

## MINUTES

### WAYCROSS CITY COMMISSION MEETING

TUESDAY, MARCH 22, 2011

7:00 P.M.

The regular meeting of the Commission of the City of Waycross was held in the Commission Chambers of City Hall on Tuesday, March 21, 2011. The meeting was called to order by Mayor Clarence Billups at 7:00 p.m. with Commissioners Marian Solomon-Gaines, William Simmons, Norman Davis and Daniel Yarbrough present for the meeting. Mayor Pro Tem Diane Hopkins was absent.

Reverend Alton Carter of Brunel Street Church of God offered the invocation which was followed by the Pledge of Allegiance. City Manager Deron W. King presented Revenue Carter with a Certificate of Appreciation.

Under Executive Duties one public hearing was scheduled by Mayor Billups as follows: Close and Abandon Hall Street Running North – South from Washington Avenue to Holmes Street for April 19, 2011 6:30 p.m.

Ms. Sloan Fountain, Main Street Manager invited everyone to attend the 7<sup>th</sup> Annual Swamp Fest, April 1 and 2, 2011.

Mayor Billups presented Easter Bunny Betty Copeland and Mr. Ed Copeland with a certificate in honor of twenty years of outstanding service to the children of Waycross. Mayor Billups congratulated Mr. and Mrs. Copeland and said they had brought much joy to the children of Waycross.

Mayor Billups presented Mr. Derek Harrison with a certificate thanking him for his work organizing the WingDing celebration honoring the 137<sup>th</sup> anniversary of the incorporation of the City of Waycross.

The local winners of the "If I Were Mayor Contest" were honored by the City of Waycross. Miss Ally Arnold and Mr. Dalton Gillis of Ware County Middle School were presented certificates and a monetary prize for winning the contest and their essays will be sent to compete on the state level.

The Waycross College Swamp Foxes were honored at the meeting for making it to the play-offs. Each player was presented a certificate. Dr. Palmer was also at the meeting to help honor the teammates.

- a. Josh Mendenhall, So., Greenville, South Carolina
- b. Remy Seda, Fr., Roeseclare, Belgium
- c. Desmin Hall, So., Cordele, Georgia

- d. Blake Fussell, So., Douglas, Georgia
- e. Jacob Mitchell, So., Callahan, Florida
- f. Andrei Hall, Fr., Hazelhurst, Georgia
- g. Reco Lewis, So., Nahunta, Georgia
- h. Joe Williams, So., Darien, Georgia
- i. Tarrence Chatman, So., Macon, Georgia
- j. Darius Tookes, Fr., Lithonia, Georgia
- k. Adam McLeod, Fr., Fairburn, Georgia
- l. Kelsey Walker, Fr., Statesboro, Georgia
- m. Richard Buford, So., Flint, Michigan
- n. Bob Covin, So., Albany, Georgia
- o. Herb Thomas, RS, Columbia, South Carolina
- p. Keldrick Davis, RS, Monticello, Georgia
- q. Andrew Lawrence, RS, Hilliard, Florida
- r. Obie Foreman, RS, Blackshear, Georgia
- s. Bryan Hartley, Athletic Coordinator
- t. Cory Baldwin, Head Coach
- u. Fred King, Assistant Coach
- v. Tyler Page, Assistant Coach
- w. D.J. Hardy, Student Assistant

Deron W. King, City Manager, presented the City Manager's Report. The City Manager reported that the Lee Avenue Water and Sewer Improvements are continuing and portions of Lee Avenue and Hicks Street are now open. The project is continuing along Lee Avenue. On the Darling Avenue project paving is in progress. Construction will continue on these projects through April. Citizens are urged to exercise caution when traveling in construction areas. Mr. King also informed the Commission and public that the National Guard Armory has been purchased for \$1.00. The State Properties Commission sent the quitclaim deed this week. The Engineering Department is working on site plans.

Mayor Clarence Billups presented the Mayor's Report. Mayor Billups informed the public that Darling Avenue will soon be open. Construction is moving along and should be completed soon.

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 Executive Session on Personnel, Monday, February 28, 2011; Public Hearing on RAS Designation – CDBG, March 1, 2011; Waycross City Commission Meeting, Tuesday, March 1, 2011 and Called Meeting, March 10, 2011. No Ordinance second readings or Privilege License Renewals. Consent Resolution Authorizing Edwin R. Little to Reconvey East Cross, Lot 6, 6 spaces in Oakland Cemetery to Thomas G. Little.

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 with a 4-0 vote.

Mrs. Linda Jones, Director, Purchasing Department, presented WAYX 11-07 Declaring Surplus Property. The surplus property list contains miscellaneous items to be sold on Govdeals.com.

Commissioner Marian Solomon-Gaines made the motion to declare the property surplus; seconded by Commissioner William Simmons. All Commissioners voted positively and the motion carried with a 4-0 vote.

Mrs. Linda Jones, Director, Purchasing Department, presented Bid #FY11-09 Dump Truck. The Public Works Department has an approved FY11 line item budget to purchase a new model 15 yard dump truck to replace a 1995 Ford dump truck. Purchasing received 4 bids. After review, the staff recommends purchasing a 2012 model International 7500 SBA 6x4 dump truck and awarding the bid to the lowest and best bidder meeting all specifications through the Georgia State Contract. The vendor is Rush Enterprises dba Nally Motors, Atlanta, Georgia for a total purchase price of \$82,878.00.

Commissioner Norman Davis made the motion award the bid to the lowest and best bidder meeting all specifications, Rush Enterprises d/b/a Nally Motors for \$82,878.00 for a 2012 model International 7500 SBA 6x4 dump truck; seconded by Commissioner Marian Solomon-Gaines. All voted favorably and the motion carried with a 4-0 vote.

An Ordinance to Abandon and Close an Unopened Alley Between James Street and Delia Street in Block 16 of the Foraker Heights Subdivision and authority Quitclaim Deeds to Adjourning Property Owners to the abandoned unopened alley was presented for the first reading as follows:

**ORDINANCE NO. 11-01**

**AN ORDINANCE TO ABANDON AND CLOSE AN UNOPENED ALLEY BETWEEN JAMES STREET AND DELIA STREET IN BLOCK 16 OF THE FORAKER HEIGHTS SUBDIVISION; TO AUTHORIZE QUITCLAIM DEEDS TO ADJOINING PROPERTY OWNERS FOR THE ABANDONED UNOPENED ALLEY; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

Commissioner Norman Davis made the motion to approve Ordinance 11-01 to Abandon and Close an Unopened Alley Between James Street and Delia Street in Block 16 of the Foraker Heights Subdivision and authority Quitclaim Deeds to Adjourning Property Owners to the abandoned unopened alley. Commissioner William Simmons seconded the motion; all voted in favor and the motion carried.

An Ordinance to Abandon and Close Bailey Drive (formerly known as Middle Street) right-of-way and authorize quitclaim deeds to adjoining property owners for the abandoned street and right-of-way were presented for the first reading as follows:

**ORDINANCE NO. 11-02**

**AN ORDINANCE TO ABANDON AND CLOSE BAILEY DRIVE (FORMERLY KNOWN AS MIDDLE STREET) RIGHT-OF-WAY; TO AUTHORIZE QUITCLAIM DEEDS TO ADJOINING PROPERTY OWNERS FOR THE ABANDONED STREET AND RIGHT-OF-WAY; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

Commissioner Norman Davis made the motion to approve the Ordinance to Abandon and Close Bailey Drive (formerly known as Middle Street) right-of-way and authorize quitclaim deeds to adjoining property owners for the abandoned street and right-of-way as presented for the first reading. Commissioner Daniel Yarbrough seconded the motion. The Commissioners all voted yes and the motion carried 4-0.

An Ordinance Repealing Ordinance No. 98-13 Annexing in the Existing Corporate Limits of the City of Waycross, Georgia, Certain Lands of Eldon Mixon, said lands being known as 101 South Augusta Avenue and to declare an emergency was presented for the first reading as follows:

**ORDINANCE NO. 11-03**

**AN ORDINANCE REPEALING AN ORDINANCE NO. 98-13 ANNEXING INTO THE EXISTING CORPORATE LIMITS OF THE CITY OF WAYCROSS, GEORGIA, CERTAIN LANDS OF ELDON MIXON, SAID LANDS BEING KNOWN AS 101 SOUTH AUGUSTA AVENUE; TO DECLARE AN EMERGENCY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

Commissioner Marian Solomon-Gaines made the motion to approve the Ordinance Repealing Ordinance No. 98-13 Annexing in the Existing Corporate Limits of the City of Waycross, Georgia, Certain Lands of Eldon Mixon, said lands being known as 101 South Augusta Avenue and to declare an emergency was presented for the first reading. Commissioner Daniel Yarbrough seconded the motion. Commissioners Solomon-Gaines, Yarbrough and Simmons voted yes; Commissioner Norman Davis voted no and the motion carried 3-1.

An Ordinance Repealing Ordinance No. 98-13 Annexing in the Existing Corporate Limits of the City of Waycross, Georgia, Certain Lands of Eldon Mixon, said lands being known as 101 South Augusta Avenue and to declare an emergency was presented for the emergency second reading as follows:

**ORDINANCE NO. 11-03**

**AN ORDINANCE REPEALING AN ORDINANCE NO. 98-13 ANNEXING INTO THE EXISTING CORPORATE LIMITS OF THE CITY OF WAYCROSS, GEORGIA, CERTAIN LANDS OF ELDON MIXON, SAID LANDS BEING KNOWN AS 101 SOUTH AUGUSTA AVENUE; TO DECLARE AN EMERGENCY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

Commissioner Marian Solomon-Gaines made the motion to approve the Ordinance Repealing Ordinance No. 98-13 Annexing in the Existing Corporate Limits of the City of Waycross, Georgia, Certain Lands of Eldon Mixon, said lands being known as 101 South Augusta Avenue and to declare an emergency as presented for the emergency second reading. Commissioner Daniel Yarbrough seconded the motion. Commissioners Solomon-Gaines, Yarbrough and Simmons voted yes; Commissioner Norman Davis voted no and the motion carried 3-1.

An Ordinance to Amend the Code of the City of Waycross, Georgia, to Amend Chapter 15, Article IV Pertaining to Smoking Prohibited in Certain Areas within Buildings and Indoor Facilities of the City, to Prohibit Smoking in Motor Vehicles Owned or Leased by the City was presented for the first reading as follows:

**ORDINANCE NO. 11-04**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 15, ARTICLE IV PERTAINING TO SMOKING PROHIBITED IN CERTAIN AREAS WITHIN BUILDINGS AND INDOOR FACILITIES OF THE CITY; TO PROHIBIT SMOKING IN MOTOR VEHICLES OWNED OR LEASED BY THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; AND FOR OTHER PURPOSES.**

Commissioner Solomon-Gaines made the motion to approve an Ordinance to Amend the Code of the City of Waycross, Georgia, to Amend Chapter 15, Article IV Pertaining to Smoking Prohibited in Certain Areas within Buildings and Indoor Facilities of the City, to Prohibit Smoking in Motor Vehicles Owned or Leased by the City as presented for the first reading. Commissioner Yarbrough seconded the motion. Commissioners Simmons, Solomon-Gaines, and Yarbrough voted yes; Commissioner Norman Davis voted no; motion carried 3-1.

A Resolution of the City of Waycross, Georgia to Transmit Community Agenda for the Joint Ware County – City of Waycross 2031 Comprehensive Plan was presented for approval as follows:

**Resolution 11-10**

**CITY OF WAYCROSS**

**RESOLUTION TO TRANSMIT**

**COMMUNITY AGENDA**

*For the*

**JOINT WARE COUNTY – CITY OF WAYCROSS**

**2031 COMPREHENSIVE PLAN**

**WHEREAS**, the City of Waycross City Commission has completed the *Community Agenda* document as part of the 2031 Joint Ware County – City of Waycross Comprehensive Plan Update.

**WHEREAS**, this document was prepared according to the Standards and Procedures for Local Comprehensive Planning effective May 1, 2005 and established by the Georgia Planning Act of 1989, and the required public hearing was held on March 14, 2011.

**BE IT THEREFORE RESOLVED**, that the City of Waycross City Commission does hereby transmit the *Community Agenda* portion of the 2031 Joint Ware County – City of Waycross Comprehensive Plan Update to the Southern Georgia Regional Commission and the Georgia Department of Community Affairs for official review.

Adopted this 22<sup>nd</sup> day of March, 2011.

**CITY OF WAYCROSS, GEORGIA**

**CLARENCE E. BILLUPS, Mayor**

**ATTEST:**

**Julie Dinkins, City Clerk**

Commissioner Marian Solomon-Gaines made the motion to approve A Resolution of the City of Waycross, Georgia to Transmit Community Agenda for the Joint Ware County – City of Waycross 2031 Comprehensive Plan as presented. The motion was seconded by Commissioner Daniel Yarbrough. All Commissioners voted favorably and the Resolution was approved with a 4-0 vote.

A Resolution of the City of Waycross, Georgia to Authorize Execution of Municipal Letter of Intent to Participate in the Ware County Multi-Jurisdictional Hazard Mitigation Plan Update for the Georgia Emergency Management Agency was presented for approval as follows:

**RESOLUTION NO. 11-12**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA  
TO AUTHORIZE EXECUTION OF MUNICIPAL LETTER OF INTENT  
TO PARTICIPATE IN THE WARE COUNTY MULTI-JURISDICTIONAL  
HAZARD MITIGATION PLAN UPDATE WITH THE GEORGIA  
EMERGENCY MANAGENT AGENCY; AND FOR OTHER PURPOSES.**

**WHEREAS**, Ware County has applied for a grant from the Federal Emergency Management Agency through the Georgia Emergency Management Agency to fund the cost of updating the county's Multi-Jurisdictional Hazard Mitigation Plan; and

**WHEREAS**, participation in the Ware County Hazard Mitigation Plan Update allows the City of Waycross to remain eligible for the full range of FEMA disaster response and grant opportunities, including the Hazard Mitigation Grant Program; and

**WHEREAS**, there is a local match requirement by the City which can be met by participation of City staff in the plan update process during the drafting phase of the planning cycle which usually requires attendance at approximately five (5) meetings; and

**WHEREAS**, permission is requested for the City Manager to execute the Municipal Letter of Intent to participate in the Ware County Multi-Jurisdictional Hazard Mitigation Plan; and

**WHEREAS**, said matter having been considered.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that the City of Waycross approve participation in the Ware County Multi-Jurisdictional Hazard Mitigation Plan Update through the Georgia Emergency Management Agency.

**BE IT FURTHER RESOLVED** that the City Manager and City Clerk be and are hereby authorized, directed and empowered to execute the Municipal Letter of Intent to participate in the Ware County Multi-Jurisdictional Hazard Mitigation Plan, and that this Resolution hereby ratifies and confirms the action taken by the City Manager to execute said Municipal Letter of Intent on behalf of the City of Waycross.

**SO RESOLVED**, this 22<sup>nd</sup> day of March, 2011.

**CITY OF WAYCROSS, GEORGIA**

**CLARENCE E. BILLUPS, Mayor**

**ATTEST:**

**Julie Dinkins, City Clerk**

Commissioner Norman Davis made the motion to approve A Resolution of the City of Waycross, Georgia to Authorize Execution of Municipal Letter of Intent to Participate in the Ware County Multi-Jurisdictional Hazard Mitigation Plan Update for the Georgia Emergency Management Agency as presented. Commissioner Daniel Yarbrough seconded the motion; all voted in favor and the motion carried 4-0.

A Resolution of the City of Waycross, Georgia in Opposition to Proposed House Bill 591 was submitted for approval

**RESOLUTION NO. 11-13**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA  
IN OPPOSITION TO PROPOSED HOUSE BILL 591  
AND FOR OTHER PURPOSES.**

WHEREAS, Representative Mark Hatfield submitted proposed legislation under House Bill 591 to amend the Charter of the City of Waycross to provide that City of Waycross citizens be allowed to address the Commission by informing the City Commission up to the beginning of the meeting that they would like to address the City Commission; and

WHEREAS, the Commission believes the proposed legislation addresses a matter best resolved by the City Commissioners; and

WHEREAS, the City of Waycross already has an ordinance that allows citizens to sign up to remark on official actions up to the beginning of the meeting and citizens with issues not being voted on are deemed “guests” and are required to provide notice on the Thursday before scheduled City Commission meetings to allow officials of the City of Waycross to address issues which Citizens desire to speak about; and

WHEREAS, the City of Waycross has on rare occasions limited the right to speak of certain citizens due to violation of appropriate rules of decorum; and

WHEREAS, the City of Waycross was not provided an opportunity to comment on or discuss the proposed legislation and must now act upon this proposed legislation as quickly as possible; and

WHEREAS, the City of Waycross can and will continue to exercise meetings in an appropriate manner;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross, hereby calls on Georgia's elected state representatives, including Representative Mark Hatfield, and Georgia's elected state senators, including Senator Greg Goggans, to oppose this legislations and vote against its enactment; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to elected officials, media outlets, and other appropriate persons or entities; and

BE IT FURTHER RESOLVED that the City Manager and Mayor are hereby authorized, directed and empowered to implement this Resolution in the most effective manner possible.

**SO RESOLVED**, this 22<sup>nd</sup> day of March, 2011.

**CITY OF WAYCROSS, GEORGIA**

**CLARENCE E. BILLUPS, Mayor**

ATTEST:

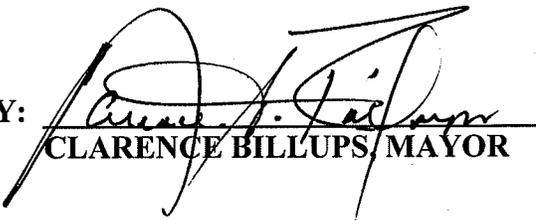
**Julie Dinkins, City Clerk**

Commissioner Marian Solomon-Davis made the motion to approve A Resolution of the City of Waycross, Georgia in Opposition to Proposed House Bill 591 as submitted. Commissioner William Simmons seconded the motion; all Commissioners voted favorably and the motion was approved 4-0.

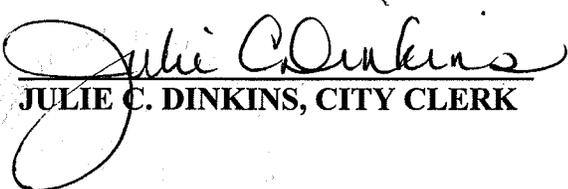
Following the Mayor and Commissioner's reports, Commissioner Marian Solomon-Gaines made the motion to adjourn the meeting; seconded by Commissioner Daniel Yarbrough; all voted in favor and Mayor Billups adjourned the meeting.

**CITY OF WAYCROSS**

BY:

  
**CLARENCE BILLUPS, MAYOR**

ATTEST:

  
**JULIE C. DINKINS, CITY CLERK**