

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, DECEMBER 15, 2020
5:00 PM

The Commission of the City of Waycross held their Regular City Commission Meeting on Tuesday, December 15, 2020 in the Commission Chambers of City Hall. The meeting was called to order by the Honorable Mayor Michael-Angelo James at 5:00 p.m. Members in attendance were: Mayor James, Commissioners Marian Solomon-Gaines, Norman Davis, Henry Strickland, and Diane Hopkins. Mayor Pro Tem John Threat was absent.

James Smart Public Works Department offered the opening invocation. The Invocation was followed by the Pledge of Allegiance led by Mayor Michael-Angelo James.

Finance Director China Williams introduced Haley Rigdon, Finance Department as December Employee of the Month.

City Attorney Rick Currie announced three public hearings scheduled for Tuesday, February 2, 2021 at 4:15 p.m., Tuesday, February 2, 2021 at 4:30 p.m., and Tuesday, January 5, 2021 at 4:45 p.m.

There were no public remarks on official action.

City Attorney Rick Currie called for a point of order. The items p and r section 3 be removed from the Consent Calendar for further discussion by a Commissioner objecting. Commissioner Marian Solomon-Gaines object that p and r be removed from the Consent Calendar.

Mayor James presented the Consent Calendar as read by Acting City Clerk China Williams for consideration of official action as follows:

Approval of Minutes: Waycross City Commission Planning and Information Session and Executive Session, Monday, November 30, 2020 and Waycross City Commission Meeting, Tuesday, December 1, 2020.

There were no consent resolutions or second ordinance readings.

The following Privilege Licenses were presented to the Commission for renewal for 2021.

- a. Aden's Mini Market #48, Donna Justice, 2198 Brunel Road, Waycross, Georgia 31501, Package Sales, Beer and Wine
- b. Applebee's Neighborhood Grill, Tammy Rubenbauer, 1901 Memorial Drive, Waycross, Georgia 31501, Consumption on Premises, Beer, Wine, Liquor
- c. KD's BBQ & Café Inc., Kevin D. Woods, 504 Elizabeth Street, Waycross, Georgia 31501, Consumption on Premises, Beer and Wine
- d. Oscar's Bar & Grill, Jayeshkumar Patel, 1725 Memorial Drive, Waycross, Georgia 31501, Consumption on Premises, Beer, Wine, and Liquor.

- e. Kroger, Kelsi Delayna Strickland, 1606 Memorial Drive, Waycross, Georgia 31501, Package Sales, Beer and Wine
- f. Ruby Tuesday #4801, Amber Nicole Hamilton, 2263 Memorial Drive, Waycross, Georgia 31501, Consumption on Premises, Beer, Wine, and Liquor
- g. Dollar General #9826, Ja'Von Green, 1803 Knight Avenue Ste. J, Waycross, Georgia 31501, Package Sales, Beer and Wine
- h. Walgreens #9277, Debra Smith, 1740 Memorial Drive, Waycross, Georgia 31501, Package Sales, Beer and Wine
- i. Cavagnaro's, Tammy Cavagnaro, 1810 South Georgia Parkway, Waycross, Georgia 31503, Consumption on Premises, Beer, Wine, and Liquor
- j. Walmart #4527, Pamela Griffin, 1603 Plant Avenue, Waycross, Georgia 31501, Package Sales, Beer and Wine
- k. Thai Smile, Jirawan Cheekwang, 314 Pendleton Street, Waycross, Georgia 31501, Consumption on Premises, Beer and Wine
- l. Quick Mart, Shohal Inc., Prabhudas Patel, 800 Ossie Davis Parkway, Waycross, Georgia 31501, Package Sales, Beer and Wine
- m. Flash Foods LLC, DBA Circle K #2745133, Jennifer Bennett, 1736 South Georgia Parkway West, Waycross, Georgia 31501, Package Sales, Beer and Wine
- n. Bunky's, Himanshu G. Patel, 1545 Ossie Davis Parkway, Waycross, Georgia 31501, Package Sales, Beer and Wine
- o. Waycross Good & Beverage, Shivang Shah, 1302 Brunel Street, Waycross, Georgia 31501, Package Sales, Beer and Wine
- p. American Legion, Anthony Dixon, 710 Dorothy Street, Waycross, Georgia 31501, Consumption on Premises, Beer, Wine, and Liquor
- q. Topsy's Inc. DBA Topsy's Prabhudas Patel, 1711 Ossie Davis Parkway, Waycross, Georgia 31501, Package Sales, Beer and Wine
- r. American Legion, Anthony Dixon, 710A Dorothy Street, Waycross, Georgia 31501, Package Sales, Beer, Wine and Liquor
- s. Siya Arpita Inc. DBA Crossway, Ankit Patel, 385, Ossie Davis Parkway, Waycross, Georgia 31501, Package Sales, Beer and Wine
- t. The Vibe Events, Rupesh Patel, 215 Knight Avenue, Waycross, Georgia 31501, Consumption on Premises, Beer, Wine, and Liquor
- u. Booze Outlet Inc., Rupesh Patel, 1930 Brunswick Highway, Waycross, Georgia 31501, Package Sales, Beer, Wine, and Liquor
- v. Bella's Wellness & Body shop, Lisa Hornsby, 424 Hicks Street, Waycross, Georgia 31503, Consumption on Premises, Wine
- w. Sai Ram Equity DBA 1st Stop Foods, Rajesh Patel, 709 North Nicholls Street, Waycross, Georgia 31501, Package Sales, Beer and Wine
- x. Khodiyar1942 Inc., Samir Patel, 507 S City Blvd, Waycross, Georgia 31501, Package Sales, Beer and Wine
- y. Shree Raj, Raj Patel, 610 Memorial Drive, Waycross, Georgia 31501, Package Sales, Beer and Wine

- z. El Santo Coyote, Carmen S Toll, 1506 Memorial Drive, Waycross, Georgia 31501, Consumption on Premises, Beer, Wine, and Liquor

The Consent Calendar was approved by motion from Commissioner Marian Solomon-Gaines; Commissioner Marian Solomon-Gaines amend her motion to reflect corrections on letter u address 1930 Brunswick Highway. Commissioner Diane Hopkins seconded; and approved with a 4-0 vote.

Privilege License letters p and r were read and discussed for approval. Chief Cox explained the owner marked the incorrect information on the application. Privilege License p was motioned for approval by Commissioner Norman Davis, and the motion was second by Marian Solomon-Gaines. Privilege License r was motioned for renewal by Commissioner Marian Solomon-Gaines motioned for approval. Commissioner Norman Davis seconded the motion. Both Privilege License passed for renewal.

One Privilege License was presented for approval. NS Traders LLC DBA Johnny's Food Store, Muhammad Nadeem, 819 Glenmore Avenue, Waycross, Georgia 31501; Package Sales, Beer and Wine. The Privilege License was approved by motion from Commissioner Norman Davis; seconded by Commissioner Marian Solomon-Gaines and unanimously approved.

Finance Director China Williams presented RFQ-FY21-13 Engineering Services for GEFA. Request were issued, and 6 qualified firms submitted. After staff review, it is the recommendation to choose ESG Engineering as our Engineer for all upcoming GEFA applications for the City. ESG has the highest score and is currently in-house Engineer. Previously, ESG has previously applied for awarded GEFA grants. Discussion was made. Commissioner Diane Hopkins motioned for approval; Commissioner Marian Solomon-Gaines seconded the motion. The bid passed with all votes.

A Resolution of the City of Waycross, Georgia to Amend the Fiscal Year 2020 Budget was presented for approval.

RESOLUTION NO. R20-108

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO AMEND THE FISCAL YEAR 2020 BUDGET; AND FOR OTHER PURPOSES.

WHEREAS, the City of Waycross has funds and appropriations that were not set and approved in the Fiscal Year 2020 budget by the City Commission; and

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; and

WHEREAS, the City Commission of the City of Waycross adopted a balanced Budget for Fiscal Year 2020 on June 18, 2019; and

WHEREAS, the City Commission deems it necessary to amend the Fiscal Year 2020 Budget by setting the budget and reflecting the following amounts in the designated accounts, and as reflected in attached Exhibit A (being 3 pages), in the amounts and form attached hereto and incorporated herein as if fully set forth, into the Amended Fiscal Year 2020 budget; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED that City Commission hereby approves the above-mentioned amendments and adjustments to the Fiscal Year 2020 Budget, as set out in attached Exhibit A (being 3 pages), and incorporated herein as if fully set forth, and in hereby made a part of the Amended Fiscal Year 2020 budget.

SO RESOLVED this 15th day of December, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

CHINA WILLIAMS, Acting City Clerk

Commissioner Norman Davis made the motion to approve the Resolution of the City of Waycross, Georgia to Amend the Fiscal Year 2020 Budget was presented for approval. Commissioner Marian Solomon-Gaines seconded the motion; all voted in favor and the motion carried.

A Resolution of the City of Waycross, Georgia, to allow Municipal Court to be Held at the C.C. McCray City Auditorium for the First Six Months of the Calendar Year 2021 was presented for approval.

RESOLUTION NO. R20-109

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO ALLOW MUNICIPAL COURT TO BE HELD AT THE C.C. McCRAY CITY AUDITORIUM FOR THE FIRST SIX MONTHS OF CALENDAR YEAR 2021; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Section 59 (1) of the Waycross City Charter: “The municipal court shall be held at such place as the city commission shall prescribe by ordinance, or as may be necessitated by emergencies of the case; and

WHEREAS, pursuant to Section 24-1 of the Waycross Code of Ordinances, “[t]he sessions of the municipal court shall be held in the courtroom of the police administration building located at 512 Oak Street, Waycross, Georgia, or in the discretion of the judge or judge pro tempore, in the county courthouse; and

WHEREAS, the Municipal Court Judge and the Chief of Police, due to the continuing effects of the COVID-19 pandemic, hereby petition the City Commission to allow municipal court to continue to be held at the C.C. McCray City Auditorium for the first six (6) months of calendar year 2021, so proper social distancing can be achieved; and

WHEREAS, matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Municipal Court of the City of Waycross is hereby authorized to hold any and all court proceedings as required, determined and set by the Municipal Court Judge at the C.C. McCray City Auditorium from January 1, 2021, until July 1, 2021.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed 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 15th day of December, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:
CHINA WILLIAMS, Acting City Clerk

A Resolution of the City of Waycross, Georgia, to allow Municipal Court to be Held at the C.C. McCray City Auditorium for the First Six Months of the Calendar Year 2021 was approved by motion from Commissioner Diane Hopkins; seconded Commissioner Diane Hopkins and approved with a unanimous vote. Discussion was made.

A Resolution of the City of Waycross, Georgia, to approve ESG Engineering of Macon Georgia, for Preparing and Submitting GEFA Applications on Behalf of the City was presented for approval.

RESOLUTION NO. R20-110

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO APPROVE ESG ENGINEERING OF MACON, GEORGIA, FOR PREPARING AND SUBMITTING GEFA APPLICATIONS ON BEHALF OF THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Waycross will have the need for an engineering firm to assist with the preparation and submittal of applications for Georgia Environmental Finance Authority (GEFA) projects, grants and loans; and

WHEREAS, the City of Waycross issued Request for Qualifications from engineering firms for said assistance as described above; and

WHEREAS, after staff review of six (6) qualified engineering firms submitting qualifications, it is the recommendation to select ESG Engineering of Macon, Georgia, as the engineering firm for all upcoming GEFA applications that the City may apply for during calendar year 2021; and

WHEREAS, ESG Engineering is presently the City's in-house engineering firm and has also applied for previously awarded GEFA grants and loans; and

WHEREAS, said matter having been considered.

THEREFORE, BE IT RESOLVED that the City Commission of the City of Waycross selects, and will utilize, the engineering services of ESG Engineering of Macon, Georgia, for assistance in the preparation and submittal of applications for Georgia Environmental Finance Authority (GEFA) projects, grants and loans for calendar year 2021.

IT IS FURTHER RESOLVED that the Mayor, City Manager, City Clerk and City Attorney be authorized and directed to execute this Resolution 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 15th day of February, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

CHINA WILLIAMS, Acting City Clerk

A Resolution of the City of Waycross, Georgia, to approve ESG Engineering of Macon Georgia, for Preparing and Submitting GEFA Applications on Behalf of the City was approved by Commissioner Marian Solomon-Gaines with motion. The motion was seconded by Commissioner Diane Hopkins. All voted in favor.

A Resolution of the City of Waycross, Georgia, to award Contract to Safety National for the City's Workers' Compensation Insurance Needs and Services for Calendar Year 2021 was presented to the Commission for approval.

RESOLUTION NO. R20-111

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AWARD CONTRACT TO SAFETY NATIONAL FOR THE CITY'S WORKERS'
COMPENSATION 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 workers' compensation coverage; and

WHEREAS, the City of Waycross's Benefits Broker, McNeal Sports and Wilson Risk Advisors, offered the project through competitive bidding, and received and opened bids tendered; and

WHEREAS, Safety National submitted the best proposal to meet all of the City's insurance needs and pricing; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the contract for Workers' Compensation insurance services for calendar year beginning January 1, 2021, through December 31, 2021, be awarded to Safety National.

BE IT FURTHER RESOLVED that the Mayor, City Manager, 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 to do all the acts and things necessary in order to carry out the purposes and intent of this Resolution.

SO RESOLVED, this 15th day of December, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

CHINA WILLIAMS, Acting City Clerk

A Resolution of the City of Waycross, Georgia, to award Contract to Safety National for the City's Workers' Compensation Insurance Needs and Services for Calendar Year 2021 was approved as presented by Commissioner Norman Davis with motion. The motion was seconded by Commissioner Diane Hopkins. Discussion was made. All voted in favor.

A Resolution of the City of Waycross, Georgia, To Excuse the Absences of John Threat, City Commissioner for District 2, Due to Hospitalization and Sickness was presented to the Commission for approval.

RESOLUTION NO. R20-112

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO EXCUSE THE ABSENCES OF JOHN THREAT, CITY COMMISSIONER FOR DISTRICT 2, DUE TO HOSPITALIZATION AND SICKNESS; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Section 22 of the Waycross City Charter, "[a]bsence of any member of said commission from four consecutive regular meetings thereof shall operate to vacate the seat of said commissioner so absent, unless the absence is excused for legitimate cause by the commission by resolution setting forth the reason thereof and entered upon the journal"; and

WHEREAS, John Threat, City Commissioner in District 2, was hospitalized for COVID-19 the end of November, 2020, for 12 days and is now resting and isolating until released by the doctor to return to regular activities; and

WHEREAS, Commission Threat has been absent from the following consecutive regular meetings of the City Commission on Tuesday, November 3, 2020; Tuesday, November 17, 2020; Tuesday, December 1, 2020 and Tuesday, December 15, 2020; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the absences of District 2 City Commissioner John Threat from four (4) consecutive regular

meetings as set out above are excused for legitimate cause, to wit: hospitalization, rest and isolation until released by doctor and able to return to City Commission regular meetings.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to do all the acts and things necessary in order to carry out the purposes of this Resolution including the entry upon the journal, hereby ratifying and confirming all actions taken and to be taken.

SO RESOLVED, this 15th day of December, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

CHINA WILLIAMS, Acting City Clerk

A Resolution of the City of Waycross, Georgia, To Excuse the Absences of John Threat, City Commissioner for District 2, Due to Hospitalization and Sickness was motion for approval by Commissioner Marian Solomon-Gaines with motion. The motion was seconded by Commissioner Diane Hopkins. Discussion was made. The motion approved with all votes.

A Resolution of the City of Waycross, Georgia, to Appoint Teresa Bowen as Municipal Court Public Defender, to approve the Entry of an Agreement Setting out Terms and Conditions was presented for approval.

RESOLUTION NO. R20-113

**A RESOLUTION OF THE CITY OF WAYCROSS,
GEORGIA TO APPOINT TERESA BOWEN AS
MUNICIPAL COURT PUBLIC DEFENDER; 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 a municipal court public defender to provide legal representation to indigent defendants in matters pertaining to their prosecution for City ordinance violations and state offenses enforceable in the municipal court as allowed by Georgia law; and

WHEREAS, the City Commission of the City of Waycross desires to appoint Teresa Bowen, P.C. to serve as City's Municipal Court Public Defender 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 Public Defender is earlier terminated as set out in the Agreement; and

WHEREAS, the salary shall be fixed at \$18,000.00 for calendar year 2021, payable in twelve (12) equal monthly installments of \$1500.00; fixed at \$20,000.00 for calendar year 2022, payable in twelve (12) equal monthly installments of \$1666.67; and fixed at \$21,949.20 for calendar years 2023 and 2024, payable in (12) equal monthly installments of (\$1829.10); 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 Teresa Bowen P.C. to serve as Municipal Court Public Defender 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, City Manager, City Attorney 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 15th day of December, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

CHINA WILLIAMS, Acting City Clerk

A Resolution of the City of Waycross, Georgia, to Appoint Teresa Bowen as Municipal Court Public Defender, to approve the Entry of an Agreement Setting out Terms and Conditions was motion for approval by Commissioner Marian Solomon-Gaines with motion. The motion was seconded by Commissioner Diane Hopkins. Discussion was made. The motion approved with all votes.

A Resolution of the City of Waycross, Georgia, To Approve Payment to McNair, McLemore, Middlebrooks, & Company, Certified Public Accountants was presented to the Commission for approval.

RESOLUTION NO. R20-114

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,

TO APPROVE PAYMENT TO McNAIR, McLEMORE, MIDDLEBROOKS & COMPANY, CERTIFIED PUBLIC ACCOUNTANTS, FOR INDEPENDENT FINANCIAL AUDIT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Waycross requested Chris Edwards with McNair, McLemore, Middlebrooks & Company, Certified Public Accountants, to conduct an independent financial audit; and

WHEREAS, McNair, McLemore, Middlebrooks & Company has submitted a request for payment for said audit work completed in the amount of \$6,685.00; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the payment in an amount not to exceed \$6,685.00 be made to McNair, McLemore, Middlebrooks & Company, Certified Public Accountants, for the independent financial audit.

BE IT FURTHER RESOLVED that the Mayor, City Manager, and City Clerk be authorized and directed to make the payment to McNair, McLemore, Middlebrooks & Company, Certified Public Accountants, in said amount, 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 15th day of December, 2020.

CITY OF WAYCROSS

BY: MICHAEL-ANGELO JAMES, Mayor

ATTEST:

CHINA WILLIAMS, Acting City Clerk

A Resolution of the City of Waycross, Georgia, To Approve Payment to McNair, McLemore, Middlebrooks, & Company, Certified Public Accountants was motion for approval by Commissioner Diane Hopkins. The motion was seconded by Commissioner Marian Solomon-Gaines. Discussion was made. The motion approved with all votes.

During Last Call Commissioner Norman Davis thanked James Smart for a job well done. Recreation equipment was discussed. Commissioner Marian Solomon-Gaines informed the community on the voting schedule. Commissioner Diane Hopkins thanked Mr. Smart for putting up a fence, and discussed the recreation equipment. Sympathy was sent to Donald King's family. Commissioner Henry Strickland thanked everyone for the professional work. He sent condolences to Mr. Leggett family. Mayor James discussed the different events which occurred during the holidays.

Following last call, Commissioner Henry Strickland made the motion to adjourn the meeting. Commissioner Diane Hopkins seconded the motion. All voted in favor and Mayor James adjourned the meeting.

CITY OF WAYCROSS

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

ATTEST:



CHINA WILLIAMS, Acting City Clerk

