

MINUTES

WAYCROSS CITY COMMISSION MEETING

TUESDAY, NOVEMBER 2, 2010 - 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, November 2, 2010. The meeting was called to order by Mayor Clarence Billups at 7:00 p.m. with Commissioners Marian Solomon-Gaines, Norman Davis, Diane Hopkins, William Simmons and Mayor Pro Tem Daniel Yarbrough present for the meeting.

Pastor Trip McKinnon, First Presbyterian Church offered the invocation which was followed by the Pledge of Allegiance.

Under Executive Duties, Mayor Billups informed the Commission and citizens of the upcoming GMA Mayor's Christmas Motorcade, December 8, 2010. Donations of new, wrapped gifts for residents of the regional hospitals will be accepted until December 5 at City Hall, First Station 1 and the Okefenokee Chamber of Commerce.

Mayor Billups presented a Proclamation declaring November 7, 2010 Retired Educator's Day to the Waycross group of Retired Educators.

Deron W. King, City Manager, presented the City Manager's Report. The City Manager reported the Darling Avenue road project which is the result of a failed culvert pipe. Mr. King informed the Commission of the need for rehabilitation of a segment of Darling Avenue between Tebeau Street and Blackshear Avenue. Rehabilitation of this street segment, including culvert replacement is estimated to cost approximately \$300,000. An in-house design effort is already underway and project will be ready to advertise in time for a December project award. Based upon proposed award milestone, City Engineer estimates project completion by mid-February. Commissioner Davis questioned the cost of the project. City Engineer, Frank Baugh explained that the best result will be achieved by cast-in-place box culvert to achieve the conveyance size necessary to handle a 25-year rain event.

Mr. King reported that the renovation of the Waycross Police Department and City Auditorium are scheduled for advertisement this week with bid opening set for December 7, 2010. Last year, the City retained Carter Watkins Associates Architects, Inc. for design development, bidding and contract administration support for these projects. Police Department scope include roof replacement, new HVAC including indoor air supply and return distribution, interior floor plan and plumbing modifications, new lighting, wall, flooring and ceiling finishes, new doors and windows. City Auditorium scope includes new asphalt roof, coping, downspouts, roof accessories and motor/brick repair. City Engineer Frank Baugh informed the Commission that assuming good bids and mid-December project award, anticipate Notice-to-Proceed by end of January with Auditorium roof project complete by end of April and Police Department renovation complete by June.

Mr. King informed the Commission that ESG Operations has promoted Scott Murphy and assigned Larry Yockachonis as Project Manager of the Waycross office.

In presenting the Mayor's Report, Mayor Clarence Billups, thanked the citizens of Waycross for supporting the opening of the VA Clinic. He commented that the VA Clinic will serve many veterans in the surrounding counties.

Mayor Billups informed the Commission and citizens of the upcoming GMA Mayor's Christmas Motorcade, December 8, 2010. Donations of new, wrapped gifts for residents of the regional hospitals will be accepted until December 5 at City Hall, First Station 1 and the Okefenokee Chamber of Commerce.

Mayor Billups thanked all of the citizens of Waycross and Ware County who exercised their privilege to vote today.

Mayor Billups reminded the Commission and citizens of the upcoming National BBQ Festival on Friday and Saturday and the Oak Street Festival on Saturday.

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:

Approval of Minutes: Waycross City Commission Road Closing Public Hearing and Waycross City Commission Meeting, Tuesday, October 5, 2010. 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 Daniel Yarbrough seconded the motion; all Commissioners voted favorably and the motion carried with a 5-0 vote.

The first reading of an Ordinance to Close a Portion of Richmond Avenue was presented:

ORDINANCE NO. 10-07

AN ORDINANCE TO ABANDON AND CLOSE A PORTION OF RICHMOND AVENUE RIGHT-OF-WAY BETWEEN ST. CATHERINE'S DRIVE AND DRAINAGE CANAL; TO AUTHORIZE QUITCLAIM DEEDS TO ADJOINING PROPERTY OWNERS FOR THE ABANDONED RIGHT-OF-WAY; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Commissioner Diane Hopkins made the motion to approve the Ordinance to Close a Portion of Richmond Avenue as presented. Commissioner Daniel Yarbrough seconded the motion; all voted favorably and the motion carried with a 5-0 vote.

The resolution to approve the Amendment to Agreement by and between the Georgia Environmental Finance Authority and the City of Waycross for the Energy Efficiency and Conservation Block Grant Program was presented:

RESOLUTION NO. 10-60

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO APPROVE AMENDMENT TO AGREEMENT BY AND BETWEEN
THE GEORGIA ENVIRONMENTAL FINANCE AUTHORITY
AND CITY OF WAYCROSS
FOR THE ENERGY EFFICIENCY AND CONSERVATION BLOCK
GRANT PROGRAM; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross previously entered into an Intergovernmental Agreement between the Georgia Environmental Finance Authority and the City of Waycross providing for the City of Waycross to implement the Energy Efficiency Conservation Block Grant Program in the City of Waycross, under contract number EECBG-ARRA-GOV-2010-137; and

WHEREAS, the Georgia Environmental Finance Authority and the City of Waycross desire to incorporate the Wage Determinations from the Department of Labor required to be in all requests for proposals and vendor contracts for compliance with the Davis-Bacon and Related Acts; and

WHEREAS, a proposed Amendment has been presented to the Commission of the City of Waycross in the form attached hereto; and

WHEREAS, the parties desire formal approval of the Amendment, and said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross approve and execute the Amendment to Intergovernmental Agreement for the Energy Efficiency and Conservation Block Grant Program with the Georgia Environmental Finance Authority, and for other purposes.

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

SO RESOLVED, this 2nd day of November, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

Commissioner Marian Solomon-Gaines made the motion to approve the resolution to approve the Amendment to Agreement by and between the Georgia Environmental Finance Authority and the City of Waycross for the Energy Efficiency and Conservation Block Grant Program as presented. Commissioner Norman Davis seconded the motion. All Commissioners voted yes and the motion carried with a 5-0 vote.

The resolution to approve the Resolution of the City of Waycross, Georgia to Authorize and Direct an Officer of the City to Execute One or more Lease Supplements for a Lease or Leases under the GMA Direct Leasing Program; To Designate such Leases as Qualified Tax-Exempt Obligations to Provide an Effective Date and for Other Purposes was presented:

SCHEDULE F

RESOLUTION NO. 10-61

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO AUTHORIZE AND DIRECT AN OFFICER
OF THE CITY TO EXECUTE ONE OR MORE
LEASE SUPPLEMENTS FOR A LEASE OR LEASES
UNDER THE GMA DIRECT LEASING PROGRAM;
TO DESIGNATE SUCH LEASES AS QUALIFIED
TAX-EXEMPT OBLIGATIONS;
TO PROVIDE AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross has entered into a Master Lease (the “Master Lease”) dated as of September 24, 2008, with Georgia Municipal Association, Inc. for the leasing from time to time of certain equipment, machinery or other personal property pursuant to Supplemental Leases;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE GOVERNING BODY OF THE CITY:

1. The Mayor of the City is hereby authorized and directed to execute and deliver a Lease Supplement Pursuant to the Master Lease to put into effect one or more leases for (5) 2010 Chevrolet Impala Police Cars (the “Leased Property”); said officer of the City is authorized and directed in the name and on behalf of the City to execute and deliver (i) one or more Lease Supplements for items of the Leased Property in substantially the form attached to the Master Lease, with such changes and additional as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.
2. An appropriation in the City’s current operating budget has previously been made which shall be sufficient to pay the “Rentals” and the “Termination Payment” during the “Starting Term” under such Lease Supplements;
3. The lease or leases contemplated by the said Lease Supplements are hereby designated “Qualified Tax-Exempt Obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986 as amended, and said officer shall be authorized to confirm such designation by execution of appropriate documents in connection therewith.
4. This authorization shall be effective immediately.

RESOLVED, this 2nd day of November, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

Clerk’s Certificate

The undersigned hereby certifies that she is the Clerk of the City of Waycross, Georgia (the “City”), and that the foregoing is a true copy of the Resolution adopted by the governing body of the City at a meeting duly held on November 2, 2010, at which a quorum was present and acting throughout, and that the same has not been rescinded or modified and is now in full force and effect. Given under the seal of the City, this 2nd day of November, 2010.

Julie C. Dinkins, City Clerk

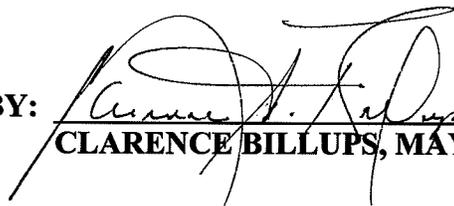
(SEAL)

Commissioner Marian Solomon-Gaines made the motion to approve the resolution to approve the Resolution of the City of Waycross, Georgia to Authorize and Direct an Officer of the City to Execute One or more Lease Supplements for a Lease or Leases under the GMA Direct Leasing Program; To Designate such Leases as Qualified Tax-Exempt Obligations to Provide an Effective Date and for Other Purposes as presented. Commissioner Daniel Yarbrough seconded the motion. All Commissioners voted in favor and the motion carried with a 5-0 vote.

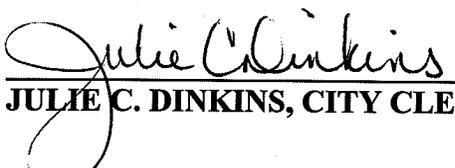
Mr. John Summerlin addressed the Commission regarding baggy pants, inquiring if something can be done about this fad. Mr. Summerlin also complained about the Code pertaining to Corridor Z, in particular the Mixed Use which bans drive through windows. He said he felt that this ban was detrimental to growth in Waycross.

Following closing remarks, the meeting was adjourned by motion from Commissioner Marian Solomon-Gaines seconded by Commissioner Daniel Yarbrough, all voted in favor and Mayor Billups declared the meeting adjourned.

CITY OF WAYCROSS

BY: 
CLARENCE BILLUPS, MAYOR

ATTEST:


JULIE C. DINKINS, CITY CLERK