

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, NOVEMBER 4, 2014
7:00 P.M.

The Commission of the City of Waycross met in Regular Session on Tuesday, November 4, 2014 in the Commission Chambers of City Hall. The meeting was called to order by Mayor Clarence Billups at 7:00 p.m. Those in attendance with Mayor Billups were Commissioners, Marian Solomon-Gaines, Norman Davis, Larry Ethridge, and Alvin Nelson. Mayor Pro Tem Diane Hopkins was not at the meeting.

City Manager Raphel Maddox introduced his pastor, Pastor Morris Pate, Fourth Mt. Olive Church, Blackshear, Georgia who offered the opening invocation. Commissioner Marian Solomon-Gaines introduced Paisley Madison Simmons, a 4th grade student at Williams Heights School who led the Pledge of Allegiance.

Acting Human Resources Manager, Allison Herrin introduced Matt Hall of the Finance Department as the November, 2014 Employee of the Month.

City Manager Raphel Maddox presented the City Manager Report, thanking his pastor, Morris Pate for offering the invocation for the meeting. Mr. Maddox thanked everyone for supporting the Oak Street Food Festival.

The First Semi-Annual Fall Job and Business Fair will be held in the City Auditorium on November 20, 2014 from 11:00 a.m. to 2:00 p.m. Mr. Maddox announced that the City of Waycross in collaboration with the Greater Satilla Area Employers' Committee will be offering Resume' and on-line application assistance, which will be available from 8:00 a.m. until 11:00 a.m. Mr. Maddox emphasized that applicants should bring their social security cards, a picture ID and dress appropriately.

Community Improvement Director Sloan Fountain informed the public that the annual Christmas Parade will be held on Saturday, December 6 and applications are on-line at waycrossga.com.

Mayor Billups congratulated the Oak Street Food Festival organizers and the committee for a successful event. He commended Mr. Maddox and Patrick Simmons of the Ga. Dept. of Labor for the Job Fair and thanked all who participated in Pumpkinfest 2014.

Fire Chief David Eddins stated it is time for the annual GMA Mayor's Motorcade. Donations will be solicited for the clients at the Georgia Regional Hospital in Savannah. Boxes will be placed at City Hall, the Police Station and Fire Station 1. The gift list will be posted on the Fire Department's Facebook page and at City Hall.

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, October 20, 2014; and Waycross City Commission Meeting, Tuesday, October 21, 2014.

Two Ordinances were submitted for second readings.

ORDINANCE NO. 14 – 26

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF WAYCROSS, GEORGIA, AND THE ZONING MAP; TO REZONE THE PROPERTY DESCRIBED HEREIN LOCATED AT 942 PENDLETON STREET FROM C-1 NEIGHBORHOOD COMMERCIAL TO C-2 HIGHWAY COMMERCIAL; TO SET AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

ORDINANCE NO. 12-25

AN ORDINANCE TO REPEAL SECTIONS 12-19 AND 12-21 OF CHAPTER 12, ARTICLE II OF THE CODE OF ORDINANCES OF WAYCROSS, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; AND FOR OTHER PURPOSES.

There were no Consent Resolutions or Privilege License Renewals.

Commissioner Norman Davis made the motion to approve the Consent Calendar as presented. The motion was seconded by Commissioner Alvin Nelson. All Commissioners voted yes and the motion was approved with a 4 – 0 vote.

A Resolution to Authorize Repeal of House Bill 591 Pertaining to Rules for Meetings of the City Commission was submitted for approval.

RESOLUTION NO. 14-73

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO AUTHORIZE REPEAL OF HOUSE BILL 591 PERTAINING TO RULES FOR MEETINGS OF THE CITY COMMISSION; AND FOR OTHER PURPOSES.

WHEREAS, House Bill No. 591 was passed during the 2011-2012 Regular Session of

the Georgia General Assembly and amended the Charter of the City of Waycross to provide that citizens of the City of Waycross shall have the right to address or speak to the City Commissioners on official actions or other topics relating to the business of the City Commission at meetings of the City Commission by expressing their desire to speak no later than the beginning of the meeting at which such citizens desire to address or speak to the City Commissioners; and

WHEREAS, House Bill 591 was signed into law by the Governor of the State of Georgia on March 13, 2011; and

WHEREAS, House Bill 591 specifically amended Section 2-33 (b) of the Code of the City of Waycross as follows:

- (b) Any citizen of the City of Waycross shall have the right to address or speak to the City Commissioners for not longer than five minutes on official actions or other topics relating to the business of the City Commission at meetings of the City Commission by expressing his or her desire to speak no later than the beginning of the meeting at which such citizen desires to address or speak to the City Commissioners. The City Commission may enact reasonable restrictions on the exercise of such right, including, but not limited to, decorum and identification of speakers; provided, however, that the City Commission shall not impose any requirements that such citizens sign up or express their desire to speak at any earlier time or date than provided in this subsection.

WHEREAS, prior to the enactment of House Bill 591, Section 2-33 (b) of the City Charter provided as follows:

(b) Persons who wish to address the Commission under the "Guests" agenda item must register in writing with the City Clerk no later than 5:00 P.M. on the Thursday immediately before a regularly scheduled meeting of the City Commission, and must state the subject matter of the speaker's remarks. The following shall apply:

- (1) The speaker must begin the remarks by stating his/her name, address and organization represented, if any.
- (2) The speaker must address all remarks to the mayor, and not to any individuals.
- (3) The speaker's comments must be pertinent to the subject matter listed by the speaker upon registration.
- (4) The speaker must avoid personal comments, political comments, and must avoid repetition and argument.
- (5) The speaker's comments shall be limited to five minutes.

- (6) Except for unusual circumstances after a vote by a majority of the City Commissioners present at such meeting will a person who has not satisfied the sign up requirements be allowed to speak.
- (7) All speakers must conduct themselves in a respectful manner, and avoid vulgar, obscene and profane language.
- (8) The City Commission, by majority vote of the members present, may suspend all or any of these rules.
- (9) Any person who violates any of these rules may be removed from the meeting.
- (10) Any speaker or proposed speaker who violates these rules after first being warned by the Mayor or the City Commission, either or both, to cease such violation shall, upon conviction in the municipal court of the City, be guilty of an offense and punished as set forth in section 1-6 of this Code.

WHEREAS, the Commissioners of the City of Waycross have expressed their desire to repeal House Bill 591 and return to the provisions of the City Charter for "Guests" desiring to address the City Commission prior to the enactment of House Bill 591, as set forth hereinabove in former Section 2-33 (b) (1) through (b) (10), inclusive; and

WHEREAS, the Commissioners of the City of Waycross believe that repeal of House Bill 591 would not impair the right of any citizen to address the City Commission as a "Guest" in any manner, not having ever received any citizen complaints regarding the procedure that was in place before enactment of House Bill 591; and

WHEREAS, prior to the enactment of House Bill 591, the City Commission had a reasonable opportunity to investigate citizen questions and comments in advance and make sure that appropriate City staff would be present at the regularly scheduled public meeting at which a citizen desired to address the Commission; 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 calls on the Georgia State Legislative Delegation representing the City of Waycross, including Representative Jason Shaw, Representative Jason Spencer, Representative Ellis Black and Senator Tyler Harper, to forthwith repeal House Bill 591 enacted during the 2011-2012 Regular Session of the General Assembly, and reinstate the former City Charter provision regarding Rules for Meetings of the City Commission that were in effect immediately prior to passage of House Bill 591, as set forth hereinabove.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to said Georgia State Legislative Delegation representing the City of Waycross, 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 execute any additional documents needed or appropriate, and to take any action necessary to implement this Resolution in the most effective manner possible.

SO RESOLVED, this 4th day of November, 2014.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE E. BILLUPS, Mayor

ATTEST:

JULIE DINKINS, City Clerk

Commissioner Marian Solomon-Gaines made the motion to approve the Resolution to Authorize Repeal of House Bill 591 Pertaining to Rules for Meetings of the City Commission as submitted for approval. Commissioner Larry Ethridge seconded the motion; all voted in favor and the motion carried.

A Resolution of the City of Waycross To Authorize Approval of an Amendment Regarding Police Court was presented.

RESOLUTION NO. 14-75

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AUTHORIZE APPROVAL OF AMENDMENT TO THE CITY
CHARTER REGARDING POLICE COURT;
AND FOR OTHER PURPOSES.**

WHEREAS, Section 59 of the Charter of the City of Waycross, Georgia, provides for the creation of a Police Court; and

WHEREAS, said Police Court is vested with jurisdiction to try and determine all offenses against the laws and ordinances of the City committed within the jurisdictional limits of the City of Waycross, and upon conviction, to punish the offenders for the violations of such laws and ordinances by imposing such fines and sentences, and inflicting such punishment as shall be prescribed by the provisions of this Act and the ordinances and resolutions adopted in pursuance thereof; and

WHEREAS, the Commission of the City of Waycross desires to change the name of the court from "Police Court" to "Municipal Court"; and

WHEREAS, the Commission of the City of Waycross desires to vest the Police Court, to be renamed Municipal Court, with all the jurisdiction and judicial powers throughout the entire area of the City of Waycross granted by State laws generally to municipal courts, including the power to impose sentences for those offenses that carry a maximum penalty under State law of up to twelve (12) months imprisonment, and particularly by such laws as authorize the abatement of nuisances; and

WHEREAS, the Commission of the City of Waycross desires to vest the Police Court, to be renamed Municipal Court, with all the judicial powers necessary and proper to function as a Municipal Court consistent with the mandates of applicable State laws; and

WHEREAS, the current Section 59 of the Charter of the City of Waycross should be repealed in its entirety and replaced with a new Section 59 to be entitled Municipal Court, as set forth in the attached **Exhibit "A"**; and

WHEREAS, Section 15 (d) (1) and Section 105, which both refer to the office of city recorder, should be repealed, and replaced with a new Section 15 and 105, as set forth in the attached **Exhibit "A"**; and

WHEREAS, Code of Ordinances Section 1-6, which refers to the police court and recorder, and Section 29.1 through 29.17, inclusive, which makes reference to the police court and recorder, should be amended and replaced with a new Code of Ordinance Section 1-6 and Section 29.1 through Section 29.47, inclusive, as set forth in attached **Exhibit "A"**; 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 calls on the Georgia State Legislative Delegation representing the City of Waycross, including Representative Jason Shaw, Representative Jason Spencer, Representative Ellis Black and Senator Tyler Harper, to forthwith repeal Section 59 of the Charter of the City of Waycross in its entirety, and replace it with a new Section 59 to be entitled "Municipal Court", as set forth in the attached **Exhibit "A"**, and incorporated herein by reference.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to said Georgia State Legislative Delegation representing the City of Waycross, 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 execute any additional documents needed or appropriate, and to take any action necessary to implement this Resolution in the most effective manner possible.

SO RESOLVED, this 4th day of November, 2014.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE E. BILLUPS, Mayor

ATTEST:
JULIE DINKINS, City Clerk

A Resolution of the City of Waycross To Authorize Approval of an Amendment Regarding Police Court was approved by motion from Commissioner Marian Solomon-Gaines. The motion was seconded by Commissioner Alvin Nelson; all voted affirmatively and the motion was approved with a 4-0 vote.

A Resolution of the City of Waycross to Amend the Fiscal Year 2015 Budget by Approving the Transfer of Excess Funds from One Account to Another Account to provide for Salary Adjustment was presented for review.

RESOLUTION NO. 14-74

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AMEND THE FISCAL YEAR 2015 BUDGET BY APPROVING THE TRANSFER
OF EXCESS FUNDS FROM ONE ACCOUNT TO ANOTHER ACCOUNT TO
PROVIDE FOR SALARY ADJUSTMENT;
AND FOR OTHER PURPOSES.**

WHEREAS, O.C.G.A. Section 36-81-3 (d) allows a local government to amend its budget so as to adapt to changing governmental needs during a budget period; and

WHEREAS, the City Commission of the City of Waycross adopted a balanced Budget of \$13,397,773.00 for Fiscal Year 2015 on June 17, 2014; and

WHEREAS, the City Commission deems it necessary to amend the Fiscal Year 2015 Budget by transferring \$16,200.00 from the City Manager budget (Account No. 100-51-1-320-32-1100) and adding it to the Community Improvement budget (\$15,000.00 to Account No. 100-51-7-310-57-1100 and \$1,200.00 to Account No. 100-51-7-310-57-2200) in order to make a salary adjustment.

NOW, THEREFORE, BE IT RESOLVED that the above said adjustments to the Fiscal Year 2015 Budget be made and a copy of the amended Budget be attached hereto and made a part hereof for the Fiscal Year beginning July 1, 2014, and ending June 30, 2015.

SO RESOLVED this 4th day of November, 2014.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE E. BILLUPS, Mayor

ATTEST:
JULIE DINKINS, City Clerk

Commissioner Norman Davis made a motion to approve a Resolution of the City of Waycross to Amend the Fiscal Year 2015 Budget by Approving the Transfer of Excess Funds from One Account to Another Account to provide for Salary Adjustment as presented. Commissioner Alvin Nelson seconded the motion. The vote was unanimous for approval.

A Resolution of the City of Waycross to Pay Downtown Waycross Development Authority (DWDA) for Second Draw on Repairs to the Rail Depot and the REA Buildings Project was presented for approval.

RESOLUTION NO. 14-76

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO PAY DOWNTOWN WAYCROSS DEVELOPMENT
AUTHORITY FOR SECOND DRAW ON REPAIRS TO THE RAIL
DEPOT AND THE REA BUILDINGS PROJECT;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross, on behalf of the Downtown Waycross Development Authority (hereinafter "DWDA"), awarded the project for repairs to the Rail Depot and the REA Freight Depot buildings to Craft Development of Waycross, Georgia, by Resolution dated August 5, 2014, in the amount of \$106,887.00; and

WHEREAS, Craft Development, Inc. has submitted an invoice, dated October 27, 2014, for work completed to date, less previous amount billed; and

WHEREAS, DWDA has submitted a request in the amount of \$47,654.95 to pay Craft Development, Inc. for the second draw on work completed in said project; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that, based on the contract awarded to Craft Development of Waycross, Georgia, as set out above, payment of \$47,654.95 be made to DWDA for the second draw on Rail Depot and REA Freight building project, to be paid to Craft Development, Inc., and from SPLOST funds.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to make payment to DWDA 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 4TH day of November, 2014.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE E. BILLUPS, Mayor

ATTEST:

JULIE DINKINS, City Clerk

A Resolution of the City of Waycross to Pay Downtown Waycross Development Authority (DWDA) for Second Draw on Repairs to the Rail Depot and the REA Buildings Project was approved by motion from Commissioner Alvin Nelson. The motion was seconded by Commissioner Norman Davis; all voted yes and the motion was approved with a 4-0 vote.

Mr. Jimmie Burke addressed the Commission regarding the 2014 Ware County Gator Football Team. Mr. Burke noted that football is a community effort and these are historic times. Mr. Burke stated that he proud to be a supporter of the Ware County Gators and the City of Waycross.

Mr. Emory Marcus stated that if the Gators win Friday, they will have a 10 – 0 record. Mr. Marcus asked that the Commissioners and the public all donate to the Gator football team for winter warm-ups.

Mr. Maddox informed the Commission that Mr. Crews with the FCA asked the City to feed the football team if they make it to the play-offs.

Mr. David Kirby addressed the Commission, stating that the Repeal of House Bill 591 would, in his opinion, infringe upon the First Amendment Rights of the citizens of Waycross. Mr. Kirby asked the Commission to consider allowing citizens to continue to sign-up before the Commission meeting, as well as to speak on any subject.

Mr. Curtis Virgil, Jr., 1405 Bunche Street talked with the Commission and public regarding infectious diseases and HIV. Mr. Virgil cited many statistics regarding HIV in the Waycross Ware County area. Mr. Virgil asked the Commissioners and City to support an Infectious Diseases / HIV day planned for December 1, 2014 to promote testing and increase education in the Waycross area. He also requested a Proclamation in support of the Day of Awareness.

Ms. Carolyn Hayes, 1516 Myers Avenue, read a poem written by Mr. Maurice Mungin.

During last call, Commissioner Larry Ethridge thanked the City staff for everything being accomplished in District 2; Commissioner Marian Solomon-Gaines thanked the City staff for a job well done; Commissioner Alvin Nelson reminded citizens that Veterans Day is November 11. Mr. Nelson also stated that if citizens would speak with the City Manager or their district

representative before the meeting, the City staff would have an opportunity to research and be prepared with an answer to their questions

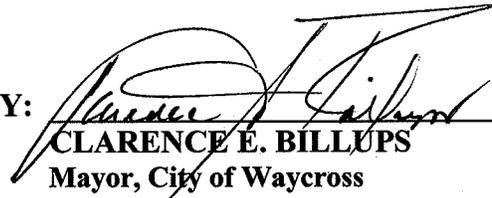
Mayor Clarence Billups thanked for City of Waycross employees for all that they do. He noted that street striping is becoming a safety issue and the City needs to begin to work on this problem. He advised the Ware County Football Team, fans, parents and all involved to "savor the moment".

Police Chief Tony Tanner shared with the Commission and public that the Okefenokee Exchange Club Fair begins Tuesday, November 11, 2014. He urged everyone to come out stating that advance tickets are available, Tuesday is Sneak a Peak day, Kid's day is Saturday and many other deals are being offered this year. Chief Tanner and Mayor Billups joined in urging citizens to come out to the fair.

After last call, Commissioner Norman Davis made the motion to adjourn the meeting. Commissioner Alvin Nelson seconded the motion. All voted in favor and Mayor Billups adjourned the meeting.

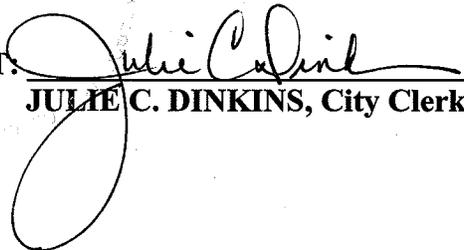
CITY OF WAYCROSS

BY:



CLARENCE E. BILLUPS
Mayor, City of Waycross

ATTEST:



JULIE C. DINKINS, City Clerk