

MINUTES

WAYCROSS CITY COMMISSION MEETING

TUESDAY, MARCH 2, 2010 - 7:00 P.M.

The Waycross City Commission held their regular meeting on Tuesday, March 2, 2010, in the Commission Chambers of City Hall. Present with Mayor Clarence Billups were Commissioners Marian Solomon-Gaines, William Simmons, Norman Davis, Diane Hopkins, and Daniel Yarbrough.

Mayor Clarence Billups called the meeting to order.

Miss Taylor Shateen, a student at Ware County High School, offered the invocation which was followed by the Pledge of Allegiance.

Under Executive Duties, Mayor Billups asked for nominations for appointment to OADA. Commissioner Marian Solomon-Gaines submitted the name of Carlos Nelson to serve on the Okefenokee Area Development Authority for a Three-year term beginning January 1, 2010 and ending December 31, 2012. Commissioner William Simmons made the motion to appoint Carlos Nelson to the Okefenokee Area Development Authority for a Three-year term beginning January 1, 2010 and ending December 31, 2012. The motion was seconded by Commissioner Solomon-Gaines, all voted in favor and the motion carried unanimously.

Mayor Billups re-appointed Norma Clark to the Housing Authority of the City of Waycross to serve a One-Year Term beginning March 21, 2010 and ending March 21, 2011. Mayor Billups re-appointed Danny Turner to the Housing Authority of the City of Waycross to serve a Five-Year Term beginning March 21, 2010 and ending March 21, 2015

Mayor Billups asked for nominations for appointment to the WWDA. Commissioner Diane Hopkins submitted the name of Cynthia Dowling Herrin to serve on the Waycross-Ware County Development Authority for a Four-year term beginning January 1, 2010 and ending December 31, 2013. Commissioner Marian Solomon-Gaines made the motion to appoint Cynthia Dowling Herrin to serve on the Waycross-Ware County Development Authority for a Four-year term beginning January 1, 2010 and ending December 31, 2013. The motion was seconded by Commissioner Simmons, all voted in favor and the motion carried unanimously.

Mr. Pete Pyrzenski presented the City Manager's Report. Mr. Pyrzenski congratulated Trent Gibbs as Police Officer of the Year and Joe Meadows as Firefighter of the Year. Weather permitting; paving will begin on Euclid and Pittman Street next week. The Citizens Police Academy is now forming for April. Contract Kathy Durance with Waycross Police Department for information. Mr. Pyrzenski thanked Wayne Kilmark for the Census banner displayed in the Commission Chambers reminding everyone that the Census is one month away. Mr. Pyrzenski thanked Eric Tomlin for his camera work during every Commission meeting.

In the Mayor's Report, Mayor Billups reminded everyone about the Census coming up this month. He also said he was pleased to see the Harrison and Knight Project move forward.

There were no public remarks on official actions.

Mayor Billups presented the Consent Calendar as read by City Clerk, Julie Dinkins for consideration of official action as follows:

Approval of Minutes: Waycross City Commission Planning and Information Session Executive Session for Personnel Matters, February 15, 2010; Waycross City Commission Meeting, Tuesday, February 16, 2010; and Called Waycross City Commission Meeting, Friday, February 19, 2010.

Ordinance Second Readings: Amending Code of the City of Waycross with Respect to Group Homes, Rehabilitation Centers, Transitional Housing, Home Providers and Care Homes and Amending the Zoning Text Sections 304.2, 304.3, 304.4, 305.5, 307.1, 308.2, 309.2, 319.1, 321.4, 701.2, 703.2, 704.2, 707.2.

Privilege License Renewal: Sara E. Rollison, d/b/a Pond View Downtown & Inn, 311 Pendleton Street, Waycross, Georgia 31501, Consumption on Premises Beer and Wine.

Commissioner Norman Davis made the motion to approve the Consent Calendar as presented. Commissioner Daniel Yarbrough seconded the motion; all Commissioners voted favorably and the motion carried.

A new Privilege License was submitted for review by the Commission: Angela McQuaig, d/b/a Mad Dogs Sports Bar and Grill, 421 Memorial Drive, Waycross, Georgia 31501, Consumption on Premises / Beer, Wine and Liquor. Commissioner Diane Hopkins made the motion to approve the Privilege License; seconded by Commissioner Davis; all voted in favor and the license was approved.

A Resolution to Approve a Partial Assignment of Agreement Between BC Waycross Associates, LLP and Reid Construction Company, Inc. was presented:

RESOLUTION NO. 10-12

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA TO APPROVE PARTIAL ASSIGNMENT OF AGREEMENT BETWEEN BC WAYCROSS ASSOCIATES, LLP AND REID CONSTRUCTION COMPANY, INC. AND FOR OTHER PURPOSES

WHEREAS, the City of Waycross, Georgia (City) and BC Waycross Associates, LLP (Owner) entered into an agreement to finance construction of storm water infrastructure and a

regional storm water retention pond on Owner's property to accept off-site storm water runoff and render Owner's property suitable for development; and

WHEREAS, under the terms of said agreement, the City will bear responsibility for costs of maintaining and repairing the regional retention pond and pay owner costs of construction of the pond and value of the land in an amount not to exceed \$800,000.00 (bearing no interest) at \$2500.00 per month until paid; and

WHEREAS, payment to owner will commence upon fulfillment of agreement terms including Partial Assignment of the Owner's Agreement with Reid Construction Company, Inc. (Contractor) allowing the City to make a claim against the Contractor under this agreement with respect to latent defects in the means and methods of construction of the regional retention pond; and

WHEREAS, said matter having been considered

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Mayor and City Clerk be and are hereby authorized, directed and empowered to execute the Partial Assignment of Owner's Agreement with the Contractor on behalf of the City of Waycross, Georgia

SO RESOLVED, this 2nd day of March, 2010

CITY OF WAYCROSS

BY: CLARENCE BILLUPS, MAYOR

ATTEST:

JULIE C. DINKINS, CITY CLERK

Commissioner Daniel Yarbrough made the motion to Approve the Resolution to Approve Partial Assignment of Agreement Between BC Waycross Associates, LLP and Reid Construction Company, Inc. as presented. Commissioner Marian Solomon-Gaines seconded the motion. All Commissioners voted yes and the motion carried with a 5-0 vote.

A Resolution to Approve an Agreement between the City of Waycross, Georgia and BC Waycross Associates, LLP for Purposes of Acquiring an Access and Drainage Easement was presented:

RESOLUTION 10-13

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO APPROVE AGREEMENT BETWEEN THE CITY OF WAYCROSS, GEORGIA
AND BC WAYCROSS ASSOCIATES, LLP FOR PURPOSES OF ACQUIRING
AN ACCESS AND DRAINAGE EASEMENT;
AND FOR OTHER PURPOSES.**

WHEREAS, on July 18, 2006, the City of Waycross, Georgia (City) and BC Waycross Associates, LLP (Owner) entered into an agreement to finance construction of storm water infrastructure and a regional storm water retention pond on Owner's property (BC Waycross Tract on US-1 South) to accept off-site storm water runoff and render Owner's property suitable for development; and

WHEREAS, under the terms of said agreement, the City will bear responsibility and costs for maintaining and repairing the regional retention pond upon completion; and

WHEREAS, the City is acquiring a perpetual, non-exclusive easement over the Grantor Property to maintain and utilize Drainage Facilities as they may exist from time to time for the purpose of conducting drainage of storm water from the Roadway to the Drainage Pond; and

WHEREAS, it is beneficial to both the City and the Owner for a regional storm water retention pond to be constructed in order to render the property suitable for development and facilitate drainage of surrounding off-site property located within the corporate limits of the City.

WHEREAS, said matter being considered and determined to be just and adequate compensation for the property owner for the use of their property.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross enters into the Agreement for Access and Drainage Easement within the easement area and other conditions outlined in the Agreement.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and are hereby authorized, directed and empowered to execute the Agreement on behalf of the City.

SO RESOLVED, this 2nd day of March, 2010.

**CITY OF WAYCROSS
BY: CLARENCE BILLUPS, MAYOR**

**ATTEST:
JULIE C. DINKINS, CITY CLERK**

Commissioner Diane Hopkins made the motion to approve a Resolution to Approve an Agreement between the City of Waycross, Georgia and BC Waycross Associates, LLP for Purposes of Acquiring an Access and Drainage Easement as presented. Commissioner Solomon-Gaines Simmons seconded the motion. The motion carried with a unanimous vote.

A Resolution of the City of Waycross, Georgia to Approve a Contract for Construction of Traffic Signal and Pedestrian Walk at Harrison Street and Knight Avenue was presented:

RESOLUTION NO. 10-14

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO APPROVE A CONTRACT FOR CONSTRUCTION OF TRAFFIC SIGNAL AND
PEDESTRIAN WALK AT HARRISON STREET AND KNIGHT AVENUE**

WHEREAS, the City of Waycross desires to begin and complete the installation of traffic signals at the intersection of Harrison Street and Knight Avenue; and

WHEREAS, the installation of a pedestrian walkway and crossing on the CSX right-of-way between Memorial Drive and Knight Avenue is required under the approved GDOT permit to signalize this intersection.

WHEREAS, a companion project, under agreement with CSX Transportation, is underway to install gates, lights and crossing surface on CSX right-of-way between Memorial Dr. and Knight Ave.

WHEREAS, the City of Waycross offered the project through competitive bidding and received and opened bids tendered for the project; and

WHEREAS, Corbett Electrical Construction, Inc. had the lowest and best bid for the project in the amount of \$169,102.00; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Clerk, and City Manager be and are hereby authorized, directed and empowered to execute the documents necessary to award the contract and complete the project.

SO RESOLVED, this 2nd day of March, 2010.

**CITY OF WAYCROSS
BY: CLARENCE BILLUPS, MAYOR**

**ATTEST:
JULIE C. DINKINS, CITY CLERK**

Commissioner Diane Hopkins made the motion to approve a Resolution of the City of Waycross, Georgia to Approve a Contract for Construction of Traffic Signal and Pedestrian Walk at Harrison Street and Knight Avenue as presented. Commissioner Daniel Yarbrough seconded the motion. All voted in favor and the motion carried with a unanimous vote.

A Resolution of the Waycross City Commission to Approve Rehabilitation Assistance as Part of C.H.I.P. FY 06 06m-x-148-2-2943 for Client A, was presented.

RESOLUTION NO. 10-15

**A RESOLUTION OF THE WAYCROSS CITY COMMISSION
TO APPROVE REHABILITATION ASSISTANCE AS PART OF
C.H.I.P. 06M-X-148-2-2943, AND FOR OTHER PURPOSES**

WHEREAS, the City of Waycross received C.H.I.P. funds for the year 2006 and is currently administering said grant; and

WHEREAS, there is a need for rehabilitation assistance for residents within the city limits from the grant in order to complete the grant process; and

WHEREAS, families have completed the process and have been approved for rehabilitation assistance; and

WHEREAS, the City should move funds from the C.H.I.P. rehabilitation assistance fund and apply it to the approved application of **Client A** for rehabilitation funds in the amount of \$41,367.00 for the rehabilitation costs, \$3,000.00 for the project delivery fee, and \$20.00 for the lien recording fee; and

WHEREAS, said funds are available and the matter has been duly considered;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross approve **Client A** for rehabilitation assistance in compliance with the program policies adopted by the City of Waycross in the amount of \$41,367.00 to be paid from C.H.I.P. 06M-X-148-2-2943.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, City Manager, Finance Director, and Community Improvement Director be and are hereby authorized, directed, and empowered to execute the documents needed and necessary to submit the application set forth herein.

SO RESOLVED this 2nd day of March, 2010.

**CITY OF WAYCROSS
BY: CLARENCE BILLUPS, MAYOR**

**ATTEST:
JULIE C. DINKINS, CITY CLERK**

Commissioner Norman Davis made the motion to Approve A Resolution of the Waycross City Commission to Approve Rehabilitation Assistance as Part of C.H.I.P. FY 06 06m-x-148-2-2943 for Client A as presented. Commissioner Diane Hopkins seconded the motion. All voted in favor and the motion carried with a 5-0 vote.

A Resolution of the Waycross City Commission to Approve Rehabilitation Assistance as Part of C.H.I.P. FY06 06m-x-148-2-2943 for Client B was presented.

RESOLUTION NO. 10-16

**A RESOLUTION OF THE WAYCROSS CITY COMMISSION
TO APPROVE REHABILITATION ASSISTANCE AS PART OF
C.H.I.P. 06M-X-148-2-2943, AND FOR OTHER PURPOSES**

WHEREAS, the City of Waycross received C.H.I.P. funds for the year 2006 and is currently administering said grant; and

WHEREAS, there is a need for rehabilitation assistance for residents within the city limits from the grant in order to complete the grant process; and

WHEREAS, families have completed the process and have been approved for rehabilitation assistance; and

WHEREAS, the City should move funds from the C.H.I.P. rehabilitation assistance fund and apply it to the approved application of **Client B** for rehabilitation funds in the amount of \$50,941.30 for the rehabilitation costs, \$3,000.00 for the project delivery fee, and \$20.00 for the lien recording fee; and

WHEREAS, said funds are available and the matter has been duly considered;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross approve **Client B** for rehabilitation assistance in compliance with the program policies adopted by the City of Waycross in the amount of \$50,941.30 to be paid from C.H.I.P. 06M-X-148-2-2943.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, City Manager, Finance Director, and Community Improvement Director be and are hereby authorized, directed, and empowered to execute the documents needed and necessary to submit the application set forth herein.

SO RESOLVED this 2nd day of March, 2010.

CITY OF WAYCROSS
BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

Commissioner Diane Hopkins made the motion to approve the Resolution of the Waycross City Commission to Approve Rehabilitation Assistance as Part of C.H.I.P. FY06 06m-x-148-2-2943 for Client B as presented. The motion was seconded by Commissioner William Simmons; all voted in favor and the motion carried.

A Resolution of the Waycross City Commission to Approve Rehabilitation Assistance as Part of C.H.I.P. FY06 06m-x-148-2-2943 for Client C was presented.

RESOLUTION NO. 10-17

**A RESOLUTION OF THE WAYCROSS CITY COMMISSION
TO APPROVE REHABILITATION ASSISTANCE AS PART OF
C.H.I.P. 06M-X-148-2-2943, AND FOR OTHER PURPOSES**

WHEREAS, the City of Waycross received C.H.I.P. funds for the year 2006 and is currently administering said grant; and

WHEREAS, there is a need for rehabilitation assistance for residents within the city limits from the grant in order to complete the grant process; and

WHEREAS, families have completed the process and have been approved for rehabilitation assistance; and

WHEREAS, the City should move funds from the C.H.I.P. rehabilitation assistance fund and apply it to the approved application of **Client C** for rehabilitation funds in the amount of \$56,480.27 for the rehabilitation costs, \$3,000.00 for the project delivery fee, and \$20.00 for the lien recording fee; and

WHEREAS, said funds are available and the matter has been duly considered;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross approve **Client C** for rehabilitation assistance in compliance with the program policies adopted by the City of Waycross in the amount of \$56,480.27 to be paid from C.H.I.P. 06M-X-148-2-2943.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, City Manager, Finance Director, and Community Improvement Director be and are hereby authorized, directed, and empowered to execute the documents needed and necessary to submit the application set forth herein.

SO RESOLVED this 2nd day of March, 2010.

**CITY OF WAYCROSS
BY: CLARENCE BILLUPS, MAYOR**

**ATTEST:
JULIE C. DINKINS, CITY CLERK**

Commissioner Diane Hopkins made the motion to approve the Resolution of the Waycross City Commission to Approve Rehabilitation Assistance as Part of C.H.I.P. FY06 06m-x-148-2-2943 for Client C as presented. The motion was seconded by Commissioner William Simmons; all voted in favor and the motion carried.

A Resolution of the City of Waycross, Georgia to Approve a Contract for Emergency Waterline Repair at 2215 Memorial Drive was presented.

RESOLUTION NO. 10-18

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO APPROVE A CONTRACT FOR EMERGENCY WATERLINE REPAIR AT 2215
MEMORIAL DRIVE, AND FOR OTHER PURPOSES**

WHEREAS, a waterline leak inside bore casing underneath 2215 Memorial Dr. (US-1) has occurred and is beyond in-house capability to repair and requires an emergency contract solicitation due to imminent risk of catastrophic failure of city water service along most of the US-1 business corridor; and

WHEREAS, the Code of Ordinances of the City of Waycross provides for emergency procurement of goods and services deemed necessary and appropriate for the City's emergency response effort; and

WHEREAS, Three local contractors, licensed and qualified to perform water main repair of the scope needed were solicited, and two returned quotes within specified time frame; and

WHEREAS, Elmer Thrift Construction Company returned the lowest and best quote and is standing by to mobilize immediately to effect necessary repairs; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Clerk, and City Manager be and are hereby authorized, directed and empowered to execute the documents necessary to award the contract, retroactively, and complete the project.

SO RESOLVED, this 2nd day of March, 2010.

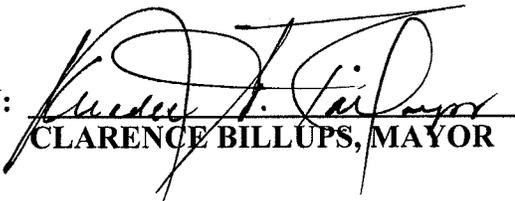
CITY OF WAYCROSS
BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

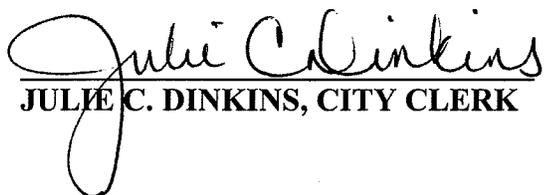
Commissioner Daniel Yarbrough made the motion to approve the Resolution of the City of Waycross, Georgia to Approve a Contract for Emergency Waterline Repair at 2215 Memorial Drive as presented. Commissioner Norman Davis seconded the motion. All voted in favor and the motion carried.

After closing remarks from the Commissioners and Mayor Billups, the meeting was adjourned by motion from Commissioner Marian Solomon-Gaines, seconded by Commissioner Yarbrough, all voted in favor and Mayor Billups declared the meeting adjourned.

CITY OF WAYCROSS

BY: 
CLARENCE BILLUPS, MAYOR

ATTEST:


JULIE C. DINKINS, CITY CLERK