

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, NOVEMBER 3, 2020
5:00 PM

The Commission of the City of Waycross held the Regular City Commission Meeting on Tuesday, November 3, 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, Commissioners Marian Solomon-Gaines, Diane Hopkins, and Norman Davis. Mayor Pro Tem John Threat and Henry Strickland were not present.

Community Improvement Director Marc Hawkins offered the opening invocation. The Invocation was followed by the Pledge of Allegiance.

During Official Reports, Mayor Michael-Angelo James announced the Homecoming Parade would be on Thursday, November 12, 2020 at 6:00 p.m. Mayor James gave a reminder on the Mayor's Motorcade.

There were 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 October 19, 2020, 5:00 p.m.; Public Hearing, Tuesday, October 20, 2020, 4:45 p.m.; and Waycross City Commission Meeting, Tuesday, October 20, 2020, 5:00 p.m.

The following Ordinance was presented for second reading:

1. An Ordinance to Ratify the Closure and Abandonment of a Portion of Samuel Street from Hicks Street to Memorial Drive; To Authorize a Quitclaim Deed to the Adjoining Property Owner; To Establish an Effective Date; To Repeal Conflicting Ordinances; and for Other Purposes.
2. An Ordinance to Amend the Code of Ordinances of the City of Waycross, Georgia, To Provide for Service Agreement and Maximum Term of Office for the Municipal Court Judge; To Provide an Effective Date; To Repeal All Ordinances and Parts of Ordinances in Conflict Herewith; and for Other Purposes.
3. An Ordinance by the City Commission of the City of Waycross, Georgia, Relating to the Municipal Court; To Proclaim the Existence and Establishment of the Office of Prosecuting Attorney of the Municipal Court; To Outline the Duties as Expressly Allowed by the Constitution and Laws of the State of Georgia; To Provide for Severability; To Provide an Effective Date; To Repeal All Ordinances and Parts of Ordinances in Conflict Herewith; and for Other Purposes.

No Privilege License Renewals were presented for approval.

The Consent Calendar was approved by motion from Commissioner Norman Davis; seconded by Commissioner Marian Solomon-Gaines. Discussion was made about the reading of minutes. Commissioner Marian Solomon-Gaines made a correction on reading the day as Thursday, and it should be read as Tuesday on number three of meetings held. The motion carried with a 3-0 vote.

There were no Privilege License presented for approval.

No bids were presented for approval.

An Ordinance to abandon and close an unopened Alley between Haines Avenue and Stephenson Street as was presented for the first emergency reading:

ORDINANCE NO. O20-23

AN ORDINANCE TO ABANDON AND CLOSE AN UNOPENED ALLEY BETWEEN HAINES AVENUE AND STEPHENSON STREET AS HEREINAFTER DESCRIBED; TO AUTHORIZE A QUITCLAIM DEED; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

An Ordinance to abandon and close an unopened Alley between Haines Avenue and Stephenson Street as presented for the first emergency reading was motion for approval by Commissioner Marian Solomon-Gaines. The motion was seconded by Commissioner Norman Davis. The motion approved with a 3-0 vote.

A Resolution of the City of Waycross, Georgia to approve Joseph R. Johnson, Jr. as Municipal Court Prosecutor to approve the entry of an agreement setting out terms and conditions was presented for approval.

RESOLUTION NO. R20-100

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA TO APPOINT JOSEPH R. JOHNSON, JR. AS MUNICIPAL COURT PROSECUTOR; TO APPROVE THE ENTRY OF AN AGREEMENT SETTING OUT TERMS AND CONDITIONS; AND FOR OTHER PURPOSES.

WHEREAS, the Commission of the City of Waycross, Georgia, is charged with the duty of appointing the Municipal Court Prosecutor pursuant to Waycross Code of Ordinances, Chapter 24, Article III; and

WHEREAS, the City Commission of the City of Waycross desires to appoint Joseph R. Johnson, Jr. to serve as City's Municipal Court Prosecutor through an Independent Contractor Service Agreement (hereinafter referred to as the "Agreement") and not as a City employee, a copy of which is attached hereto as an exhibit and incorporated herein as if fully set out; and

WHEREAS, the term is for one year commencing on January 1, 2021, and terminating on December 31, 2021; and said appointment shall be automatically renewed in January of each year for three (3) additional one (1) year terms unless the Prosecutor is earlier terminated as set out in the agreement; and

WHEREAS, the salary shall be fixed at \$21,949.20 per year payable in twelve (12) equal monthly installments of \$1,829.20; 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, by and through its Commission hereby appoints Joseph R. Johnson, Jr. to serve as Municipal Court Prosecutor upon the terms and conditions as fully set forth in the Independent Contractor Service Agreement attached hereto and hereby made part of the public records of the City of Waycross, Georgia.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and are hereby authorized and directed to execute the Employment Agreement containing the terms and conditions of service and compensation as heretofore set forth and described.

SO RESOLVED, this 3rd day of November, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

MICHELLE LOVE, City Clerk

A Resolution of the City of Waycross, Georgia to approve Joseph R. Johnson, Jr. as Municipal Court Prosecutor to approve the entry of an agreement setting out terms and conditions was approved by motion from Norman Davis. Commissioner Marian Solomon-Gaines seconded the motion and was approved with a 3-0 vote.

The Resolution of the City of Waycross, Georgia to Continue with Contract with Anthem Blue Cross Blue Shield of Georgia for the City's Insurance needs and Services for Calendar Year 2021 as presented for approval.

RESOLUTION NO. R20-101

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO CONTINUE WITH CONTRACT WITH ANTHEM BLUE CROSS BLUE SHIELD
OF GEORGIA, FOR THE CITY'S INSURANCE NEEDS AND SERVICES FOR
CALENDAR YEAR 2021; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross recognizes the continued need for insurance services to cover the City's insurance needs for health, life, AD&D, vision, dental and Short Term Disability / Long Term Disability coverage; and

WHEREAS, last year, the City of Waycross's Benefits Broker, NFP, offered the project through competitive bidding, and received and opened bids tendered, and the City Commission, by Resolution No. R19-72, awarded the above-described insurance coverage to Anthem Blue Cross Blue Shield of Georgia; and

WHEREAS, the City desires to continue with that contract for calendar year 2021; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Contract for health, life, AD&D, vision, dental and Short Term Disability / Long Term Disability insurance services for **calendar year beginning January 1, 2021, through December 31, 2021**, be awarded to Anthem Blue Cross Blue Shield.

BE IT FURTHER RESOLVED that the Mayor, City Clerk, City Human Resources Director and City Attorney be authorized and directed to execute the Contract on behalf of the City of Waycross and any related documents, and to do all the acts and things necessary in order to carry out the purposes and intent of this Resolution.

SO RESOLVED, this 3rd day of November, 2020.

CITY OF WAYCROSS
BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:
MICHELLE LOVE, City Clerk

Commissioner Norman Davis made the motion to approve the Resolution of the City of Waycross, Georgia to continue with Contract with Anthem Blue Cross Blue Shield of Georgia for the City's Insurance needs and Services for Calendar Year 2021 as presented for approval. Commissioners Marian Solomon-Gaines seconded the motion, and all voted in approval.

The Resolution of the City of Waycross, Georgia to Approve the Signing of an Engagement Letter with Attorney Sun S Choy for Legal Representation in a Threatened Civil Lawsuit was presented for approval.

RESOLUTION NO. R20-102

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE THE SIGNING OF AN ENGAGEMENT LETTER WITH ATTORNEY
SUN S. CHOY FOR LEGAL REPRESENTATION IN A THREATENED CIVIL
LAWSUIT; AND FOR OTHER PURPOSES.**

WHEREAS, the Mayor, City Manager and City Chief of Police have received, on or about October 15, 2020, *ante litem* notices from an attorney representing persons with claims against the City of Waycross; and

WHEREAS, the City Commission has been provided the details of the claim, being Pre-Suit Claim No. A3A7268; and

WHEREAS, the City is insured in these type of matters by Travelers Insurance Company (hereinafter "Travelers"); and

WHEREAS, Travelers has retained the services of Sun S. Choy with Freeman Mathis & Gary, attorneys at law, to represent the interests of the City; and

WHEREAS, the City needs to authorize the signing of an engagement letter with Sun S. Choy with Freeman, Mathis & Gary to formalize the terms, conditions, scope and limitations of his legal services and representation of the City; 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 Engagement Letter received from Sun S. Choy with Freeman Mathis & Gary, attorneys at law, reference Pre-Suit Claim No. A3A7268, be approved.

BE IT FURTHER RESOLVED that the Mayor, City Clerk and City Manager be authorized, directed and empowered to sign said Engagement Letter, and to do all the acts and things necessary in order to carry out the purposes and intent of this Resolution.

SO RESOLVED, this 3rd day of November, 2020.

CITY OF WAYCROSS
BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:
MICHELLE LOVE, City Clerk

Commissioner Marian Solomon-Gaines made the motion of approval to receive a Resolution of the City of Waycross, Georgia to Approve the Signing of an Engagement Letter with Attorney Sun S Choy for Legal Representation in a Threatened Civil Lawsuit. The motion was seconded by Commissioner Diane Hopkins and approved by a 3-0 vote.

The following Resolutions were tabled due to inadequate quorum to vote.

1. A Resolution of the City of Waycross, Georgia to appoint Douglas Gibson as Municipal Court Judge to approve the Entry of an Agreement Setting Out Terms and Conditions.
2. A Resolution of the City of Waycross, Georgia, to take appropriate Civil Action as it relates to the Confederate Memorial and Civil War Era Cannon that are located in Phoenix Park.

After last call, Commissioner Marian Solomon-Gaines made the motion to adjourn the meeting. Commissioner Norman Davis seconded the motion; all voted in favor and the meeting adjourned by Mayor Michael-Angelo James.

CITY OF WAYCROSS

BY: + *Michael-Angelo James*
MICHAEL-ANGELO JAMES, Mayor

ATTEST:

Michelle Love
MICHELLE LOVE, City Clerk