

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, OCTOBER 6, 2020
5:00 PM

The Commission of the City of Waycross held the Regular City Commission Meeting on Tuesday, October 6, 2020 in the Commission Chambers of City Hall. The meeting was called to order by Mayor James at 5:00 p.m. Members in attendance were: Mayor Michael-Angelo James, Mayor Pro Tem John Threat, Commissioners Marian Solomon-Gaines, Diane Hopkins, Henry Strickland, and Norman Davis.

Commissioner Henry Strickland introduced Patsy Strickland, who offered the opening invocation. The Invocation was followed by the Pledge of Allegiance.

During Official Reports, City Manager Tonya Miller discussed Georgia Cities Week.

Mayor James gave a reminder about the Census and Fatherhood Virtual Conversation scheduled on October 13th from 6 to 7:30 p.m.

No public remarks on official action.

Mayor James presented the Consent Calendar as read by City Clerk Michelle Love for consideration of official action as follows:

Approval of Minutes: Waycross City Commission Planning and Information Session Executive Session, Monday, September 14, 2020, 5:00 p.m.; Public Hearing, Tuesday, September 14, 2020, 4:45 p.m.; and Waycross City Commission Meeting, Tuesday, September 15, 2020, 5:00 p.m.

An Ordinance was presented for second reading:

1. An Ordinance to Amend the Zoning Map of the City of Waycross, Georgia; To Rezone the Property Described Herein Located on Dorothy Street near McDonald Street from C-1 Neighborhood Commercial to M- Medical District; To Set an Effective Date; To Repeal Conflicting Ordinances; and for Other Purposes.

No Privilege License Renewals were presented for approval.

The Consent Calendar was approved by motion from Commissioner Diane Hopkins; seconded by Commissioner Norman Davis, and approved with a 5-0 vote.

The following Privilege License was presented for approval:

1. El Santo Coyote, Alberto & Carmen Toll, 1506 Memorial Drive, Waycross, GA, 31501, Beer, Wine, & Liquor Consumption on Premises.

Commissioner Diane Hopkins motioned that the privilege license be accepted for approval. Mayor Pro Tem John Threat second the motion. The motion was approved.

The following bids were presented for approval:

1. Surplus Property WAYX 21-03. There is an attached list of items that are no longer needed in any City department. Purchasing request items be declared surplus property to be sold on GovDeals.com except for the 2005 Ford Expedition. Purchasing ask the 2005 Ford Expedition be declared surplus property to be traded to Enterprise Fleet Management to offset the cost of the purchase of another vehicle. Commissioner Diane Hopkins motion to accept the surplus list. Commissioner Henry Strickland second the motion. Commissioner Marian Solomon-Gaines opposed. The motion passed with a 4-1 vote.
2. TSPLOST Engineering Services - Marion Street. A request for Marion Street to be added to the TSPLOST Project for engineering service. The City Commission on March 19 reviewed the project. There is an attach Amendment No. 2 to add Marion Street to be completed by Coastal Engineering Consultants for \$28,000.00. Consensus was given by the Commission. Commissioner Diane Hopkins motioned to receive the bid. Mayor Pro Tem John Threat seconded the motion. Discussion was made about the bid. The motion carried with all votes.
3. Emergency Bid Isabella & Nichols Street Drainage Repair. The City Commission gave approval for Engineering to seek emergency bids for repair of drainage on Nichols and Isabella Street. Three bids were received. After staff review, it is the recommendation to award the bid to Thrift Brothers LLC of Waycross, Georgia for \$34,380.00. It was the lowest and best bid meeting all specifications. Commissioner Norman Davis move for approval of the bid. Commissioner Diane Hopkins second the motion. Discussion was made about the bid. The motion passed with all votes.
4. Approve Fireworks Contract for July 4, 2021. In April 2020, the City Commission approved a bid for Pyrotecnico for \$18,000.00 for fireworks. Pyrotecnico has reached out to us and offered a 10% increase of product or 2 minutes add onto the fireworks show for \$18,000. They are offering the same price as this year for next year if we lock it in now. Commissioner Henry Strickland motion for the bid approval. Mayor Pro Tem John Threat second the motion. Discussion was made about the bid. All voted in favor; the motion passed.

5. Resolution to Split Cost of Generator. A generator for Waste Water Treatment Plant for \$725,000.00 to Harold Smith Electric. Since, ESG has negotiated with them. If we buy the generator directly from Yancey Power Systems for \$321,161.00, they would offer a cost to install the generator at \$371,560.00. We would have a savings of \$32,279.00. The Resolution would need to be split to reflect those amounts. The total cost of the project would cost \$692,271.00. Commissioner Henry Strickland move for approval of bid. Commissioner Norman Davis second the motion for approval. Discussion was made concerning the bid. The motion approved with a 5-0 vote.

An Ordinance to Amend the Text of the City of Waycross, Zoning Ordinance; To Amend Article VII Requirements by District Section 708 C-4 Central Business District; Subsection 708.6 Conditional Uses; To Allow for Microblading with conditions was presented for the first emergency reading:

ORDINANCE NO. O20-15

AN ORDINANCE TO AMEND THE TEXT OF THE WAYCROSS ZONING ORDINANCE; TO AMEND ARTICLE VII – REQUIREMENTS BY DISTRICT, SECTION 708 – C-4 CENTRAL BUSINESS DISTRICT; SUBSECTION 708.6 – CONDITIONAL USES; TO ALLOW FOR MICROBLADING WITH CONDITIONS; AND FOR OTHER PURPOSES.

Mayor Pro Tem John Threat made the motion to approve An Ordinance to Amend the Text of the City of Waycross, Zoning Ordinance; To Amend Article VII Requirements by District Section 708 C-4 Central Business District; Subsection 708.6 Conditional Uses; to Allow for Microblading with conditions as presented for the for the first emergency reading. The motion was seconded by Commissioner Norman Davis. Discussion was made pertaining to the ordinance. The motion approved with a 5-0 vote.

An Ordinance amending the Code of the City of Waycross, Georgia Amending Chapter 2, Administration, Article II City Commission Division Meetings Section 2-65 Order of Business and Agenda and Section 2-67 Public Participation in Meetings of the Commission was presented for the second emergency reading:

ORDINANCE NO. O20-16

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 2 – ADMINISTRATION, ARTICLE II. – CITY COMMISSION, DIVISION 1. – MEETINGS, SECTION 2-65 – ORDER OF BUSINESS AND AGENDA,

AND SECTION 2-67 – PUBLIC PARTICIPATION IN MEETINGS OF THE CITY COMMISSION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; AND FOR OTHER PURPOSES. EMERGENCY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; AND FOR OTHER PURPOSES.

Mayor Pro Tem John Threat made the motion to approve an Ordinance amending the Code of the City of Waycross, Georgia Amending Chapter 2, Administration, Article II City Commission Division Meetings Section 2-65 Order of Business and Agenda and Section 2-67 Public Participation in Meetings of the Commission as presented for the first reading. The motion was seconded by Commissioner Henry Strickland; and approved with a 5-0 vote.

A Resolution of the City of Waycross, Georgia to approve Purchase of New Generator for Waste Water Treatment Plant from Yancey Power Systems was presented for approval.

RESOLUTION NO. R20-92

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE PURCHASE OF NEW GENERATOR FOR WASTE WATER
TREATMENT PLANT FROM YANCEY POWER SYSTEMS; AND FOR OTHER
PURPOSES.**

WHEREAS, on September 15, 2020, by Resolution R20-90, incorporated herein by reference as if fully set out, the City Commission approved the purchase and installation of a new generator for the Waste Water Treatment Plant from Smith Electric of Waycross, Georgia, in an amount not to exceed seven hundred and twenty-five thousand dollars (\$725,000.00); and

WHEREAS, since that date, ESG Engineering, on behalf of the City, has negotiated with HES Electric, also known as Smith Electric, to allow the City to purchase the generator directly from Yancey Power Systems for \$321,161.00 and pay HES Electric, also known as Smith Electric, to install said generator, along with other related work, at a cost of \$371,560.00; and

WHEREAS, the total cost of the project will now be \$692,721.00, instead of the original cost of \$725,000.00 for Smith Electric to purchase and install; thus, saving the City \$32,279.00; and

WHEREAS, said matter having been read and considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross hereby sets aside the purchase **and** installation of said generator awarded to Smith Electric in Resolution R20-90; and further approves the purchase of the new generator for the Waste Water Treatment Plant from Yancey Power Systems for an amount not to exceed \$321,161.00, and to allow HES Electric, also known as Smith Electric, to install said generator, along with other related work, at a cost not to exceed \$371,560.00, and to be paid from available FEMA and GEMA grant funds and available city funds.

BE IT FURTHER RESOLVED that the Mayor, City Manager and City Clerk be authorized and directed to execute any agreement or notice of award document on behalf of the City of Waycross, and to do all the acts and things necessary in order to carry out the purposes and intent of this Resolution.

SO RESOLVED, this 6th day of October, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

MICHELLE LOVE, City Clerk

A Resolution of the City of Waycross, Georgia to approve Purchase of New Generator for Waste Water Treatment Plant from Yancey Power Systems was approved by motion from Mayor Pro Tem John Threat. Commissioner Henry Strickland seconded the motion and was approved with a 5-0 vote.

The Resolution of the City of Waycross, Georgia to Approve Fireworks Display Agreement with Pyrotecnico, Inc. for the Fourth of July 2021 Fireworks Exhibition as presented for approval.

RESOLUTION NO. R20-93

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE FIREWORKS DISPLAY AGREEMENT WITH PYROTECNICO, INC.
FOR THE FOURTH OF JULY 2021 FIREWORKS EXHIBITION;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross, Georgia, has traditionally purchased fireworks for the Fourth of July fireworks exhibition in the City of Waycross; and

WHEREAS, the City of Waycross Purchasing Department offered the project through competitive bidding earlier this year for the July 4th, 2020, show, and received and opened only one bid tendered from PYROTECNICO FIREWORKS, INC.; and

WHEREAS, the City of Waycross has successfully contracted for many years with PYROTECNICO FIREWORKS, INC., for this fireworks exhibition; and

WHEREAS, the City of Waycross has been presented with a Fireworks Display Agreement between PYROTECNICO FIREWORKS, INC. and THE CITY OF WAYCROSS, in the form of the Agreement attached hereto, and incorporated herein by reference as if fully set out, and which includes furnishing, delivering and exhibiting fireworks on July 4, 2021, in the City of Waycross, Georgia, for the price of **\$18,000.00**, being the same amount as the July 4, 2020, show; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Fireworks Display Agreement with PYROTECNICO FIREWORKS, INC., a Pennsylvania Corporation, in the form of the Agreement attached hereto, and incorporated herein by reference as if fully set out, be approved for the Fourth of July, 2021, fireworks exhibition in the City of Waycross, Georgia.

BE IT FURTHER RESOLVED that the Mayor, City Manager and City Finance Director be authorized, directed and empowered to advance the sum of **\$18,000.00** to PYROTECNICO FIREWORKS, INC. and its fiscal agent, and to do all the acts and things necessary in order to carry out the purposes and intent of this Resolution.

SO RESOLVED, this 6th day of October, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

MICHELLE LOVE, City Clerk

Mayor Pro Tem John Threat made the motion to approve a Resolution of the City of Waycross, Georgia to Approve Fireworks Display Agreement with Pyrotecnico, Inc. for the

Fourth of July 2021 Fireworks Exhibition Commissioners Henry Strickland seconded the motion and all voted in approval.

The Resolution of the City of Waycross, Georgia to Award a Contract to Thrift Brothers LLC for Isabella Street & Nichols Street Drainage Repair Project was presented for approval.

RESOLUTION NO. R20-94

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AWARD A CONTRACT TO THRIFT BROTHERS, LLC FOR ISABELLA STREET
& NICHOLS STREET DRAINAGE REPAIR PROJECT; AND FOR OTHER
PURPOSES.**

WHEREAS, sinkholes have formed on the north side of the existing catch basin on the west side of Isabella Street just north of its intersection with Isabella Street and within the westbound lane or Isabella Street just east of the intersection with Nichols Street near the north curb line; and

WHEREAS, it appears that the existing 24" clay storm drain piping has severe cracking and several offset joints allowing the soil to enter the storm drainage system and form voids under the pavement; and

WHEREAS, this work needs to be completed on an emergency basis since any additional rainfall will further burden and damage the area; and

WHEREAS, in accordance with the Code of Ordinances of the City of Waycross, section 2-320 (b), the city manager or his designee used best efforts to obtain competitive pricing for said emergency services and all actions taken by the city manager or his designee were pursuant to Code section 2-320 and were otherwise reasonable under the circumstances; and

WHEREAS, bids were requested from three (3) local contractors and three (3) local contractors responded with bids, with Thrift Brothers LLC submitting the lowest and best bid for the project at a cost of \$34,380.00, to be paid out of SPLOST funds; and

WHEREAS, said matter being considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross approves the emergency procedures used by the city manager or her designee and that a contract be awarded to Thrift Brothers LLC for the contract price of \$34,380.00 for the Isabella Street and Nichols Street Drainage Repair Project, to be paid out of available SPLOST funds.

BE IT FURTHER RESOLVED that the Mayor, City Manager and City Clerk be authorized and directed to execute the Contract on behalf of the City of Waycross, and to do all the acts and things necessary in order to carry out the purposes of this Resolution, hereby ratifying and confirming all actions taken and to be taken .

SO RESOLVED, this 6th day of October, 2020.

CITY OF WAYCROSS
BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:
MICHELLE LOVE, City Clerk

Commissioner Henry Strickland made the motion to approve a Resolution of the City of Waycross, Georgia to Award a Contract to Thrift Brothers LLC for Isabella Street & Nichols Street Drainage Repair Project. The motion was seconded by Commissioner Diane Hopkins and approved by a 5-0 vote.

A Resolution of the City of Waycross, Georgia to Amend Contract Awarded to Coastal Engineering Consultants, Inc. to Now Include the Marion Street Resurface Project was presented for approval.

RESOLUTION NO. R20-95

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AMEND CONTRACT AWARDED TO COASTAL ENGINEERING
CONSULTANTS, INC. TO NOW INCLUDE THE MARION STREET RESURFACE
PROJECT; AND FOR OTHER PURPOSES.**

WHEREAS, the City receives a one percent Transportation Special Local Option Sales Tax (hereinafter "TSPLOST") and also receives a one percent Regional TSPLOST; and

WHEREAS, by Resolution No. R19-17, the City of Waycross, after careful consideration, awarded a contract to Coastal Engineering Consultants, Inc., said contract being executed on April 5, 2019, to be the engineering firm to perform the planning, design, engineering, and construction oversight of the Tebeau Street, Haines Avenue and Knight Avenue paving projects; and

WHEREAS, TSPLOST collections began in April 2018 and there are now sufficient funds to continue with the next paving improvement project on streets within the City; and

WHEREAS, the City now desires to add Marion Street from Blackwell Street to S. City Boulevard to the contract with Coastal Engineering Consultants, Inc.; 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, having already accepted and approved the Scope of Services and Fee Proposal 2019 TSPLOST Multi-Infrastructure Improvements contract with Coastal Engineering Consultants, Inc., now approves Amendment No. 2 to said Scope of Services and Fee Proposal, in the form attached hereto as an Exhibit, being 4 pages, and incorporated herein as if fully set forth, so as to now include the Marion Street between Blackwell Street and S. City Boulevard Resurface project, and to be paid for from available TSPLOST funds and not to exceed \$28,000.00.

BE IT FURTHER RESOLVED that the Mayor, City Manager, City Clerk and City Attorney be, and the same are, hereby authorized, directed and empowered to execute the contract in the form attached hereto as an Exhibit in the name of and on behalf of the City of Waycross, hereby ratifying and confirming all the acts and things done and to be done to give effect to this Resolution.

SO RESOLVED AND ADOPTED, this 6th day of October, 2020.

CITY OF WAYCROSS
BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:
MICHELLE LOVE, City Clerk

Commissioner Diane Hopkins made the motion to approve a Resolution of the City of Waycross, Georgia to Amend Contract Awarded to Coastal Engineering Consultants, Inc. to

Now Include the Marion Street Resurface. The motion was seconded by Commissioner Henry Strickland and approved by a 5-0 vote.

A Resolution of the City of Waycross, Georgia to approve and Execute Plan Sponsor Election of "CARES" Act Provisions was presented for approval.

RESOLUTION NO. R20-96

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE AND EXECUTE PLAN SPONSOR ELECTION OF "CARES"
ACT PROVISIONS; AND FOR OTHER PURPOSES.**

WHEREAS, as a benefit to its employees, the City offers participation in a 457(b) plan (hereinafter "Plan") and which is a type of nonqualified, tax advantaged deferred-compensation retirement plan available for governmental employers for its employees; and

WHEREAS, as part of the Coronavirus Aid, Relief, and Economic Security (hereinafter referred to as "CARES") Act, employees who are participants in the City's Plan will be allowed to take a coronavirus-related distribution if they have been impacted by COVID-19 and otherwise are not eligible for a distribution under the terms of the Plan; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Mayor, City Manager, City Clerk, and City Human Resources Director are hereby authorized, directed and empowered to execute the form entitled "Nationwide Retirement Solutions: Plan Sponsor Election of CARES Act Provisions" in the form attached hereto as an Exhibit and incorporated herein as if fully set forth, in the name of and on behalf of the City of Waycross, hereby ratifying and confirming all the acts and things done and to be done to give effect to this Resolution.

SO RESOLVED, this 6th day of October, 2020, nunc pro tunc to 09/23/2020.

CITY OF WAYCROSS
BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:
MICHELLE LOVE, City Clerk

A Resolution of the City of Waycross, Georgia to approve and Execute Plan Sponsor Election of "CARES" Act Provisions was approved by motion from Commissioner Norman

Davis. Commissioner Diane Hopkins seconded the motion and was approved by a 4-1 vote. Commissioner Marian Solomon-Gaines opposed.

Michael Hargrove, 2012 Alice Street, Waycross, Georgia addressed the confederate statue. He asked the statue remain in the park.

Commissioner Davis stated the statute represented slavery. You can put lipstick on a pig, but it's still a pig.

During Last Call, Commissioner Marian Solomon-Gaines stated she wanted to be informed on what was going on in the City. Staff should contact City Manager Tonya Miller, and Ms. Miller should notify her. Commissioner Solomon-Gaines would like to vote to open things back up because the Commission voted to close everything down.

Commissioner Hopkins wanted to know about trash cans being on the side of the road. James Smart explained and expressed what happens if citizens are non-compliant. Commissioner Hopkins ask City Attorney Currie about voting to open parks up. He suggested a Special Called Meeting to allow voting.

Mayor Pro Tem John Threat asked to have a called meeting because a discussion was made in the work session to open things back up. Mayor Pro Tem John Threat made a motion to have a Special Called Meeting at 3:00 p.m. Thursday to open things back up. Commissioner Norman Davis second the motion. Discussion was made about scheduling the meeting; the meeting can be scheduled. The motion passed with a 3-2 vote. Commissioners Marian Solomon-Gaines and Diane Hopkins opposed.

Commissioner Diane Hopkins asked City Manager if signage was up in the parks. Signage was being prepared to be placed in the parks.

Commissioner Henry Strickland thanked staff.

Commissioner Norman Davis stated a person was totally out of order, so if I'm out order don't hit the gavel on me. Pray for one another during this terrible time.

Mayor Pro Tem Threat stated the Commission needed to be consistent across the board. When something is decided let's stick to it. He discussed events going on in the community.

Mayor Michael-Angelo James stated he was made aware something was out of order, but according to section 2-65 of code, there is no last call. There are no procedures to follow during last call.

After last call, Commissioner Norman Davis made the motion to adjourn the meeting. Commissioner Diane Hopkins seconded the motion; all voted in favor and the meeting adjourned.

CITY OF WAYCROSS

ATTEST:



MICHELLE LOVE, City Clerk

BY: 

MICHAEL-ANGELO JAMES, Mayor