

**MINUTES**  
**WAYCROSS CITY COMMISSION MEETING**  
**TUESDAY, AUGUST 20, 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, August 20, 2013. The meeting was called to order by Mayor Clarence E. Billups at 7:00 p.m. Those in attendance with Mayor Billups were Mayor Pro Tem William Simmons, Commissioners Diane Hopkins, Marian Solomon-Gaines, Norman Davis and Alvin Nelson.

City Manager Deron King introduced Senior Pastor Danny Crosby of Jamestown Baptist Church who offered the opening invocation. The invocation was followed by the Pledge of Allegiance which was led by Miss Jasmine Reese, a student at Waresboro Elementary School. Commissioner Marian Solomon-Gaines expressed her desire that a young person lead the pledge of allegiance in every meeting.

Under Executive Duties, Mayor Clarence Billups re-scheduled the September 2 Planning and Information Session to Tuesday, September 3, 2013 at 4:30 p.m. due to the holiday.

Mr. Larry Yockachonis, ESG, Waycross Project Director gave an environmental update on the Seven Out LLC Superfund Site in Waycross, Georgia. Mr. Yockachonis addressed the Commission regarding an environmental concern of a local citizen. The complaint involves a former site where treatment of waste stream flows were treated in an industrial pretreatment program. EPA and EPD declared the site a superfund site, assessed it for contaminants, cleaned up the site, sealed drains and built a containment barrier. Mr. Yockachonis and the Engineering Department contacted EPD and requested documentation on this site. EPD said the site was clean, there is no new information and everything is closed out. The concerned citizen provided data from EPA's website. ESG and the City conducted an internal assessment on the data and the test results were all under industrial thresholds set by EPA. Only 1 result was above a residential level. Soil samples indicated they were storm water related, not drinking water related. Testing indicates compounds which are in the environment such as unburnt fuel, automobile emissions and asphalt run-off. Drinking water was tested and no detection levels at all indicating that these things which are present in the environment have not migrated in the ground water into the drinking water. These compounds are insoluble and will not dissolve in water. The Department of Public Health plans to address this concern, research data, look at the site and history, and will issue a Health Consultation in October.

Commissioner William Simmons introduced several members of the Waycross-Fest committee, Sloan Fountain, Director, Avis Staten, Assistant Director, Linda Jones, Dee Meadows, and Johnny Mitcham. Committee Members not present were: Raphel Maddox Event Organizer, Bishop Michael-Angelo James, Caleb Lancaster, Carlos White, Lisa Curry, Ossie Davis, and Michael Mallory. Commissioner Simmons also served on the committee. Commissioner Simmons thanked the Police Department, Public Works, ESG, the Committee members and everyone else who either attended or volunteered.

A Proclamation naming August 25 through October 5 as New Harmonies: Celebrating American Roots Music in Waycross was presented.

## CITY OF WAYCROSS, GEORGIA

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OFFICE OF THE MAYOR



### **PROCLAMATION**

#### *New Harmonies: Celebrating American Roots Music*

*Whereas*, The Georgia Humanities Council, in partnership with the Smithsonian Institution, presents New Harmonies: Celebrating American Roots Music; and

*Whereas*, New Harmonies is a traveling exhibition that shares America's story by examining the roots of American music and while in Georgia will travel to 12 communities highlighting the unique story of Georgia's musical traditions; and

*Whereas*, The City of Waycross will be the host community for New Harmonies, sponsored by the Okefenokee Heritage Center and their partners, August 24 through October 5; and

*Whereas*, New Harmonies will highlight distinct types of American roots music including blues, country, folk, gospel, Native American, and sacred harp; and

*Whereas*, The exhibit features tailored exhibits that explore and showcase Waycross and Southeast Georgia's local music heritage. The exhibit will be free and open to the public and offer daily programs including concerts, workshops, lectures, and performances by artists from all over the Southeast Georgia area; and

*Whereas*, The local goals are to increase leisure tourism by providing a new experience for our visitors; to gain knowledge about Southeast Georgia music traditions; to encourage community involvement and partnerships; and to leave a glorious musical legacy for Waycross.

*Now, therefore, in recognition and in appreciation* of the Smithsonian Institution, a culmination of our country's finest museums and research centers, and our community's local treasure, the Okefenokee Heritage Center, I, Clarence E. Billups, Mayor of the City of Waycross, do hereby proclaim the dates of August 24 through October 5 as *New Harmonies: Celebrating American Roots Music* in Waycross and I invite our local families, friends and guests visiting the Southeast Georgia area to visit the Okefenokee Heritage Center and enjoy the great learning experience supplied to us by the prestigious Smithsonian Institution.

*In witness whereof*, I have hereunto set my hand and caused the Seal of the City of Waycross to be affixed this 20<sup>th</sup> day of August, 2013.

***Clarence E. Billups, Mayor***

Deron W. King, City Manager, in the City Manager's Report reminded citizens that the opening of the New Harmonies exhibit would be Saturday, August 24, 2013 at 10:00 a.m. and urged everyone to attend. Mr. King also reminded the public about the 2<sup>nd</sup> Annual Furry Friends and Family Day, Saturday, August 24, 2013 from 10:00 a.m. until 3:00 p.m. at the Grove Street Park.

In the Mayor's Report, Mayor Clarence Billups reminded citizens about the New Harmonies exhibit and Furry Friends Day and urged citizens to support these efforts.

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 and Executive Session, Monday, August 5, 2013, Waycross City Commission Meeting, Tuesday, August 6, 2013 and the Waycross City Commission and Ware County Board of Commissioners Special Local Option Sales Tax (SPLIST) Committee Meeting and Special Called Meeting to Set the 2013 Tax Millage Rate, Wednesday, August 14, 2013.

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

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

A Privilege License for a new owner, Doherty Georgia Waycross LLC d/b/a Applebee's Neighborhood Grill and Bar, 1901 Memorial Drive, Consumption on Premises Beer, Wine and Liquor. The motion to approve the privilege license for Doherty Georgia Waycross d/b/a Applebee's was made by Commissioner Marian Solomon-Gaines. Commissioner Diane Hopkins seconded the motion; the vote was unanimous and the license was approved.

Ms. Linda Jones, Purchasing Director, presented Surplus Real Property, WAYX 14-02 to declare 1.605 acres of property on the abandoned CSX Rail Bed, bound by McDonald Street and Tebeau Street in Land Lot 167 as surplus. A request was received from Richard Lee, owner of Lee Hardware to purchase this property to expand his store. If declared surplus by the City Commission, Purchasing will issue bids on this property and notify all adjoining property owners of the bid. Property will be awarded and sold to the highest bidder. Commissioner William Simmons made the motion to declare the 1.605 parcel of land surplus and sold to the highest bidder. Commissioner Norman Davis seconded the motion; all voted in favor and the motion carried.

Ms. Linda Jones, Purchasing Director, presented Surplus Property WAYX 14-03 to declare certain items no longer needed by any City Department or confiscated by the Waycross Police Department surplus. Ms. Linda Jones requested that a copier be declared surplus and sold on GovDeals.com, a set of lockers donated to the Ware County High School Rifle Team, and two WPD service weapons be declared surplus and gifted to retiring officers, Jack Bennett and Dwayne Caswell. The motion was made by Commissioner Diane Hopkins to approve the motion to declare the listed property surplus to be sold on GovDeals.com, donated to the Rifle Team and gifted to the retiring Police Officers. The motion was seconded by Commissioner Alvin Nelson. All Commissioners voted yes and the motion carried with a 5-0 vote.

Commissioner Norman Davis made the motion that the proposed Resolution Opposing the Waycross East Bypass be removed from the table. Commissioner William Simmons seconded the motion; all Commissioners voted affirmatively.

A Resolution of the City of Waycross, Georgia in Opposition to the GDOT Plan for the “Waycross East Bypass” Highway system was removed from the table.

## **RESOLUTION**

### **A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA OPPOSING THE GEORGIA DEPARTMENT OF TRANSPORTATION PLAN FOR THE “WAYCROSS EAST BYPASS” HIGHWAY SYSTEM; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Georgia Department of Transportation conducted a multi-modal transportation study for the City of Waycross and Ware County, Georgia in 2001, resulting in recommendations for improved transportation system improvements in the City of Waycross and Ware County; and

**WHEREAS**, the Georgia Department of Transportation developed a Highway/Street Plan for the City of Waycross known as the “Waycross East Bypass”, which would construct a new four-lane roadway starting in Pierce County, Georgia at US Hwy. 84 and ending at US Hwy. 1/23 in Ware County; and

**WHEREAS**, the East Bypass Corridor would divert traffic away from the central business district of the City of Waycross, which is currently centrally located in Southeast Georgia, and serves as a shopping hub for Waycross and surrounding communities; and

**WHEREAS**, in the present economy existing businesses and industry in the corporate limits of the City of Waycross are struggling to attract and maintain a sufficient customer base in order to continue to operate successfully, while meeting their financial obligations to their employees, suppliers families, and the local municipality for continued municipal services; and

**WHEREAS**, the East Bypass Corridor would inevitably divert people, traffic and revenues from the City of Waycross, thereby exacerbating the plight of local businesses and industry to remain solvent, and making it virtually impossible to continue to provide goods and services to the citizens of Waycross, as well as contribute to the tax base of the local municipality to help defray the costs of providing local municipal services; and

**WHEREAS**, representatives from the Georgia Department of Transportation recently appeared before the Waycross City Commission in open public meetings, and advised the Commission that there is very little public support for the Waycross East Bypass project, based upon comments received at previous public hearings conducted by the Georgia Department of Transportation regarding this proposed East Bypass Corridor; and

**WHEREAS**, the City of Waycross, acting through its elected Mayor and City Commissioners, strongly oppose implementation of the Waycross East Bypass project, and desire to make known to all necessary parties and decision makers their strong opposition, by adopting and publishing this Resolution; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Commissioners of the City of Waycross that the City of Waycross, hereby strongly opposes the Georgia Department of Transportation Highway/Street Plan for the City of Waycross known as the "Waycross East Bypass", which would construct a new four-lane roadway starting in Pierce County, Georgia at US Hwy. 84 and ending at US Hwy. 1/23 in Ware County.

**BE IT FURTHER RESOLVED** that the Mayor and City Commission hereby call on the City's elected delegation to the Georgia General Assembly, as well as the City's elected delegation to the United States Congress, to oppose any legislation and/or appropriations for the Waycross East Bypass project.

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to said 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 20<sup>th</sup> day of August, 2013.

Commissioner Norman Davis made the motion to approve the Resolution of the City of Waycross, Georgia in Opposition to the GDOT Plan for the "Waycross East Bypass" Highway system as presented. The motion died for lack of a second.

Commissioner Diane Hopkins discussed the Resolution in Opposition to the Waycross East Bypass stating that the citizens need more time to see the maps and review the plans. Commissioner Diane Hopkins made the motion to postpone action on the Resolution of the City of Waycross, Georgia in Opposition to the GDOT Plan for the Waycross East Bypass Highway system. The motion was seconded by Commissioner Alvin Nelson.

Commissioner Alvin Nelson stated that he is opposed to the Waycross East Bypass. Commissioner Nelson said that he feels that the City has questions that need to be answered. The State has the final decision on this regardless, but right now, in their efforts to push this on us, they are not giving us any options other than the four that they gave us. I think that there are several other options that they need to look at before they shove this on us.

Commissioner Diane Hopkins said she agrees with Commissioner Nelson, and needs clarification.

Commissioner Norman Davis expressed his opinion in opposition to the Waycross East Bypass stating that spending tax payers' money (\$61 million) is wrong. Mr. Davis stated that rather than helping Waycross grow, he sees the bypass as a way to move transportation and commerce around Waycross. There are ways to address the traffic problems in Cherokee Heights without a \$61 million bypass. Commission Davis stated that the real transportation problem in Waycross is that there is no way to get out of Waycross, no trains and no buses. We need overpasses in Waycross to be able to travel over the trains. GDOT is locked into this project because it is a \$61 million project, \$10 million a mile. The project is a true bypass. Commissioner Davis stated this is a pivotal moment in Waycross. People travel by habit; they won't go out of their way. Commissioner Davis urged the citizens of Cherokee Heights to help find an alternative to the bypass. Think about how much money they are spending for Waycross to grow, \$61 million to help Waycross grow. Ware County citizens have a stake in this too.

Commissioner Marian Solomon-Gaines said she agrees 100% with Mr. Davis. Citizens have stated that don't know what is going on with the bypass. Postponing action on this will give the citizens an opportunity to review the plans and ask questions.

Mayor Billups stated that everyone is a stakeholder in this matter. Whether you live in the City of Waycross or Ware County, we all are stakeholders in this situation.

Mayor Billups then called for the vote on the motion to postpone action on the Resolution of the City of Waycross, Georgia in Opposition to the GDOT Plan for the "Waycross East Bypass" Highway system. Commissioners Solomon-Gaines, Hopkins, Simmons and Nelson voted "Yes", Commissioner Norman Davis voted "No". The motion carried.

A Resolution of the City of Waycross Georgia to Approve Execution of a Memorandum of Understanding Between the Board of Regents of the University System of Georgia and the City of Waycross pursuant to the Georgia Mutual Aid Act as presented.

**RESOLUTION NO. 13-42**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA  
TO AUTHORIZE EXECUTION OF A MEMORANDUM OF UNDERSTANDING  
BETWEEN THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA  
AND THE CITY OF WAYCROSS, GEORGIA  
PURSUANT TO THE GEORGIA MUTUAL AID ACT;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Waycross, Georgia has been presented with a Memorandum of Understanding between the Board of Regents of the University System of Georgia and the City of Waycross, Georgia, pursuant to the Georgia Mutual Aid Act, O.C.G.A., Section 36-69-1 *et seq.*; and

**WHEREAS**, the purpose of said Memorandum of Understanding is to provide for the rendering of extraterritorial assistance between South Georgia State College and the City of Waycross, Georgia, as defined in O.C.G.A., Section 36-69-2 (meaning "local emergency") under the conditions established in Georgia Code Section 36-69-3; and

**WHEREAS**, in the event the City of Waycross is in need of emergency assistance from the College, or if the College is in need of emergency assistance from the City of Waycross, each entity will make their resources available to the other upon request in order to effectively and fully respond to emergency situations, as defined in the Mutual Aid Act; and

**WHEREAS**, the City of Waycross desires to enter into a Mutual Aid Agreement with South Georgia State College in the form of the Memorandum of Understanding attached hereto; and

**WHEREAS**, said matter being considered.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that the City of Waycross enter into a Mutual Aid Agreement with South Georgia State College by executing the Memorandum of Understanding between the Board of Regents of the University System of Georgia and the City of Waycross, Georgia, pursuant to the Mutual Aid Act, in the form of the Memorandum of Understanding attached hereto.

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

**SO RESOLVED**, this 20th day of August, 2013.

**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 Approve Execution of a Memorandum of Understanding Between the Board of Regents of the University System of Georgia and the City of Waycross pursuant to the Georgia mutual Aid Act as presented. Commissioner Alvin Nelson seconded the motion; all voted affirmatively and the motion passed.

A Resolution of the City of Waycross Georgia to Approve Execution of the TE Agreement With GDOT for Transportation Enhancement Project activity Funding under the Transportation Equity Act for the 21<sup>st</sup> Century as presented.

### **RESOLUTION 13-47**

#### **A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA TO APPROVE EXECUTION OF TE AGREEMENT WITH GEORGIA DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ENHANCEMENT PROJECT ACTIVITY FUNDING UNDER THE TRANSPORTATION EQUITY ACT FOR THE 21<sup>ST</sup> CENTURY; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Secretary of the United States Department of Transportation and the Commissioner of the Georgia Department of Transportation are authorized to contract for Transportation Enhancement Projects; and

**WHEREAS**, the contract for financial assistance imposes certain duties upon the City of Waycross including but not limited to the provision of its local share of the project costs; and

**WHEREAS**, the City of Waycross guarantees that it will comply with Title VI of the Civil Rights Act of 1964, all other pertinent directives and all United States Department of Transportation requirements; and

**WHEREAS**, to complete the project, the City of Waycross will use Disadvantaged Business Enterprises to the fullest extent possible and will implement and administer procedures to ensure that minority businesses are competitive for contracts and purchase orders when procuring services including but not limited to construction contracts, supplies, equipment contracts or consultant contracts; 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 execution of the said Agreement with Georgia Department of Transportation to receive federal transportation enhancement funds for use in construction of Transportation Enhancement Rails to Trails Project No. CSTEED-0009-00(140), in the form of the Agreement attached hereto.

**BE IT FURTHER RESOLVED** that:

1. **CLARENCE E. BILLUPS, Mayor**, is authorized to execute the contract on behalf of the City of Waycross, Georgia, acting through its Board of Commissioners with the DEPARTMENT for aid in financing construction, and all other activities incidental thereto, of Transportation Enhancement Activity pursuant to Public Law 105-178 (1998); and all other provisions as set forth in the contract with the DEPARTMENT.
2. **DERON W. KING, City Manager**, is authorized to execute and file an assurance or any other document required by the US DOT and the DEPARTMENT certifying compliance with Title VI of the Civil Rights Act of 1964.
3. **DERON W. KING, City Manager**, is authorized to furnish any and all additional information that may be required by US DOT or the DEPARTMENT in connection with the application for Transportation Enhancement Activity project and budget.
4. That **DERON W. KING, City Manager** is authorized to set forth and execute affirmative disadvantaged business policies in connection with the *participation goal established by the Georgia Department of Transportation*.

**SO RESOLVED**, this 20th day of August, 2013.

**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 Approve Execution of the TE Agreement With GDOT for Transportation Enhancement Project Activity Funding under the Transportation Equity Act for the 21<sup>st</sup> Century as presented. Commissioner Marian Solomon-Gaines seconded the motion; all voted positively and the motion carried with a 5-0 vote.

Ms. Joan McNeal, 504 McDonald Street, addressed the Commission, stating that she appreciates the City of Waycross. Ms. McNeal stated that there is a problem in the City of Waycross. She distributed pictures of what she maintains is hazardous waste contamination. She also requested the City provide documentation from our files on the site.

Mr. Doug Tripp, 1003 George Street, addressed the Commission requesting the City provide assistance in order to do further testing on the soil and water for toxic substances. Something is wrong, people are moving away for health reasons.

Following closing remarks, Commissioner Marian Solomon-Gaines 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:**

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**JULIE C. DINKINS, CITY CLERK**