

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, DECEMBER 20, 2016
5:00 PM

The City Commission of the City of Waycross held their Regular Session on Tuesday, December 20, 2016 in the Commission Chambers of City Hall. The meeting was called to order at 5:00 p.m. Members in attendance were: Mayor John Knox, Mayor Pro Tem Marian Solomon-Gaines, Commissioners Larry Ethridge, Diane Hopkins, Norman Davis and Jon Tindall.

City Attorney Rick Currie introduced Senior Pastor Freddie Smith, Sweat Memorial Baptist Church, who offered the opening invocation. The Invocation was followed by the Pledge of Allegiance led by Mayor Knox.

Mayor John Knox announced the meeting schedule for Tuesday, January 3, 2017 as follows:

1. 3:00 pm Waycross City Commission Planning and Information Session
2. 4:45 pm Public Hearing: Alley Closing East Hamilton Avenue to Greenwood Street
3. 5:00 pm Waycross City Commission Meeting

Human Resource Director Trinija Martin introduced Lt. Larry Pierce of the Waycross Police Department as the 2016 Employee of the Year.

City Manager Raphel Maddox recognized the following groups and individuals for their support of the Waycross Employees' Recognition 2016 event:

1. Destination Church Leadership Team – Pastor Rodney Thrift, Pastor, Destination Church
2. Ware State Prison – Warden Tom Gramiak
3. Director Albert Bussey and the Ware County Band
4. Dawn Strickland – Organizing Thanksgiving Dinner – City Manager's Extra Mile Award
5. Linda Jones – Organizing Employees' Recognition 2016 event – City Manager's Extra Mile Award.
6. Joe Bennett – Youth Coach 29 years – City Manager's Extra Mile Award.

There were no public remarks on official action.

Mayor Knox 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 and Information Session and Executive Session, Monday, December 5, 2016; Waycross City Commission Meeting, Tuesday, December 6, 2016.

One ordinance second reading was presented:

ORDINANCE NO. 16-25

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 2 – ADMINISTRATION, ARTICLE V. – EMPLOYEE BENEFITS; DIVISION 1.-GENERALLY; BY ADDING A NEW SECTION 2-215 PERTAINING TO DECLARED DISASTER OVERTIME PAY FOR EXEMPT EMPLOYEES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Consent Calendar was approved by motion from Commissioner Marian Solomon-Gaines; seconded by Commissioner Diane Hopkins; all voted in favor and the motion carried.

The following privilege license renewals were submitted by City Clerk Julie Dinkins for Commission approval.

1. 1ST Stop Foods, Roy Paschall, 709 N Nichols St.
Package Sales, Beer only.
2. Aden's Minit Market #48, Donna Justice, 2198 Brunell St.
Package Sales Beer, and Wine.
3. CVS Pharmacy, Alvin Sumner, 1800 Brunswick Hwy
Package Sales, Beer and Wine.
4. Cavagnaro's, Amy Cavagnaro, 1810 S. Georgia Parkway,
Consumption on Premises, Beer, Wine and Liquor.
5. Dollar General Market, Deanna Grady, 1803 Knight Avenue

Package Sales, Beer and Wine.

6. The Dome, Rupesh Patel, 215 Knight Avenue
Consumption on Premises, Beer, Wine and Liquor.
7. HUSH, Rupesh Patel, 509 Alice St.
Consumption on Premises, Beer, Wine and Liquor
8. KD's Café, Kevin Woods, 504 Elizabeth St.
Consumption on Premises, Beer and Wine.
9. OM Convenience Store, Indiraben Patel, 935 Tebeau St
Package Sales, Beer and Wine
10. Oak Street Package Store, Stacey Berrian, 703 Oak St.
Package Sales, Beer, Wine and Liquor.
11. Plant Café, Marla Howell, 504 Plant Avenue
Consumption on Premises, Beer and Wine.
12. Thai Smile, Prasert Yakorn, 311 Pendleton St.
Consumption on Premises, Beer and Wine
13. Walgreens #09277, Jenna Cannon, 1740 Memorial Drive
Package Sales, Beer and Wine.
14. Wallys, Himanshu Patel, 1565 Ossie Davis Pkwy
Package Sales, Beer and Wine.

The Privilege License Renewals were approved by motion from Commissioner Norman Davis; seconded by Commissioner Diane Hopkins; all voted in favor and the privilege license renewals were approved.

Purchasing Director Linda Jones presented Surplus Property WAYX 17-05. Ms. Jones requested that the list of items no longer needed in any city department be declared surplus. A list of bicycles will be donated to Leadership Waycross; a surplus car plus equipment will be donated to Coastal Pines Technical College for use by the campus security staff; and various other items will be sold on GovDeals.com.

Commissioner Norman Davis made the motion to approve Surplus Property WAYX-17-05: eight bicycles will be donated to Leadership Waycross; a surplus car plus equipment will be donated to Coastal Pines Technical College for use by the campus security staff; and various

other items will be sold on GovDeals.com. The motion was second by Commissioner Diane Hopkins; all voted positively and the motion carried.

An Ordinance Amending the Code of the City of Waycross by amending Chapter14 – EMS, Emergency Powers was presented for the first reading.

ORDINANCE NO. 017-01

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 14 – EMERGENCY MANAGEMENT AND EMERGENCY SERVICES, SECTION 14-99, PERTAINING TO WHEN AUTHORIZED, AND SECTION 14-100, PERTAINING TO EMERGENCY POWERS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Ordinance Amending the Code of the City of Waycross by amending Chapter14 – EMS, Emergency Powers was approved on the first reading by Commissioner Diane Hopkins. The motion was seconded by Commissioner Marian Solomon-Gaines; and approved by unanimous vote.

A Resolution to Authorize the Chief of Police to Donate Eight Abandoned Bicycles to Leadership Waycross was presented.

RESOLUTION NO. 16-85

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO ALLOW THE CHIEF OF POLICE TO DONATE ABANDONED BICYCLES TO LEADERSHIP WAYCROSS; AND FOR OTHER PURPOSES.

WHEREAS, Waycross Code of Ordinances Section 22-23 provides in relevant part that bicycles that are abandoned or recovered by the police department, after every reasonable effort has been made to determine ownership, may be donated to any non-profit organization or group making a request for such bicycles to the chief of police, and upon the consent of the city commission; and

WHEREAS, certain bicycles listed on the attached Exhibit, and incorporated herein as if fully set forth, have been declared surplus by this City Commission; and

WHEREAS, Leadership Waycross has made a request to the chief of police for said bicycles, so that Leadership Waycross can repair and refurbish said bicycles and then give them to needy and deserving children in the community; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Commission hereby consents to the Chief of Police donating said bicycles on the attached Exhibit to Leadership Waycross.

BE IT FURTHER RESOLVED that the Chief of Police is authorized, empowered and directed to transfer ownership of said bicycles described on the attached Exhibit to Leadership Waycross, hereby ratifying and confirming all the acts and things done by said Police Chief, and to be done, in order to give effect to the purposes and intent of this Resolution.

SO RESOLVED, this 20 day of December, 2016.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

Commissioner Marian Solomon-Gaines made the motion to approve the Resolution to Authorize the Chief of Police to Donate Abandoned Bicycles to Leadership Waycross as presented. Commissioner Diane Hopkins seconded the motion; all voted yes and the motion was approved with a 5-0 vote.

A Resolution of the City of Waycross to Transfer Title of Surplus Police Vehicle to Coastal Pines Technical College as follows:

RESOLUTION NO. 16-86

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO TRANSFER TITLE OF SURPLUS POLICE VEHICLE TO COASTAL PINES
TECHNICAL COLLEGE; AND FOR OTHER PURPOSES.**

WHEREAS, Coastal Pines Technical College, hereinafter referred to as "CPTC", is a two-year post-secondary institution, and is a unit of the Technical College System of Georgia, that is located within the city limits of the City of Waycross; and

WHEREAS, CPTC has a campus security staff that is committed to a safe educational environment for students and a safe working environment for faculty and other staff; and

WHEREAS, the security staff at CPTC does not have a marked patrol unit, nor the funds to purchase one, which would provide a law enforcement presence on campus and to allow for a patrolling of the CPTC campus; and

WHEREAS, a certain marked Waycross Police Department vehicle, being a 2007 Chevy Impala, VIN # 2G1WS55R879286794, with a 2007 Whelen Light Bar, a 2007 Federal SW-300 Control Box, a Setina 10RP DW Weapons Mount, a Kenwood TK-790 Radio, a 2007 Federal PA-300 Siren Box, and a 2007 Jotto Center Console, have been declared surplus by this City Commission; and

WHEREAS, O.C.G.A. § 36-3-2 provides that the city commission has the discretion in the disposition of its property, where exercised in good faith; and

WHEREAS, O.C.G.A. § 36-69-3 provides that, upon “request of a local law enforcement agency ... in the prevention or detection of violations of any law ... the chief of police ... with the approval of the governing authority ... may cooperate with and render assistance extraterritorially to such local law enforcement agency requesting same”; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Commission hereby consents to and authorizes the transfer of title of the above-described vehicle and equipment to Coastal Pines Technical College for use by its campus security staff.

BE IT FURTHER RESOLVED that the Mayor, Clerk of Court, City Manager, City Purchasing Director and Chief of Police are authorized, empowered and directed to transfer ownership of said vehicle described above to Coastal Pines Technical College, hereby ratifying and confirming all the acts and things done by said city officials, and to be done, in order to give effect to the purposes and intent of this Resolution.

SO RESOLVED, this 20th day of December, 2016.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

A Resolution of the City of Waycross to Transfer Title of Surplus Police Vehicle to Coastal Pines Technical College was approved by motion from Commissioner Norman Davis.

The motion was seconded by Commissioner Diane Hopkins and the vote was unanimous in approval.

A Resolution of the City of Waycross Awarding Contracts to Larry Thrift Construction and Thrift Brothers for utility improvements was presented.

RESOLUTION NO. 16-88

A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA, TO AWARD BID CONTRACTS TO LARRY THRIFT CONSTRUCTION, L.L.C. AND THRIFT BROTHERS, L.L.C., STREET, DRAINAGE AND UTILITY IMPROVEMENTS ON HOWE STREET, LEE AVENUE AND GILMORE STREET; AND FOR OTHER PURPOSES.

WHEREAS, Howe Street, Lee Avenue and Gilmore Street are in need of street, drainage and utility improvements related to concrete box culvert replacement; and

WHEREAS, the City of Waycross Engineering Department has approved the use of SPLOST funds for said street, drainage and utility improvements; and

WHEREAS, the project was bid in three (3) divisions [Division 1 being Howe Street; Division 2 being Lee Avenue and Division 3 being Gilmore Street] due to project size and variety of work required on each division; and

WHEREAS, the City of Waycross Purchasing Department offered the project through competitive bidding, and received and opened three (3) bids tendered for each division; and

WHEREAS, Larry Thrift Construction, L.L.C. submitted the lowest and best bid for the project on Division 1 of \$320,770.00; and Thrift Brothers, L.L.C. submitted the lowest and best bid for the project on Division 2 of \$409,665.00; and Larry Thrift Construction, L.L.C. submitted the lowest and best bid for the project on Division 3 of \$322,455.00; and meeting all specifications and requirements; and for a total project amount of \$1,052,890.00.

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Bid Contract for Division 1 being Howe Street and Division 3 being Gilmore Street be awarded to Larry Thrift Construction, L.L.C. and Division 2 being Lee Avenue be awarded to Thrift Brothers, L.L.C. and to be paid from LMIG and SPLOST funds.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to execute the Bid Contracts 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 20th day of December, 2016.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

Commissioner Marian Solomon-Gaines made the motion to approve the Resolution of the City of Waycross Awarding Contracts to Larry Thrift Construction and Thrift Brothers for utility improvements. Commissioner Jon Tindall seconded the motion and the motion was approved by a 5 – 0 vote.

A Resolution of the City of Waycross to Authorize an Agreement with the Board of Regents of the University System of Georgia, by and on behalf of Valdosta State University and Fort Valley State University, for the City of Waycross to Host a Football Game between Valdosta State University and Fort Valley State University at Memorial Stadium was presented:

RESOLUTION NO. 16-87

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AUTHORIZE AN AGREEMENT WITH THE BOARD OF REGENTS OF THE
UNIVERSITY SYSTEM OF GEORGIA, BY AND ON BEHALF OF VALDOSTA STATE
UNIVERSITY AND FORT VALLEY STATE UNIVERSITY, FOR THE CITY OF
WAYCROSS TO HOST A FOOTBALL GAME BETWEEN VALDOSTA STATE
UNIVERSITY AND FORT VALLEY STATE UNIVERSITY AT MEMORIAL
STADIUM; AND FOR OTHER PURPOSES.**

WHEREAS, there have been negotiations between the City of Waycross, Valdosta State University and Fort Valley State University for the City of Waycross to host at Memorial Stadium in Waycross, Ware County, Georgia, a National Collegiate Athletic Association Division II football game between Valdosta State University (hereinafter referred to as “VSU”) and Fort Valley State University (hereinafter referred to as “FVSU”) on Saturday, September 9, 2017; and

WHEREAS, VSU and FVSU are of the opinion that the City of Waycross has the necessary qualifications, experience, abilities and capacity to provide certain services to VSU and FVSU for hosting said above-described football game; 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, the City of Waycross, VSU and FVSU have negotiated certain specific details, rights, obligations, duties and responsibilities pertaining to the above-described football game as set forth in the Agreement Between the City of Waycross, Georgia, Valdosta State University and Fort Valley State University, a copy of which is attached hereto and incorporated herein as if fully set forth; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City Commission approves said Agreement, in the form attached and incorporated herein as if fully set forth,

BE IT FURTHER RESOLVED that the Mayor, City Manager and City Clerk be, and are hereby authorized, empowered and directed to execute said Agreement on behalf of the City of Waycross, and to ratify and confirm the execution of said Agreement, and to do all the acts and things necessary in order to ratify, confirm and carry out the purposes and intent of this Resolution.

SO RESOLVED, this 20th day of December, 2016.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

Commissioner Norman Davis made the motion to approve a Resolution of the City of Waycross to Authorize an Agreement with the Board of Regents of the University System of Georgia, by and on behalf of Valdosta State University and Fort Valley State University, for the City of Waycross to Host a Football Game between Valdosta State University and Fort Valley State University at Memorial Stadium as presented. Commissioner Jon Tindall seconded the motion; all voted yes and the motion passed unanimously.

A Resolution of the City of Waycross to Approve the Signing of a Settlement Agreement in the lawsuit with Pierce County was presented.

RESOLUTION NO. 16-90

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE THE SIGNING OF A SETTLEMENT AGREEMENT IN THE LAWSUIT
WITH PIERCE COUNTY; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross, Georgia, has filed a petition for declaratory and injunctive relief against Pierce County, Georgia, challenging the passage and implementation of House Bill 523 (2015) which de-annexed the city limits of Waycross from Pierce County; and

WHEREAS, the petition for injunctive relief for the City of Waycross has been denied, and that decision was affirmed by the Georgia Court of Appeals; and

WHEREAS, the trial court granted a motion for interlocutory injunction filed by Pierce County and Intervenors, and that decision has been affirmed by the Georgia Supreme Court; and

WHEREAS, the parties desire to resolve their disputes regarding House Bill 523 (2015);
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 Settlement Agreement between the CITY OF WAYCROSS, GEORGIA, and PIERCE COUNTY, GEORGIA, in the form attached hereto as an Exhibit and incorporated herein as if fully set forth, be approved.

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

SO RESOLVED, this 20th day of December, 2016.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

Commissioner Norman Davis made the motion to approve a Resolution of the City of Waycross to Approve the Signing of a Settlement Agreement in the lawsuit with Pierce County as presented. Commissioner Diane Hopkins seconded the motion and the motion was approved by a 5 – 0 vote.

A Resolution of the City of Waycross to Authority Annexation of Unincorporated Islands by Local Act of the General Assembly was presented.

RESOLUTION NO. 16-89

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO AUTHORIZE ANNEXATION OF UNINCORPORATED
ISLANDS BY LOCAL ACT OF THE GENERAL
ASSEMBLY; AND FOR OTHER PURPOSES.**

WHEREAS, there presently exists within the city limits of the City of Waycross, Georgia, being a municipal corporation in the State of Georgia, several areas of property that are contiguous to the City of Waycross but are not incorporated in the City of Waycross, hereinafter referred to as “unincorporated islands”; and

WHEREAS, the City of Waycross desires that these unincorporated islands be annexed into the City of Waycross by local Act of the General Assembly, pursuant to O.C.G.A. § 36-36-1 et seq.; 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 John Corbett and Senator Tyler Harper, to forthwith annex said unincorporated islands contiguous to the City of Waycross into the City of Waycross by local Act.

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 20th day of December, 2016.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

A Resolution of the City of Waycross to Authorize Annexation of Unincorporated Islands by Local Act of the General Assembly was approved by motion from Commissioner Marian Solomon-Gaines; seconded by Commissioner Jon Tindall; and unanimous vote.

Following last call, Commissioner Norman Davis made the motion to adjourn the meeting; seconded by Commissioner Diane Hopkins; a unanimous vote; and Mayor Knox adjourned the meeting.

CITY OF WAYCROSS

BY:



JOHN KNOX, Mayor

ATTEST:



JULIE C. DINKINS, City Clerk