on a level playing field instead of at the last minute. Because if you get sworn in not knowing and you receive a letter less than 24 hours where you are going to be sworn in that your pension is going to be suspended. Something is wrong with that. Something is really wrong. He went on to say that he thought the city had failed from that standpoint. So, where we are at today is making a correction with council members if an employee who has served the city well wants to be on council, appointed or elected, they have that option, well, it's not really an option, but they can continue to draw their pension. Some people just can't survive. Others can make it happen. And it just depends on where you are in life, and certainly, you can make this a case that certain people could be discriminated against and not allowed that opportunity. It applies, not just to whoever is in the pension plan across the board. It applies to not allowing them an opportunity to serve their city. They can't. Because most people versus serving on council or collecting their pension at such an age, you can't make it work. Or a very few have the opportunity, or the resources make that happen. So, we need to make corrections. And fortunately, as we walked through this thing, we found out the final process has not taken place, therefore a person won't be punitively punished or discriminated against in such a way because they had no idea. Nobody even knew what this ordinance was all about. It doesn't say council people, it just says elected officials, is what it says. That's what the policy says. So, as a council representative, he was looking at that, and the council is trying to make the appropriate changes going forward, where anybody in this city would have the opportunity. If they served this city well, they would have the opportunity to serve. And they don't have to deal with their pension being suspended and not being able to survive and make a living and take care of their family.

The mayor thanked Councilor Davis. He then asked if there were any other questions or comments from the board.

Finance Director, Angelica Alexander, asked a question. In terms of the council, does that also apply to the mayor as part of the council? Or not?

The mayor responded that he thought the mayor was a full-time position. Council is only part time. He stated that he served on council and the idea to serve on council is you have a job, and the council service is sort of a part time job. He stated that he thinks this has not really occurred very often. He stated that Councilor Davis mentioned Wetherington. A firefighter, Watson, dealt with that. In 30 years, it has probably happened twice. But he thought the mayor is considered full time. The council has always been a part-time and, the perk, it was a perk trying to add to council because of the hours they end up working. And that's why they are considered, just for pension and insurance, full time, so that they can qualify.

Mr. Hugley stated that he would state again that his concern is that it provides for a select group and there are other elected officials that could, he used the coroner as an example. And so, they could not retire from the city and then run for coroner and win, if you just single it out to just council members. And a coroner, a person running as a retired city employee for coroner, would earn a salary, in Columbus, Georgia, of \$60,000. And then you would as mayor, or general revenue as you mentioned, he probably earns between \$75 and \$80 thousand, gave up his pension. It means if you, and only the council is mentioned, they had other things, but that says that you are local administrator on low pay. For your pay and you arranged for mayor, you would earn, like you earn, about \$80,000. How does that compare to a city, the second largest city in Georgia. It singles out a certain class, and it does not provide an equal playing field for other retired employees who want to run for office in this city. It says you can only get paid your pension if you run for city council. Not if you run for mayor. Not if you run for coroner. Not if you run for municipal court clerk. You can only do it if you are a councilor. And I question whether that is providing an opportunity for a greater talent to go to the next level or block other than a city councilor position. And it's not an equal and level playing field. And, quite frankly, it's not equal treatment. And that is one of my concerns. As I shared with you earlier, I would leave that to the city council to vote on this matter and not as a pension board member.

Mayor Henderson stated that he agreed. He thought that based on what Elizabeth mentioned and what City Manager, Mr. Hugley said and what he has heard coming from the board, there are a couple of factors to consider. There is going to be an opportunity for first and second reading at council when this comes up. And that is where, he thought, we are seeing this belongs. In the arena discussing whether it is what we want to do for the pension for our government. Mayor Henderson stated, he thought, as Elizabeth pointed out, and Chuck mentioned that it is negligible, the impact on the actual funding of the pension or being able to continue being able to make sure it stays close to being fully funded. He stated what he was hearing is that the board seems to be leaning towards letting the council handle it, whichever route they want to go. For several reasons. One, as you had mentioned and something that Elizabeth had mentioned, but also, because of the short timeline. So, is there any different view or opinion from any members of the board?

Dusty Wilson responded that he would just add that if you pull an amendment plan, like the City Manager says, amend it for all elected officials, not just councilor. He stated that he agrees that there are very good people out there who have a lot of experience and who would like to raise their hand and become a part of the council or another elected position. But he stated that it looks like it says just the councilors and not elected officials. He then asked if there would be any actuarial effects if the amendment included all elected officials.

Chuck Carr responded that it would not change his opinion. He then stated his opinion was not based upon the fact that it was limited to councilors. It could be any elected office. And he stated his answer would be the same, which is it has no actuarial impact. The mayor then stated that he thought it was something that the council would need to take into consideration. And those that would speak to the council when it does come up. The mayor then asked if any of the board members had any issues or concerns.

Mr. Graham stated that this was the question he was getting around to when he asked if it just applied to being on city council. He stated that was what he was reading and what was being explained to the board. The word that was being used was councilor or council member.

The mayor then opened the floor for a motion. No motion was brought forward, so the Board will not forward any recommendation to the council. The ordinance will go before the Council for 1st Reading without any recommendation from the Board.

ADJOURN

With there being no further business to discuss, Mayor Henderson entertained a motion to dismiss. A motion was made by City Manager, Isaiah Hugley. It was seconded by Dusty Wilson. The mayor thanked everyone for taking their time and adjusting their schedules to attend the meeting. The board voted unanimously to adjourn the meeting and the meeting was declared adjourned.

Glen Arrington

Glen Arrington
Recording Secretary

AN ORDINANCE

NO. 24-__

An ordinance amending the Columbus, Georgia Pension Plan for General Government Employees, and the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety (collectively, the "Plans") to address the treatment of retirees in pay status who are thereafter appointed or elected to City Council.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

Section 2.13 of the Columbus, Georgia Pension Plan for General Government Employees is hereby amended by adding a new Section 2.13(h) to read as follows:

(h) Former Members in Pay Status And Sworn In Councilor on or after July 1, 2024. No employment service following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Creditable Service.

SECTION 2.

Section 2.19 of the Columbus, Georgia Pension Plan for General Government Employees is hereby amended by adding a new Section 2.19(e) to read as follows:

(e) Former Members in Pay Status And Sworn In as Councilor on or after July 1, 2024. No compensation earned following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Earnings.

SECTION 3.

Section 2.24 of the Columbus, Georgia Pension Plan for General Government Employees is hereby stricken and replaced by a new Section 2.24 to read as follows:

"2.24 Full-Time Employee: Any Employee whose customary employment is for at least forty (40) hours per week and for twelve (12) months during each calendar year and who is

included in the "position classification plan" adopted by the Council. An Employee who is a court reporter, appointed judge or an appointed or elected Official of the Government shall be deemed a Full-Time Employee. A grant employee identified as "benefit eligible" by the grant administrator shall be deemed a Full-Time Employee. Notwithstanding the foregoing, a former Member in pay status who is sworn-in as an appointed or elected Councilor of the Government on or after [July 1, 2024] shall not be deemed a Full-Time Employee for purposes of 4.06 and shall not be entitled to receive any additional benefits under the Plan with respect to service as a Councilor."

SECTION 4.

Section 3.02 of the Columbus, Georgia Pension Plan for General Government Employees is hereby stricken and replaced by a new Section 3.02 to read as follows:

"3.02 Membership Upon Reemployment: Except as provided in Section 4.06(c) regarding the reemployment of a retired Member *in pay status*, upon the reemployment of an Employee after termination of employment, he shall become a Member on his reemployment date, provided he is an Eligible Employee on such date and be subject to all requirements of new Members on that date. Any reemployed Member who satisfies the conditions set forth in Section 2.~~4213~~(c) for re-establishing Creditable Service, shall be entitled to an Adjusted Employment Date which shall be calculated by taking his re-employment date and backing it up to reflect the years and months of creditable service calculated in accordance with section 2.~~4213~~. All vesting and contribution requirements shall then be construed as though such employee was hired on his Adjusted Employment Date."

SECTION 5.

Section 4.06 of the Columbus, Georgia Pension Plan for General Government Employees is hereby stricken and replaced by a new Section 4.06 to read as follows:

"4.06 Pension Benefits Upon Reemployment:

If a former Member who is receiving a Pension is reemployed by the Government, the following rules shall apply:

- (a) Full-Time Reemployment and Resumption of Pension: If such a Member is reemployed as a Full-Time Employee, those Pension payments shall stop, unless he is participating in the DROP as set forth in Section 4.04 above or is reemployed as an

appointed or elected Councilor sworn in on or after July 1, 2024. Pension payments shall also stop during any suspension in DROP participation. During such period of reemployment or suspension in DROP participation no Pension payments shall be made. Upon subsequent Retirement of such a Member, such Pension payments shall again commence as of the first day of the month coincident with or next following such Retirement. The amount and form of such resumed Pension shall be the same as was being paid to such Member prior to reemployment as of his initial Pension commencement date.

- (b) Part-Time Reemployment: If such a Member is reemployed as a Part-Time Employee, those Pension payments shall continue uninterrupted.
- (c) Eligibility for and Amount of Additional Pension: Upon reemployment, if the Employee meets the requirements of Section 2.21 as an Eligible Employee, such Employee shall again become a Member of this Plan on the date of reemployment, shall make Employee Contributions at the rate required of other new employees hired on that date, and shall accrue Credited Service and Vesting Service from the date of reemployment and again be entitled to accrue a benefit in accordance with the provisions of Section 4. However, in the determination of such a Member's Vesting Service, his prior years of Vesting Service shall be included in addition to his Vesting Service earned after reemployment; provided, however, solely for the purpose of determining the amount of his additional Pension, Credited Service shall accrue only from the date of such reemployment. No member who has participated in the DROP specified in Section 4.04 above shall be eligible for Additional Pension pursuant to this sub-section. Notwithstanding anything in the Plan to the contrary, a former Member who (i) is receiving a Pension and (ii) is reemployed by the Government as an appointed or elected Councilor on or after [July 1, 2024], shall not be eligible for an Additional Pension pursuant to this sub-section.
- (d) Form of Payment of Additional Pension: Upon subsequent Retirement by a Member after a period of reemployment, the monthly benefit determined in accordance with the provisions of Section 4 and based on Credited Service from the date of reemployment shall be in addition to the benefit provided for the prior period of employment and the provisions of Section 4.06 (c). The Pension earned by such a Member during the period of reemployment shall be payable in accordance with the provisions of Section 5."

SECTION 6.

Section 2.14 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby amended by adding a new Section 2.14(g) to read as follows:

(g) Former Members in Pay Status And Sworn In as an Appointed or Elected to Council on or after July 1, 2024. No employment service following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Creditable Service.

SECTION 7.

Section 2.20 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby amended by adding a new Section 2.20(e) to read as follows:

(e) Former Members in Pay Status And Sworn In as an Appointed or Elected to Council on or after July 1, 2024. No compensation earned as a Councilor following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Earnings.

SECTION 8.

Section 2.25 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby stricken and replaced by a new Section 2.25 to read as follows:

"2.25 Full-Time Employee:

Any Employee whose customary employment is for at least forty (40) hours per week and for twelve (12) months during each calendar year and who is included in the "position classification plan" adopted by the Council. An Employee who is a court reporter, appointed judge or an appointed or elected Official of the Government shall be deemed a Full-Time Employee. A grant employee identified as "benefit eligible" by the grant administrator shall be deemed a Full-Time Employee. Notwithstanding the foregoing, a retired Member in pay status who is appointed or elected to Council on or after July 1, 2024 shall not be deemed a Full-Time Employee for purposes of Sections 3.02 and 4.06 and shall not be entitled to receive any additional benefits under the Plan with respect to service as a Councilor."

SECTION 9.

Section 3.02 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby stricken and replaced by a new Section 3.02 to read as follows:

"3.02 Membership Upon Reemployment: Except as provided in Section 4.06(c) regarding the reemployment of a retired Member *in pay status*, upon the reemployment of an Employee after termination of employment, he shall become a Member on his reemployment date, provided he is an Eligible Employee on such date and be subject to all requirements of new Members on that date. Any reemployed Member who satisfies the conditions set forth in Section 2.124(c) for re-establishing Creditable Service, shall be entitled to an Adjusted Employment Date which shall be calculated by taking his re-employment date and backing it up to reflect the years and months of creditable service calculated in accordance with section 2.124. All vesting and contribution requirements shall then be construed as though such employee was hired on his Adjusted Employment Date."

SECTION 10.

Section 4.06 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby stricken and replaced by a new Section 4.06 to read as follows:

"4.06 Pension Benefits Upon Reemployment:

If a former Member who is receiving a Pension is reemployed by the Government, the following rules shall apply:

- (e) **Full-Time Reemployment and Resumption of Pension:** If such a Member is reemployed as a Full-Time Employee, those Pension payments shall stop, unless he is participating in the DROP as set forth in Section 4.04 above or is reemployed as an appointed or elected Councilor sworn in on or after July 1, 2024. Pension payments shall also stop during any suspension in DROP participation. During such period of reemployment or suspension in DROP participation no Pension payments shall be made. Upon subsequent Retirement of such a Member, such Pension payments shall again commence as of the first day of the month coincident with or next following such Retirement. The amount and form of such resumed Pension shall be the same as was being paid to such Member prior to reemployment as of his initial Pension commencement date.

- (f) Part-Time Reemployment: If such a Member is reemployed as a Part-Time Employee, those Pension payments shall continue uninterrupted.
- (g) Eligibility for and Amount of Additional Pension: Upon reemployment, if the Employee meets the requirements of Section 2.22 as an Eligible Employee, such Employee shall again become a Member of this Plan on the date of reemployment, shall make Employee Contributions at the rate required of other new employees hired on that date, and shall accrue Credited Service and Vesting Service from the date of reemployment and again be entitled to accrue a benefit in accordance with the provisions of Section 4. However, in the determination of such a Member's Vesting Service, his prior years of Vesting Service shall be included in addition to his Vesting Service earned after reemployment; provided, however, solely for the purpose of determining the amount of his additional Pension, Credited Service shall accrue only from the date of such reemployment. No member who has participated in the DROP specified in Section 4.04 above shall be eligible for Additional Pension pursuant to this sub-section. Notwithstanding anything in the Plan to the contrary, a former Member who(i) is receiving a Pension and (ii) is reemployed by the Government as an appointed or elected Councilor or sworn in on or after July 1, 2024, shall not be eligible for an Additional Pension pursuant to this sub-section.
- (h) Form of Payment of Additional Pension: Upon subsequent Retirement by a Member after a period of reemployment, the monthly benefit determined in accordance with the provisions of Section 4 and based on Credited Service from the date of reemployment shall be in addition to the benefit provided for the prior period of employment and the provisions of Section 4.06 (c). The Pension earned by such a Member during the period of reemployment shall be payable in accordance with the provisions of Section 5."

SECTION 11.

This ordinance shall be effective immediately upon adoption by the Columbus Council.

SECTION 12.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the ____ day of _____, 2024; introduced a second time at a regular meeting of said Council held on the ____ day of _____, 2024 and adopted at said meeting by the affirmative vote of ____ members of said Council.

Councilor Allen	voting	_____
(Seat vacant)	voting	_____
Councilor Begly	voting	_____
Councilor Cogle	voting	_____
Councilor Crabb	voting	_____
Councilor Davis	voting	_____
Councilor Garrett	voting	_____
Councilor Huff	voting	_____
Councilor Thomas	voting	_____
Councilor Tucker	voting	_____

Sandra Davis
Clerk of Council

B.H. Henderson III
Mayor