

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, JULY 17, 2018
5:00 PM

The Commission of the City of Waycross held their Regular City Commission Meeting on Tuesday, July 17, 2018 in the Commission Chambers of City Hall. The meeting was called to order by the Honorable Mayor John Knox at 5:00 p.m. Members in attendance were: Mayor John Knox, Mayor Pro Tem Jon Tindall, Commissioners Marian Solomon-Gaines, Diane Hopkins, and John Threat. Commissioner Norman Davis and City Manager Raphael Maddox were absent. Mr. Wilton Deloach was present, serving as Acting City Manager.

Commissioner John Threat introduced Fire Chief David Eddins who offered the opening invocation. The Invocation was followed by the Pledge of Allegiance led by Mayor John Knox.

Mayor John Knox announced two public hearings: The first to consider an Amendment Request to Rezone 717 Garlington Avenue from L1 – Light Industrial to R – 50 Residential for Tuesday, August 7, 2018 at 4:15 p.m. The second is to consider annexing and zoning 517 Palmetto Drive from A-Agriculture (Ware County) to R-75 Residential for Tuesday, August 7, 2018 at 4:30 p.m.

Mr. Wilton Deloach, Acting City Manager, congratulated the citizens who travel City Blvd for the opening of City Boulevard and offered his thanks to the Engineering Department for the successfully completed project.

There were no public remarks on official action.

Mayor Knox 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, Monday, July 2, 2018; and Waycross City Commission Meeting, Monday, July 2, 2018.

There were no consent resolutions, and no privilege license renewals.

One Ordinance Second Reading to Annex and Zone 2098 Brunswick Highway, from CDD Ware County to C-2 Highway Commercial.

The Consent Calendar was approved by motion from Commissioner Marian Solomon-Gaines; seconded by Commissioner Diane Hopkins and approved with a 4-0 vote.

An Ordinance Amending Chapter 26, Nuisances and Offensive Conditions adding a Prohibition of Clotheslines was presented for the first reading:

ORDINANCE NO. 018-09

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 26, ARTICLE II. – NUISANCES AND OFFENSIVE CONDITIONS, SECTION 26-20, SO AS TO ADD A PROHIBITION OF CLOTHESLINES; 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 Marian Solomon-Gaines made the motion to approve the Ordinance Amending Chapter 26, Nuisances and Offensive Conditions adding a Prohibition of Clotheslines as presented for the first reading. Commissioner Diane Hopkins seconded the motion; Commissioners all voted yes and the motion carried.

An Ordinance to Amend the Code of the City of Waycross to Amend Chapter 105, Environmental Control, Article III – Soil Erosion, Sedimentation and Pollution Control. was presented for the first reading.

ORDINANCE NO. 018-10

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 105 – ENVIRONMENTAL CONTROL; ARTICLE III. – SOIL EROSION, SEDIMENTATION AND POLLUTION CONTROL, BY AMENDING SECTION 105-55 – DEFINITIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

An Ordinance to Amend the Code of the City of Waycross to Amend Chapter 105, Environmental Control, Article III – Soil Erosion, Sedimentation and Pollution Control was approved for the first reading by motion from Mayor Pro Tem John Tindall; seconded by Commissioner Marian Solomon-Gaines and approved with a 4-0 vote.

A Resolution of the City of Waycross, Georgia to Approve the Annual Work Detail Agreement between the Georgia Department of Corrections and the City of Waycross was presented for approval.

RESOLUTION NO. R18-58

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE ANNUAL WORK DETAIL AGREEMENT**

**BETWEEN THE GEORGIA DEPARTMENT OF
CORRECTIONS AND THE CITY OF WAYCROSS; AND
FOR OTHER PURPOSES**

WHEREAS, a proposed Work Detail Agreement between the Georgia Department of Corrections and the City of Waycross to be effective from July 1, 2018, to June 30, 2019, has been presented to the Commission of the City of Waycross, Georgia; and

WHEREAS, the purpose of said Work Detail Agreement is for the Department of Corrections to provide two (2) Offender Work Details on public works projects in accordance with O.C.G.A § 42-5-60 (e); and

WHEREAS, pursuant to said agreement, the Department of Corrections will provide one full time Correctional Officer and a maximum of ten (10) inmates for each Work Detail; and

WHEREAS, the cost to the City shall be \$79,000.00 for said year, commensurate with labor supplied and calculated at \$39,500.00 per detail, and salary and benefits for one Correctional Officer, exclusive of overtime provided by the Correctional Officer in performing the work per each work detail; and

WHEREAS, either Party may terminate said Agreement for convenience upon seven (7) days written notice to the other Party; and

WHEREAS, a copy of said Agreement is attached hereto and incorporated and made a part hereof by reference as if fully set forth herein.

NOW THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross, Georgia, that the Work Detail Agreement between the Georgia Department of Corrections and the City of Waycross, Georgia, in the form attached hereto and incorporated and made a part hereof by reference as if fully set forth, is hereby approved.

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

SO RESOLVED, this 17th day of July, 2018.

**CITY OF WAYCROSS
BY: JOHN KNOX, Mayor**

**ATTEST:
JULIE DINKINS, City Clerk**

The Resolution of the City of Waycross, Georgia to Approve the Annual Work Detail Agreement between the Georgia Department of Corrections and the City of Waycross was approved by motion from Commissioner Diane Hopkins; seconded by Mayor Pro Tem Jon Tindall and approved with a 4-0 vote.

A Resolution of the City of Waycross, Georgia to Approve the Publications Subscription and Access Agreement with CALEA was presented to the Commissioners for approval.

RESOLUTION NO. R18-59

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE PUBLICATIONS SUBSCRIPTION AND ACCESS AGREEMENT WITH
COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES; AND
FOR OTHER PURPOSES.**

WHEREAS, the Commission on Accreditation for Law Enforcement Agencies, hereinafter referred to as “CALEA”, is a credentialing authority whose primary mission is to accredit public safety agencies, namely law enforcement agencies; and

WHEREAS, the City of Waycross Police Department has been accredited and is recognized by CALEA; and

WHEREAS, CALEA offers a Subscription and Access Agreement, a copy of which is attached hereto as an Exhibit and incorporated herein as if fully set forth, which will allow access to CALEA’s electronic publications, information and materials which are relevant and desired by the Waycross Police Department; and

WHEREAS, Section 2.1 of the Charter of the City of Waycross gives the City of Waycross the power and authority to “enter into contracts and agreements with other governmental entities and with private persons, firms and corporations”; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City Commission approves said Publications Subscription and Access Agreement with the Commission on Accreditation for Law Enforcement Agencies (CALEA).

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Chief of the City Police Department be, and are hereby authorized, empowered and directed to execute said Publications Subscription and Access Agreement with CALEA and to ratify and confirm the execution of said Agreement, and to do all the acts and things necessary in order to ratify, confirm and carry out the purposes and intent of this Resolution.

SO RESOLVED, this 17th day of July, 2018.

CITY OF WAYCROSS

BY: JOHN KNOX, Mayor

ATTEST:

JULIE DINKINS, City Clerk

Commissioner Marian Solomon-Gaines made the motion to approve the Resolution of the City of Waycross, Georgia to Approve the Publications Subscription and Access Agreement with CALEA as presented to the Commissioners for approval. Mayor Pro Tem Jon Tindall seconded the motion. All voted in favor and the motion carried.

A Resolution of the City of Waycross to Approve Travelers Insurance Company to Authorize the Police Chief to issue a Letter of Eligibility for Terry Mercer, Jr. to receive Alcoholic Beverage Server's Permit was presented for approval.

RESOLUTION NO. R18-60

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
FOR THE ISSUANCE OF A LETTER OF ELIGIBILITY FOR TERRY MERCER, JR.
TO RECEIVE ALCOHOLIC BEVERAGE SERVER'S PERMIT;
AND FOR OTHER PURPOSES.**

WHEREAS, Waycross Code of Ordinances Section 6-97 (a) provides, in relevant part, that the "holder of an alcoholic beverage license issued hereunder shall not allow any person who has any felony conviction ... within five years of the date of employment or service to sell or serve alcoholic beverages in any capacity" and "no permit to serve shall be valid or issued to a person on parole or probation for the purpose of employment in a bar"; and

WHEREAS, Terry Mercer, Jr. was arrested in 2011 for Violation of the Georgia Controlled Substances Act but he was not adjudicated guilty until 2014 (his probation will expire on August 18, 2018), as such, pursuant to Section 6-97, he is ineligible to receive a server's permit until 2019, and based on this information, the Chief of Police denied his request for an alcoholic beverage server's permit; and

WHEREAS, Code Section 6-97 (b) provides, in relevant part, that "the city commission, in its sole discretion, may direct the issuance of a letter of eligibility to persons who have in the past been convicted of or pled guilty to ... any crime ... and the city commission after thorough investigation of all the facts including parole or probation officers' reports, judges' recommendations, and other evidence bearing on the character of the applicant have determined

that such action is in keeping with the public good and ends of justice, or the public interest and welfare”; and

WHEREAS, Terry Mercer, Jr. is presently employed at Dick’s Wings, said establishment not being a bar, and needs an alcoholic beverage server’s permit to continue his employment there; and

WHEREAS, the City Commission is satisfied that the Chief of Police has conducted a thorough investigation of all the facts and accepts his recommendation that an alcoholic beverage server’s permit should be issued; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Commission hereby issues this Resolution as a “letter of eligibility” to the Chief of Police of the City of Waycross authorizing, ratifying and allowing Terry Mercer, Jr.’s request for issuance of an alcoholic beverage server’s permit.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and are hereby authorized and directed to execute said Resolution as a “letter of eligibility” to the Chief of Police of the City of Waycross, hereby ratifying and confirming all the acts and things done by said Police Chief issuing an alcoholic beverage server’s permit to Terry Mercer, Jr., and to be done, in order to give effect to the purposes and intent of this Resolution.

SO RESOLVED, this 17th day of July, 2018, *nunc pro tunc* to 07/02/2018.

CITY OF WAYCROSS

BY: JOHN KNOX, Mayor

ATTEST:

JULIE DINKINS, City Clerk

Commissioner Marian Solomon-Gaines made the motion to approve a Resolution of the City of Waycross to Authorize the Police Chief to issue a Letter of Eligibility for Terry Mercer, Jr. to receive Alcoholic Beverage Servicer’s Permit as presented for approval. Commissioner Diane Hopkins seconded the motion. All voted in favor and the motion carried.

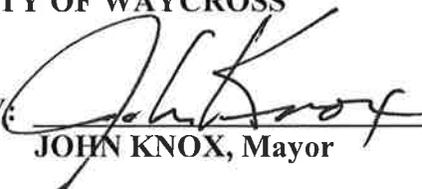
Following last call, Commissioner Marian Solomon-Gaines made the motion to go into Executive Session to discuss personnel and litigation. Mayor Pro Tem Jon Tindall seconded the motion; all voted yes and the meeting adjourned into Executive Session. Commissioner Diane Hopkins made the motion to return the meeting to open session; seconded by Commissioner John Threat; all voted positively and the meeting returned to open session.

After last call, Commissioner Marian Solomon-Gaines made the motion to adjourn the meeting. Mayor Pro Tem Jon Tindall seconded the motion. All voted in favor and Mayor Knox adjourned the meeting.

CITY OF WAYCROSS

ATTEST:

BY:



JOHN KNOX, Mayor



JULIE C. DINKINS, City Clerk