

MINUTES

WAYCROSS CITY COMMISSION MEETING

TUESDAY, DECEMBER 21, 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, December 21, 2010. The meeting was called to order by Mayor Clarence Billups at 7:00 p.m. with Commissioners Marian Solomon-Gaines, Diane Hopkins, William Simmons, Norman Davis and Mayor Pro Tem Daniel Yarbrough present for the meeting.

Miss Joshaun Sanders, Alumni Chapter, Delta Sigma Theta Sorority Debutant 2011 offered the invocation followed by the Pledge of Allegiance.

Deron W. King, City Manager, presented the City Manager's Report. The City Manager reported that Sloan Russell Fountain has been hired as the new Main Street Manager effective Tuesday, December 13, 2010. Ms. Fountain will be work under the Finance Department and Finance Director Mr. Larry Gattis.

In presenting the Mayor's Report, Mayor Clarence Billups thanked Fire Marshal Rickey Roach for a successful Mayor's Motorcade, as well as Chief Eddins, the First Department and all of the citizens of Waycross who donated.

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 Meeting, Tuesday, December 7, 2010.

Ordinance Second Reading:

ORDINANCE NO. 10-08

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 20 PERTAINING TO MOTOR VEHICLES AND TRAFFIC; TO REPLACE ARTICLE III, SECTION 20-54 PERTAINING TO PARKING OF TRUCKS, TRACTOR TRAILERS, AND SIMILAR VEHICLES IN RESIDENTIAL DISTRICTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; AND FOR OTHER PURPOSES.

The following privilege licenses were presented for renewal:

1. Darrell Dakin, DolgenCorp. LLC d/b/a/ Dollar General, 9826, 1803 Knight Ave., Waycross, GA.; Retail Beer and Wine.
2. Christopher Bagley, Food Lion 689, 701 Riverside Ave., Waycross, GA; Retail Beer and Wine.
3. Robert Kuhbander, Georgia CVS Pharmacy, Inc., 180 Brunswick Hwy., Waycross, GA; Retail Beer and Wine.
4. Winton McNair, Pond View Fine Dining, 311 Pendleton St., Waycross, GA; Consumption on Premises, Beer and Wine.
5. Tony Joseph, Wal-Mart Supercenter 556, 2135 Wallace Dr., Waycross, GA; Retail Beer and Wine.
6. Arunkumar B. Patel, State Street Package Store, 1711 State Street, Waycross, GA; Package Sales, Beer, Wine and Liquor.

Commissioner Diane Hopkins 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.

One new Privilege License was presented for consideration, Walgreens 09277, 1720 Memorial Drive, Waycross, GA; Retail Beer and Wine.

Commissioner Diane Hopkins made the motion to approve the Privilege License for Walgreens as presented; seconded by Commissioner Daniel Yarbrough. The motion was approved with a 5-0 vote.

Mrs. Linda Jones, Director, Purchasing Department, presented Bid FY11-06 for Refurbished Exercise Equipment for the Waycross Fire Department. The Waycross Fire Department received a 2009 American Firefighters Grant from FEMA which has a balance remaining to purchase exercise equipment. Three bids were received for refurbished/ remanufactured commercial grade exercise equipment. After review, staff recommended awarding the bid to Promaxima in Houston Texas for \$6,160.95 as the lowest and best bid. The grant will pay \$5,349.00 and the City will pay a cash match of \$811.95.

Commissioner Marian Solomon Gaines made the motion to award the bid to Promaxima of Houston, Texas in the amount of \$6,160. 95. The motion was seconded by Commissioner Norman Davis. All Commissioners voted favorably and the motion passed with a 5-0 vote.

Mrs. Linda Jones, Director, Purchasing Department, presented WAYX 11-05 Declaring Surplus Property. The surplus property list contains miscellaneous items to be sold on Govdeals.com.

Commissioner Marian Solomon-Gaines made the motion to declare the property surplus; seconded by Commissioner Norman Davis. The motion carried with a 5-0 vote.

A Resolution of the City of Waycross to Award Contract for Renovation of the Waycross Police Building was presented:

RESOLUTION NO. 10-66

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO AWARD CONTRACT FOR RENOVATION OF THE WAYCROSS POLICE
BUILDING; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross desires to begin renovations to the Waycross Police Building to include Roof Replacement, HVAC Replacement, Window and Door Replacement and other similar renovations; and

WHEREAS, the City of Waycross offered the project through competitive bidding and received and opened bids tendered for the project; and

WHEREAS, R.H. Tyson Construction, Inc. had the lowest and best bid for the project in the amount of \$601,700.00; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Clerk, and City Manager be and are hereby authorized, directed and empowered to execute the documents necessary to award the contract for Renovations of the Waycross Police Building to R.H. Tyson Construction, Inc., in the amount of \$601,700.00, to be paid from FY2009 SPLOST Funds.

SO RESOLVED, this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

Commissioner Diane Hopkins made the motion to approve the Resolution of the City of Waycross to Award Contract for Renovation of the Waycross Police Building as presented. Commissioner Daniel Yarbrough seconded the motion. All Commissioners voted in favor of the motion and the motion carried with a 5-0 vote.

A Resolution of the City of Waycross, Georgia to Award Contract for Roof Replacement of the Historic City Auditorium was presented.

RESOLUTION NO. 10-67

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO AWARD CONTRACT FOR ROOF REPLACEMENT OF THE HISTORIC CITY
AUDITORIUM; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross desires to begin renovations to the Historic City Auditorium for Roof Replacement; and

WHEREAS, the City of Waycross offered the project through competitive bidding and received and opened bids tendered for the project; and

WHEREAS, Better Homes Bureau, LLC had the lowest and best bid for the project in the amount of \$124,786.10; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Clerk, and City Manager be and are hereby authorized, directed and empowered to execute the documents necessary to award the contract for Roof Replacement to Historic City Auditorium to Better Homes Bureau, LLC in the amount of \$124,786.10, to be paid from FY2009 SPLOST Funds.

SO RESOLVED, this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:

JULIE C. DINKINS, CITY CLERK

Commissioner Norman Davis made the motion to approve A Resolution of the City of Waycross, Georgia to Award Contract for Roof Replacement of the Historic City Auditorium as presented. Commissioner Marian Solomon-Gaines seconded the motion. All Commissioners voted in favor and the motion carried with a 5-0 vote.

A Resolution of the City of Waycross, Georgia to Award Contract for Architect and Engineer Services for 2010 SPLOST Project was presented.

RESOLUTION NO. 10-68

**AMENDED RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO AWARD CONTRACT FOR ARCHITECT AND ENGINEER SERVICES FOR 2010 SPLOST
PROJECT; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross anticipated the need for architect and engineer services and solicited statements of qualifications for repairs to the Waycross Police Department Building; and

WHEREAS, a contract was previously awarded to Carter Watkins Associates Architects on February 16, 2010, in the amount of 4.5 percent of the total project or an estimate of \$27,000, by Resolution No. 10-09; and

WHEREAS, the original lowest bid exceeded the budgeted amount for this project, and the project was subsequently re-bided, and the contract cost remains at 4.5 percent of the total project or a new estimate of \$39,250.15; and

WHEREAS, Carter Watkins Associates Architects submitted its statement of qualifications and proposal for the project; and

WHEREAS, a selection board met and considered the qualifications submitted and based on the evaluation process recommended Carter Watkins Associates Architects for the architect and engineer services; and

WHEREAS, Carter Watkins Associates Architects is willing to provide the services set forth in the proposal attached hereto in the amount of 4.5 percent of the total project or an estimate of \$39,250.15; and

WHEREAS, said matter being considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross award the contract for architect and engineer services for the 2010 SPLOST for repairs to the Waycross Police Department Building now contemplated to Carter Watkins Associates Architects for the contract price of 4.5 percent of the total project or estimated at \$39,250.15.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and are hereby authorized, directed and empowered to execute the award on behalf of the City of Waycross, Georgia.

SO RESOLVED, this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:

JULIE C. DINKINS, CITY CLERK

Commissioner William Simmons made the motion to approve A Resolution of the City of Waycross, Georgia to Award Contract for Architect and Engineer Services for 2010 SPLOST

Project as presented. Commissioner Marian Solomon-Gaines seconded the motion. All Commissioners voted in favor and the motion carried with a 5-0 vote.

A Resolution of the Waycross City Commission to Request a Revocable License from the Georgia Department of Defense for the City to Use the Former National Guard Armory Property to Change Locks on the Exterior Building was presented.

RESOLUTION NO. 10-69

**A RESOLUTION OF THE WAYCROSS CITY COMMISSION
TO REQUEST A REVOCABLE LICENSE FROM THE GEORGIA DEPARTMENT OF
DEFENSE FOR THE CITY TO USE THE FORMER NATIONAL GUARD ARMORY
PROPERTY AND TO CHANGE LOCKS ON THE EXTERIOR BUILDING;
AND FOR OTHER PURPOSES.**

WHEREAS, the State of Georgia is the owner of a certain parcel of real property located in Ware County, Georgia, known as the “National Guard Armory Property Waycross Ware County, Georgia,” which is in the custody of the Georgia Department of Defense, containing approximately 7.14 acres, as shown on that plat or survey by Felton Davis and John T. Huff, Architects, dated December 9, 1954, and being on file in the offices of the State Properties Commission; and

WHEREAS, the Commission of the City of Waycross approved and accepted the conveyance of the above-described property to the City of Waycross by the State of Georgia, acting through the State Properties Commission, as provided in S.R. 1083, Act Number 657 of the Georgia General Assembly, by Resolution No. 10-64 dated December 7, 2010; and

WHEREAS, the City of Waycross is waiting on a quitclaim deed to the above-described property, but in the interim desires immediate access to the building and grounds to protect the same from vandalism and pilferage, and toward this end desires to change the locks on the exterior building and provide the Georgia Department of Defense with copies of keys until the formal transfer of the property is completed to the City of Waycross; and

WHEREAS, it is beneficial to the City of Waycross and the Georgia Department of Defense that the property be occupied, maintained and protected as heretofore stated; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City request a Revocable License from the Georgia Department of Defense for the City to use, occupy and take possession of the former National Guard Armory Property, and to change the locks on the exterior Building and supply exact copies of keys to the Georgia Department of Defense, pending delivery of a quitclaim deed to the City of Waycross.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Georgia Department of Defense, and that the Mayor, City Clerk, and City Manager be and are hereby authorized, directed, and empowered to execute the documents needed and necessary to accomplish the Revocable License from the Georgia Department of Defense for the purposes as stated herein.

SO RESOLVED this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

**ATTEST:
JULIE C. DINKINS, CITY CLERK**

Commissioner Norman Davis made the motion to approve A Resolution of the Waycross City Commission to Request a Revocable License from the Georgia Department of Defense for the City to Use the Former National Guard Armory Property and to Change Locks on the Exterior Building as presented. Commissioner Marian Solomon-Gaines seconded the motion. All Commissioners voted favorably and the motion carried with a 5-0 vote.

A Resolution of the City of Waycross, Georgia to Authorize the Mayor to Execute Memorandum of Agreement with the Department of Homeland Security, US Citizenship and Immigration Services and Related Documents was presented.

RESOLUTION NO. 10-70

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO AUTHORIZE THE MAYOR TO EXECUTE MEMORANDUM OF AGREEMENT
WITH THE DEPARTMENT OF HOMELAND SECURITY, U.S. CITIZENSHIP AND
IMMIGRATION SERVICES AND RELATED DOCUMENTS; AND FOR OTHER
PURPOSES.**

WHEREAS, the City of Waycross is designated as a “User Agency” under the Department of Homeland Security, U.S. Citizenship and Immigration Services (DHS-USCIS) Systematic Alien Verification for Entitlements (SAVE) Program, for the purpose of verifying citizenship and immigration status information of non-citizen and naturalized or derived U.S. citizen applicants applying for certain specified government sponsored benefits and entitlements; and

WHEREAS, a Memorandum of Agreement has been prepared to establish the terms and conditions governing the participation of the City of Waycross as a User Agency under the SAVE Program known as the Verification Information System (VIS); and

WHEREAS, the Memorandum of Agreement sets forth the responsibilities of the Department of Homeland Security, U.S. Citizenship and Immigration Services to the City of Waycross, and corresponding responsibilities of the City of Waycross as a User Agency; 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 approve the Memorandum of Agreement under the

Department of Homeland Security, U.S. Citizenship and Immigration Services (DHS-USCIS)
Systematic Alien Verification for Entitlements (SAVE) Program.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and are hereby authorized to execute the Memorandum of Agreement and related documents necessary to complete the City's registration as required by the Memorandum of Agreement.

SO RESOLVED, this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

Commissioner Marian Solomon-Gaines made the motion to approve A Resolution of the City of Waycross, Georgia to Authorize the Mayor to Execute Memorandum of Agreement with the Department of Homeland Security, US Citizenship and Immigration Services and Related Documents as presented. The motion was seconded by Commissioner William Simmons with all Commissioners voting favorably.

A Resolution of the City of Waycross, Georgia to Award Contract for Darling Avenue Street and Drainage Improvements was presented.

RESOLUTION NO. 10-71

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO AWARD CONTRACT FOR DARLING AVENUE STREET AND DRAINAGE
IMPROVEMENTS; AND FOR OTHER PURPOSES**

WHEREAS, the City of Waycross desires to begin and complete construction of Street and Drainage Improvements on Darling Avenue between Tebeau Street and Blackshear Avenue in the City of Waycross; and

WHEREAS, said project includes installing a cast-in-place box culvert at the Darling Avenue canal crossing (South of Blackshear Avenue), and rehabilitation and repaving of Darling Avenue between Tebeau Street and Blackshear Avenue; and

WHEREAS, said project involves a risk of unforeseen site conditions including excavation in close proximity to significant Atlanta Gas Light (AGL) and Georgia Power utilities of unknown depth; and

WHEREAS, the City of Waycross offered the project through competitive bidding and received and opened bids tendered for the project; and

WHEREAS, Allen Owens Construction and Paving, Inc. had the lowest and best bid for the project in the amount of \$244,964.44; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Clerk, and City Manager be and are hereby authorized, directed and empowered to execute the documents necessary to award the contract for Street and Drainage Improvements on Darling Avenue between Tebeau Street and Blackshear Avenue to Allen Owens Construction and Paving, Inc., in the amount of \$244,964.44, with authorization for City Manager approval of a ten percent (10%) contingency margin for within-scope contract changes for a maximum award amount of \$269,460.00 to be paid from FY2010 SPLOST Street and Drainage Improvements Funds.

SO RESOLVED, this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:
JULIE C. DINKINS, CITY CLERK

Commissioner Daniel Yarbrough made the motion to approve A Resolution of the City of Waycross, Georgia to Award Contract for Darling Avenue Street and Drainage Improvements as presented. Commissioner William Simmons seconded the motion. All Commissioners voted in favor and the motion carried with a 5-0 vote.

A Resolution of the City of Waycross, Georgia to Approve Retroactive Purchase of Main Breaker at Water Plant was presented.

RESOLUTION 10-72

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA
TO APPROVE RETROACTIVE PURCHASE OF
MAIN BREAKER AT WATER PLANT;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross is under contract with ESG for the operation of the Water Plant; and

WHEREAS, the Contract provides for the City to pay “capital expenditures”; and

WHEREAS, a main breaker failed at the Water Plant in December, 2010 requiring ESG to purchase a replacement for the main breaker including overnight delivery to restore commercial power to high service pumps and ensure continuous water production; and

WHEREAS, ESG initially purchased the main breaker out of their ESG Repairs Account but an emergency requisition should have been processed through the City Manager since this qualified as a “capital expenditure”, and as an emergency; and

WHEREAS, ESG is requesting retroactive approval of ESG’s purchase of the main breaker in the amount of \$9,250.00; and

WHEREAS, said matter being considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross reimburse ESG in the amount of \$9,250.00 for out of pocket expenses incurred in replacing the faulty main breaker at the Water Plant;

BE IT FURTHER RESOLVED that the Purchasing Director be and is hereby authorized, directed and empowered to reimburse ESG in the amount of \$9,250.00.

SO RESOLVED, this 21st day of December, 2010.

CITY OF WAYCROSS, GEORGIA

BY: CLARENCE BILLUPS, MAYOR

ATTEST:

JULIE C. DINKINS, CITY CLERK

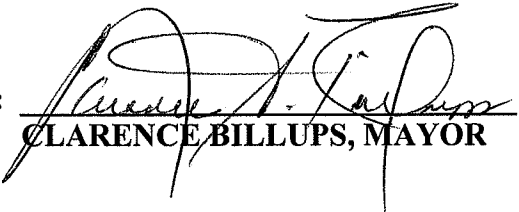
Commissioner Marian Solomon-Gaines made the motion to approve A Resolution of the City of Waycross, Georgia to Approve Retroactive Purchase of Main Breaker at Water Plant as presented. Commissioner Norman Davis seconded the motion. All Commissioners voted in favor and the motion carried with a 5-0 vote.

Mr. Chris Jordan addressed the Commission regarding trains blocking the crossings causing a hazard to children attempting to catch the bus or get to school. He also requested that before decisions are made regarding the National Guard Armory the public be given an opportunity to be involved.

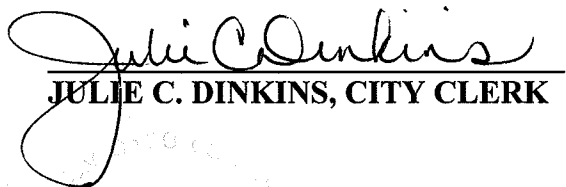
Mr. Marcus O. Emory informed the Commission that he is giving away turkeys and hams and Coca-Cola has donated a case of drinks to go along with each turkey or ham he delivers.

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

