

**MINUTES**  
**WAYCROSS CITY COMMISSION MEETING**  
**TUESDAY, APRIL 19, 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, April 19, 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, Diane Hopkins and Daniel Yarbrough present for the meeting.

City Attorney Huey Spearman introduced Pastor Rod Swenson, Family Worship Center who offered the invocation which was followed by the Pledge of Allegiance. Mayor Billups presented Pastor Swenson with a Certificate of Appreciation.

Deron W. King, City Manager, presented the City Manager's Report. The City Manager reported that the Plant Avenue resurfacing project is complete. Lee Avenue Water and Sewer Improvements are continuing. On the Darling Avenue project, resurfacing is complete from Tebeau to Blackshear and the box culvert is currently being installed. Construction will continue on this project into May. Citizens are urged to exercise caution when traveling in construction areas. This week is Georgia Cities Week and Mr. King invited citizens to visit their City Hall.

Mayor Clarence Billups presented the Mayor's Report. In celebration of Georgia Cities Week, high school students have been invited to visit City Hall and shadow our department heads. Mayor Billups reported that construction is moving along and should be completed soon on the City Auditorium and the Police Department. Mayor Billups thanked everyone involved with the Easter Egg Hunt including the Second Annual Easter Egg Hunt Committee as follows: William Simmons, Barbara King, Maria Mata, Ramona Battle, Carlos Nelson and Ms. McAllister. Commissioner Simmons explained that due to inclement weather, the Easter Egg Hunt was moved to Fire Department Station 1. The Easter Egg Hunt Committee members presented the prize Easter baskets to the winners.

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:

Approve of Minutes: Waycross City Commission Meeting, Tuesday, April 5, 2011; and Work Session Executive Session, Monday, April 4, 2011.

One Ordinance was presented for Second Reading as follows:

**ORDINANCE NO. 11-05**

**AN ORDINANCE TO AMEND THE WAYCROSS ZONING ORDINANCE TEXT; TO AMEND SECTION 706.2 WITH THE CREATION OF SECTION 706.2(m) ALLOWING PRINTING ESTABLISHMENTS TO BE A PERMITTED USE IN C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT.**

Commissioner William Simmons made the motion to approve the Consent Calendar as presented. Commissioner Norman Davis seconded the motion; all Commissioners voted favorably and the motion carried with a 5-0 vote.

A Resolution of the City of Waycross to Award a Contract for Waycross Lighting and HVAC Building Retrofit Through the Energy Efficiency and Conservation Block Grant was presented for approval:

**RESOLUTION NO. 11-14**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA  
TO AWARD CONTRACT FOR WAYCROSS LIGHTING AND HVAC BUILDING  
RETROFIT THROUGH THE ENERGY EFFICIENCY AND CONSERVATION BLOCK  
GRANT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Waycross desires to begin energy saving retrofits in City public buildings to include replacing light bulbs and ballasts and install occupancy sensors at seven City owned buildings; and

**WHEREAS**, the scope of work also included replacement of Split System HVAC units in City Hall and the Wastewater Treatment Plant; and

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

**WHEREAS**, Harold Ellis Smith Electric Company had the lowest and best bid for the project in the amount of \$223,200.00; 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 for Waycross Lighting and HVAC Building Retrofit to Harold Ellis Smith Electric Company in the amount of \$223,200.00 to be paid from the Energy Efficiency and Conservation Block Grant Funds.

**SO RESOLVED**, this 19<sup>th</sup> day of April, 2011.

**CITY OF WAYCROSS**

**BY: CLARENCE E. BILLUPS, Mayor**

**ATTEST:**

**JULIE DINKINS, City Clerk**

Commissioner Daniel Yarbrough made a motion to approve the Resolution of the City of Waycross to Award a Contract for Waycross Lighting and HVAC Building Retrofit Through the Energy Efficiency and Conservation Block Grant as presented. Commissioner William Simmons seconded the motion; all voted in favor and the motion carried.

A Resolution of the City of Waycross, Georgia to Extend the Cable Franchise Agreement with Waycross Cable Company through November 18, 2022 was presented.

**Resolution No. 11-11**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA  
TO EXTEND CABLE FRANCHISE AGREEMENT WITH WAYCROSS CABLE  
COMPANY THROUGH NOVEMBER 18, 2022;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, on November 19, 1989, the City of Waycross granted to Waycross Cable Company a cable television franchise for the period ending November 19, 2004; and

**WHEREAS**, Waycross Cable Company as Franchisee elected to exercise its option to extend the cable television franchise from November 19, 2004 to November 18, 2012, which option was granted to Waycross Cable Company; and

**WHEREAS**, Waycross Cable Company requested an option to extend its cable television franchise for a period of ten years from November 18, 2012, which option was granted to Waycross Cable Company; and

**WHEREAS**, Waycross Cable Company has given written notice to the City of Waycross, Georgia to extend the franchise for a period of ten years from November 18, 2012, through November 18, 2022; and

**WHEREAS**, the City of Waycross and Waycross Cable Company have negotiated concerning the terms of the extension of the Franchise Agreement; and

**WHEREAS**, said matter being considered.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that the cable television franchise granted to Waycross Cable Company on November 19, 1989 is hereby extended to November 18, 2022 upon the same terms and conditions as set forth in the Franchise Agreement dated November 19, 1989, and subject to the Waycross Cable Television Ordinance, the Cable Communications Policy Act of 1984, as amended, and subject to amendments to the Franchise Agreement.

**SO RESOLVED**, this 19<sup>th</sup> day of April, 2011.

**CITY OF WAYCROSS**

**BY: CLARENCE E. BILLUPS, Mayor**

ATTEST:

**JULIE DINKINS, City Clerk**

Commissioner Norman Davis made the motion to approve the Resolution of the City of Waycross, Georgia to Extend the Cable Franchise Agreement with Waycross Cable Company through November 18, 2022 as presented. Commissioner Daniel Yarbrough seconded the motion; all voted affirmatively and the motion carried unanimously.

A Resolution of the City of Waycross, Georgia to approve the License Agreement Between the American Society of Composers, Authors and Publishers (“ASCAP”) and the City of Waycross, Georgia was presented.

**RESOLUTION NO. 11-15**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA  
TO APPROVE LICENSE AGREEMENT BETWEEN THE AMERICAN SOCIETY OF  
COMPOSERS, AUTHORS AND PUBLISHERS (“ASCAP”) AND THE CITY OF  
WAYCROSS, GEORGIA; AND FOR OTHER PURPOSES.**

**WHEREAS**, the American Society of Composers, Authors and Publishers (“ASCAP”) grants a License to multiple entities responsible for the public performance of copyrighted music; and

**WHEREAS**, a proposed License Agreement having been presented to the Commission of the City of Waycross by ASCAP for the public performance of any music covered by the United States Copyright Laws;

**WHEREAS**, the fee for the Annual License Agreement is \$309 for a City of the size of Waycross, Georgia, with a population not exceeding 50,000 residents, and covers all events which may be sponsored by the City of Waycross involving public performance of copyrighted music;

**WHEREAS**, said matter being considered.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that the City of Waycross approve the License Agreement with the American Society of Composers, Authors and Publishers, in the form attached hereto, for the annual fee of \$309.00.

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

**SO RESOLVED**, this 19<sup>th</sup> day of April, 2011.

**CITY OF WAYCROSS**

**BY: CLARENCE E. BILLUPS, Mayor**

**ATTEST:**

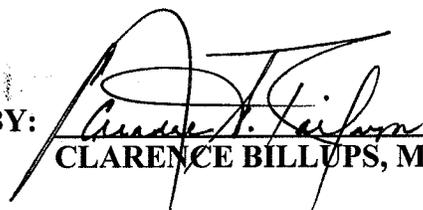
**JULIE DINKINS, City Clerk**

Commissioner Diane Hopkins made the motion to approve the Resolution of the City of Waycross, Georgia to approve the License Agreement Between the American Society of Composers, Authors and Publishers (“ASCAP”) and the City of Waycross, Georgia as presented. Commissioner Daniel Yarbrough seconded the motion; all voted in favor and the motion carried with a 5-0 vote.

Pastor Charlie Lewis, Giving Back to the Community and Scott Ferrell, Second Harvest of South Georgia addressed the Commission regarding a food giveaway planned for April 30, 2011. Three Hundred boxes of food will be given away on a first come first served basis at E E Moore Park through a joint effort of the two agencies.

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

**CITY OF WAYCROSS**

**BY:**   
**CLARENCE BILLUPS, MAYOR**

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