

**MINUTES**  
**WAYCROSS CITY COMMISSION MEETING**  
**TUESDAY, JUNE 4, 2013**  
**7:00 P.M.**

The Commission of the City of Waycross met in Regular Session in the Commission Chambers of City Hall on Tuesday, June 4, 2013. The meeting was called to order by Mayor Clarence E. Billups at 7:00 p.m. Those in attendance were Mayor Pro Tem William Simmons, Commissioners Marian Solomon-Gaines, Diane Hopkins, Norman Davis and Alvin Nelson present.

Bishop Alton Carter, Senior Pastor of Coastal Cathedral in Savannah (formerly Senior Pastor of the Brunel Street Church of God) offered the invocation which was followed by the Pledge of Allegiance.

City Manager Deron King presented Bishop Alton Carter and his wife with a certificate of appreciation and several tokens from the City of Waycross thanking them for their many years of service to the City of Waycross.

Avis Staten, Human Resources, introduced Darryl White, the Employee of the Month for June 2013.

Deron W. King, City Manager, presented the City Manager's Report. A street dedication was held on Friday, May 31, 2013 at 12:30 p.m. for Ossie Davis Parkway at the Greater Mt Zion AME Church. Mr. King thanked Horace Thomas, Carlos Nelson and GDOT for their hard work in putting the street dedication together.

Mr. King announced that Georgia Department of Transportation representatives are scheduled to attend the June 17, 2013 Work Session to update the Commission on the East Waycross Bypass.

In the Mayor's Report, Mayor Billups thanked Horace Thomas, Carlos Nelson, Georgia Department of Transportation, formerly Senator Greg Goggans and the Commission for working together to get a portion of State Street renamed Ossie Davis Parkway. He also thanked Captain Ricky Deal for his efforts in promoting National Military Appreciation Month.

There were no public remarks on official action.

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 & Information Session Monday, and Executive Session May 20, 2013, Waycross City Commission Meeting, Tuesday, May 21, 2013 and FY 2014 Budget Work Session, Wednesday, May 22, 2013.

There were no ordinance second readings, consent resolutions or privilege license renewals.

Commissioner Marian Solomon-Gaines 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.

Mrs. Linda Jones, Director, Purchasing Department presented Bid Extension FY-14 – Leather Goods. The City Commission approved bids to Azars of Tallahassee, Florida for the City's Leather Goods extended this bid for FY12 and FY13. Azars has agreed to keep the pricing firm for FY14 at no increase.

Commissioner Diane Hopkins made the motion to approve the Bid Extension to Azars of Tallahassee, Florida for the City's Leather Goods for FY14. Commissioner Norman Davis seconded the motion; all voted in favor and the motion carried.

Mrs. Linda Jones, Director, Purchasing Department presented Bid Extension FY-14 Police and Fire Uniforms. On June 15, 2010 the City Commission approved bids to Riverside Manufacturing of Moultrie, Georgia for the City's Police and Fire Uniforms FY11 and extended this bid for FY12 on June 7, 2011 then again for FY13. Riverside has agreed to keep the pricing firm for FY14 at no increase. These uniforms are ordered only on an as needed basis.

Commissioner Norman Davis made the motion to approve the Bid Extension to Riverside Manufacturing of Moultrie, Georgia for the City's Police and Fire Uniforms. Commissioner Alvin Nelson seconded the motion; all voted in favor and the motion carried.

A request for a Bid Extension for FY14 for Annual Printing was presented by Mrs. Linda Jones, Director, and Purchasing Department. The City Commission approved bids to Brantley Printing of Waycross, Georgia and extended this bid for FY12 and FY13. Brantley Printing has agreed to keep the pricing firm for FY14 with no increase.

Commissioner Diane Hopkins made the motion to approve the Bid Extension to Brantley Printing of Waycross, Georgia for the City's Annual Printing. Commissioner Marian Solomon-Gaines seconded the motion; all voted yes and the motion carried with a 5-0 vote.

A Resolution of the City of Waycross, Georgia to Approve a Settlement agreement and Release with Republic Services of Georgia, LLC d/b/a Southland Waste Systems was presented.

**RESOLUTION 13-29**

**A RESOLUTION OF THE CITY OF WAYCROSS GEORGIA TO APPROVE  
SETTLEMENT AGREEMENT AND RELEASE WITH REPUBLIC SERVICES OF  
GEORGIA, LLC, D/B/A SOUTHLAND WASTE SYSTEMS;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, on August 7, 2012, the City and Southland entered into an "Exclusive Agreement for Services", retroactive to an effective date of July 2, 2012, with respect to the collection and the disposal of solid waste generated by residents in the City, and the billing and collection of commercial dumpster customers in the City serviced by Southland (the "City-Southland contract"); and

**WHEREAS**, Section 26 of the City-Southland contract provides, *inter alia*, that the obligations for billing and collection of commercial customers within the boundaries of the City to whom Southland provides solid waste collection and disposal services would be assumed and implemented by the City, following reasonable and diligent efforts jointly by the Parties to transfer those obligations to the City, to be completed by September 1, 2012.

**WHEREAS**, the transition has been delayed for a period of time and has not been completed by the Parties prior to the date of this Agreement; and

**WHEREAS** the delay in the Parties jointly accomplishing the transition was alleged by the City to be the result of omissions by Southland, and was further alleged to constitute a breach of the terms of Section 26 of the City-Southland contract, but Southland denied such omissions; and

**WHEREAS**, as a result of subsequent communications and negotiations between the Parties concerning these disputed matters, the Parties have agreed to resolve their differences concerning the foregoing matters, and desire to settle and release any and all of their respective claims and contentions arising from or related to said disputed matters, in the form a Settlement Agreement attached hereto; 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 hereby approves the Settlement Agreement And Release with Republic Services of Georgia, LLC d/b/a Southland Waste Systems in the form attached hereto, resolving their differences regarding said disputed matters and releasing any and all of their respective claims and contentions arising form or related to said disputed matters.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized, directed and empowered to execute the Settlement Agreement And Release in the name of the City of Waycross.

**SO RESOLVED**, this 4<sup>th</sup> day of June, 2013.

**CITY OF WAYCROSS**  
**BY: CLARENCE E. BILLUPS, Mayor**

**ATTEST:**  
**JULIE DINKINS, City Clerk**

A Resolution of the City of Waycross, Georgia to Approve a Settlement agreement and Release with Republic Services of Georgia, LLC d/b/a Southland Waste Systems was approved by motion from Commissioner Norman Davis; seconded by Commissioners Diane Hopkins; the vote was unanimous in favor and approved with a 5-0 vote.

A Resolution by the City of Waycross, Georgia to Approve the Insurance Claim Release Regarding T&R Oil Company, the Exclusive Fuel Depot for the City of Waycross was presented.

**RESOLUTION NO. 13-30**

**A RESOLUTION OF THE CITY OF WAYCROSS GEORGIA TO APPROVE  
INSURANCE CLAIM RELEASE REGARDING T&R OIL COMPANY, THE  
EXCLUSIVE FUEL DEPOT FOR THE CITY OF WAYCROSS;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, on January 10, 2013, an investigation revealed water infiltration into the underground storage tanks of T&R Oil Company, the City's exclusive Fuel Depot; and

**WHEREAS**, as a result of such water infiltration into the fuel supply certain equipment belonging to the City of Waycross was damaged and required substantial repairs; and

**WHEREAS**, T&R Oil promptly took measures to correct the problem, and the City of Waycross filed a claim of liability with T&R Oil's Insurance Carrier (Fairmount Specialty) for payment of the damages and repairs to the City owned equipment; and

**WHEREAS**, Fairmount Specialty Insurance Company is prepared to pay the City's claim of liability in the amount of \$3,799.62, in exchange for the City executing a Release of All Claims arising from the occurrence on January 10, 2013; 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 hereby approves the Release of All Claims with T&R Oil Company's Insurance Carrier, Fairmount Specialty, in the form attached hereto, in consideration of the liability claim payment of \$3,799.62 to the City of Waycross, resolving all claims arising from the occurrence on January 10, 2013.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized, directed and empowered to execute the Release of All Claims in the name of the City of Waycross.

**SO RESOLVED**, this 4<sup>th</sup> day of June, 2013.

**CITY OF WAYCROSS**

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

ATTEST:

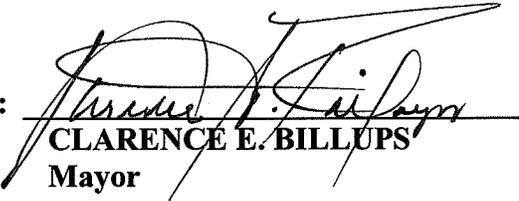
**JULIE DINKINS**, City Clerk

Commissioner Diane Hopkins made the motion to approve A Resolution by the City of Waycross, Georgia to Approve the Insurance Claim Release Regarding T&R Oil Company, the Exclusive Fuel Depot for the City of Waycross as presented. Commissioner Marian Solomon-Gaines seconded the motion; all voted in favor and the motion carried with a 5-0 vote.

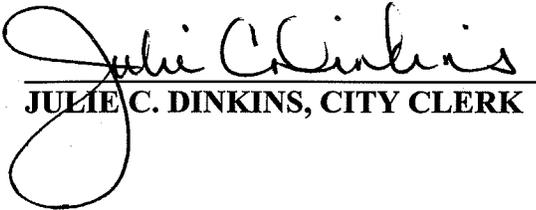
Following closing remarks, Commissioner William Simmons made the motion to adjourn the meeting; seconded by Commissioner Alvin Nelson, all voted in favor and Mayor Billups adjourned the meeting.

**CITY OF WAYCROSS**

BY:

  
**CLARENCE E. BILLUPS**  
Mayor

ATTEST:

  
**JULIE C. DINKINS, CITY CLERK**