

**MINUTES**  
**WAYCROSS CITY COMMISSION MEETING**  
**TUESDAY, MARCH 2, 2021**  
**5:00 PM**

The Commission of the City of Waycross held their Regular City Commission Meeting on Tuesday, March 2, 2021 in the Commission Chambers of City Hall. The meeting was called to order at 5:00 p.m. by Mayor Michael-Angelo James. Members in attendance were: Mayor James, Mayor Pro Tem Henry Strickland, Commissioners Norman Davis, Diane Hopkins, John Threat, and Marian Solomon-Gaines.

Acting Public Works Director James Smart offered the opening invocation. The Invocation was followed by the Pledge of Allegiance.

City Clerk Michelle Love read the decorum as requested by Mayor James.

There was no Executive Orders or Official Reports.

Tim Peacock, 906 Euclid Avenue, Waycross, Georgia, 31501, requested the statutes and monuments remain in public parks. Mr. Peacock questioned who owned the statutes. City Attorney Currie at request of Mayor stated United Daughters of Confederacy gave the statute to the Sons of Confederate Veterans in 1910. Mr. Peacock discussed the statute \$20,000.00 makeover being funded by the City, Daughters of Confederacy, and the Sons of Confederate Veterans. If the statute is removed, who would remove it? Mr. Peacock stated City has ownership in monument. Attorney Currie understands City does not have ownership. Mr. Peacock ask not to erase history. There is no division in colors. We are close to repeating history again.

Mayor James established point of order. Mr. Peacock five minutes was over. Tim Peacock was ask to state his address; the address was not stated prior to speaking.

Reverend Ferrell Malone, 709 Jones Street, Waycross, Georgia, 31501, discussed the statutes and monuments being moved with the Commission during Public Remarks of Official Actions. Mr. Malone ask to move history to another location. The monument is offensive to people that look like him. Nation is in a bad place right now. Coming together is showing everyone is created equal.

Larry Rood, 304 Howe Street, Waycross Georgia, 31501, addressed the Commission about the statutes and monuments. Confederate monuments and statues need to be removed. Slavery was among South Georgia, and the statutes and monuments are reminders of slavery. Remove the statutes from the downtown park.

Larry Lockey, President of NAACP, Waycross, Georgia, 31501, ask for statute and monument be removed. The monument does not represent history; but, it is political. Mr. Lockey respectfully demand to remove statutes, monuments, names, and all confederate signs from public places. Mr. Lockey stated his addressed when Mayor ruled point of order due to five minutes expiring.

Michael Hargrove, 2012 Alice Street, Waycross, Georgia, 31501, request for the statute and monuments remain. Mr. Hargrove wondered why people wanted statutes and monuments removed. Demands made shows no respect for other people's opinion. Love, peace, and unity can't be displayed through hatred. The statute honors veterans.

Jerri Pearson, 1213 Shawnee Drive, Waycross, Georgia, 31501, discussed the statutes and monuments. Ms. Pearson, a historian of civil rights, had no idea the statute exist. Never understood the emotions behind the statute, and she realize the baggage people may have behind the statute. The money spent to remove the statute could feed the homeless. History is history, and moving history will not change or accomplish anything.

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 Special Called Meeting and Executive Session, Friday, February 12, 2021, 2:00 p.m.; Waycross City Commission Planning & Information Session and Executive Session, Monday, February 15, 2021, 5:00 p.m.; Public Hearing, Tuesday, February 16, 2021, 4:15 p.m.; Public Hearing, Tuesday, February 16, 2021, 4:30 p.m.; Waycross City Commission Meeting, Tuesday, February 16, 2021, 5:00 p.m.

There were no Ordinances, Consent Resolutions or Privilege License renewals.

The Consent Calendar was approved by motion from Commissioner Norman Davis, seconded by Commissioner Diane Hopkins. All voted yes. The motion carried.

No Privilege Licenses were presented for approval.

An Ordinance of the Waycross City Commission to Amend the Waycross Zoning Ordinance Text to Amend Article VI – General Provisions by Adding New Section 619 – Minimum Residential Square Footage was presented to the Commission for emergency reading.

#### **ORDINANCE NO. O21-05**

### **AN ORDINANCE OF THE WAYCROSS CITY COMMISSION TO AMEND THE WAYCROSS ZONING ORDINANCE TEXT; TO AMEND ARTICLE VI – GENERAL PROVISIONS, BY ADDING NEW SECTION 619 – MINIMUM RESIDENTIAL SQUARE FOOTAGE; TO DECLARE AN EMERGENCY TO ALLOW FOR SECOND READING; AND FOR OTHER PURPOSES.**

Commissioner Marian Solomon-Gaines motioned for approval of an Ordinance of the Waycross City Commission to Amend the Waycross Zoning Ordinance Text to Amend Article VI – General Provisions by Adding New Section 619 – Minimum Residential Square Footage was presented to the Commission for emergency reading. The motion was seconded by Commissioner Norman Davis. The motion passed with a 5-0 vote.

An Ordinance of the Waycross City Commission to Amend the Waycross Zoning Ordinance Text to Amend Article VI – General Provisions by Adding New Section 619 – Minimum Residential Square Footage was presented to the Commission for second reading.

**ORDINANCE NO. O21-05**

**AN ORDINANCE OF THE WAYCROSS CITY COMMISSION TO AMEND THE WAYCROSS ZONING ORDINANCE TEXT; TO AMEND ARTICLE VI – GENERAL PROVISIONS, BY ADDING NEW SECTION 619 – MINIMUM RESIDENTIAL SQUARE FOOTAGE; TO DECLARE AN EMERGENCY TO ALLOW FOR SECOND READING; AND FOR OTHER PURPOSES.**

The Ordinance of the Waycross City Commission to Amend the Waycross Zoning Ordinance Text to Amend Article VI – General Provisions by Adding New Section 619 – Minimum Residential Square Footage was motioned for approval as read by Commissioner Marian Solomon-Gaines. The motion was seconded by Commissioner Norman Davis. The motion passed with a 5-0 vote.

An Ordinance of the City of Waycross, Georgia to Amend the Chapter of the City of Waycross to Increase the Salary and Compensation of the Mayor and Commissioners was presented for first reading.

**ORDINANCE NO. 21-06**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WAYCROSS, GEORGIA, TO AMEND THE CHARTER OF THE CITY OF WAYCROSS; TO INCREASE THE SALARY AND COMPENSATION OF THE MAYOR AND COMMISSIONERS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

An Ordinance of the City of Waycross, Georgia to Amend the Chapter of the City of Waycross to Increase the Salary and Compensation of the Mayor and Commissioners was approved for first reading by motion from Commissioner Marian Solomon-Gaines. The motion was seconded by Commissioner John Threat. All voted in favor; the motion carried.

An Ordinance of Waycross City Commission to Amend the Code of the City of Waycross, Georgia to Amend Chapter 2 – Administration, Article VI – Departments, Division I – Generally by Adding a New Section 2-263 to Allow Donations was first read to the Commission.

**ORDINANCE NO. O21-07**

**AN ORDINANCE OF THE WAYCROSS CITY COMMISSION TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 2 – ADMINISTRATION, ARTICLE VI. – DEPARTMENTS, DIVISION I – GENERALLY, BY ADDING A NEW SECTION 2-263 TO ALLOW FOR DONATIONS; 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 Ordinance of Waycross City Commission to Amend the Code of the City of Waycross, Georgia to Amend Chapter 2 – Administration, Article VI – Departments, Division I – Generally by Adding a New Section 2-263 to Allow Donations was motioned for approval by Commissioner Norman Davis. The motion was seconded by Commissioner Marian Solomon-Gaines. After discussion, the motion carried with all votes.

An Ordinance of the Waycross City Commission to Amend Zoning Map of the City of Waycross, Georgia to Rezone the Property Described Herein Located at the Corner of K Street and Albany Avenue from R-50MH Residential to C-2 Highway Commercial was presented for first reading.

**ORDINANCE NO. O21-08**

**AN ORDINANCE OF THE WAYCROSS CITY COMMISSION TO AMEND THE ZONING MAP OF THE CITY OF WAYCROSS, GEORGIA; TO REZONE THE PROPERTY DESCRIBED HEREIN LOCATED AT THE CORNER OF K STREET AND ALBANY AVENUE FROM R-50MH RESIDENTIAL TO C-2 HIGHWAY COMMERCIAL; TO SET AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

Commissioner Norman Davis motioned to approve an Ordinance of the Waycross City Commission to Amend Zoning Map of the City of Waycross, Georgia to Rezone the Property Described Herein Located at the Corner of K Street and Albany Avenue from R-50MH Residential to C-2 Highway Commercial. Commissioner Marian Solomon-Gaines seconded the motion. All voted after discussion. The motion carried with all votes.

A Resolution of the City of Waycross, Georgia to Approve the Signing of a Release and Dismissal in the Civil Lawsuit Brought by the City of Waycross Against Brantley County Board of Education was presented for approval.

**RESOLUTION NO. R21-14**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,**

**TO APPROVE THE SIGNING OF A RELEASE AND DISMISSAL IN THE CIVIL LAWSUIT BROUGHT BY THE CITY OF WAYCROSS AGAINST BRANTLEY COUNTY BOARD OF EDUCATION; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Waycross filed a lawsuit in Superior Court of Brantley County against the Brantley County Board of Education, et al. seeking reimbursement as allowed by O.C.G.A. § 35-8-22 for expenses of the training of two (2) peace officers, paid by the City of Waycross, but then hired by Brantley County Board of Education; and

**WHEREAS**, the City of Waycross and Brantley County School District now desire to resolve their dispute regarding all of the issues alleged in the lawsuit; 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 Release, a copy of which is attached hereto as an Exhibit and incorporated herein as if fully set out, between the City of Waycross and Brantley County School District, et al. be approved.

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

**SO RESOLVED**, this 2<sup>nd</sup> day of March, 2021.

**CITY OF WAYCROSS**

**BY: MICHAEL-ANGELO JAMES, Mayor**

**ATTEST:**

**MICHELLE LOVE, City Clerk**

A Resolution of the City of Waycross, Georgia to Approve the Signing of a Release and Dismissal in the Civil Lawsuit Brought by the City of Waycross Against Brantley County Board of Education was approved as presented by motion from Commissioner Diane Hopkins. The motion was seconded by Commissioner Marian Solomon-Gaines. After discussion, all voted affirmatively and the motion was approved.

A Resolution of the City of Waycross, Georgia to Appoint Certain Commissioners to be Liaisons to City Public Safety Departments was presented for approval:

**RESOLUTION NO. R21-15**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,  
TO APPOINT CERTAIN COMMISSIONERS TO BE LIAISONS TO CITY PUBLIC  
SAFETY DEPARTMENTS; AND FOR OTHER PURPOSES.**

**WHEREAS**, liaison is defined as “communication or cooperation which facilitates a close working relationship between people or organizations’ and

**WHEREAS**, the City Commission feels that during these trying times, there is a need for the WPD Police Chief and the WFD Fire Chief to have an official liaison with and to the City Commission; and

**WHEREAS**, Commissioners are intimately aware of City Charter, Section 17, which reads: “Except for the purpose of inquiry, the commission and its members shall deal with the administrative service through the city manager, and neither the commission nor any member thereof shall give orders or instructions to any of the subordinates of the city manager either publicly or privately”; 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 appoints District 2 Commissioner John Threat to be the Official Liaison Commissioner to WPD Police Chief Tommy Cox and District 3 Commissioner Marian Solomon-Gaines to be the Official Liaison Commissioner to WFD Fire Chief David Eddins.

**BE IT FURTHER RESOLVED** that these appointments shall terminate on the first Tuesday in January 2022, unless extended by Resolution of the City Commission.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and are hereby authorized to execute this Resolution for the purposes stated herein and to give effect to the same for all purposes.

**SO RESOLVED**, this 2<sup>nd</sup> day of March, 2021.

**CITY OF WAYCROSS, GEORGIA**

**CITY OF WAYCROSS  
BY: MICHAEL-ANGELO JAMES, Mayor**

**ATTEST:  
MICHELLE LOVE, City Clerk**

Commissioner Marian Solomon-Gaines made the motion to approve A Resolution of the City of Waycross, Georgia to Appoint Certain Commissioners to be Liaisons to City Public Safety Departments as presented. Mayor Pro Tem Henry Strickland seconded the motion; all voted in approval and the motion passed.

A Resolution of the City of Waycross, Georgia To Send A Letter To Owners of Confederate Memorial and Civil War Era Cannon that are Located in Phoenix Park was submitted for approval.

### **RESOLUTION NO. R21-03**

#### **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; AND FOR OTHER PURPOSES.**

**WHEREAS**, there is situated in Phoenix Park in Waycross, Georgia, a monument to Confederate soldiers who died during the Civil War and was placed there in 1910 by the Francis S. Bartow Chapter of the United Daughters of the Confederacy; and

**WHEREAS**, there is also a Civil War era cannon that was given to the Francis S. Bartow Chapter of the United Daughters of the Confederacy who thereafter placed it in Phoenix Park in 1910; and

**WHEREAS**, said above-described monument and cannon are not owned by the City but are privately owned since they were presented to the Sons of Confederate Veterans; and

**WHEREAS**, said matter having been considered.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that Richard E. Currie, City Attorney for the City of Waycross, is directed to pursue any and all legal means to remove the privately-owned Confederate monument and Civil War era cannon from Phoenix Park by any legal means, including but not limited to, the sending of a letter to the owner or owners of said monument and cannon to remove said monument and cannon from municipal property, and the filing of a lawsuit or civil action, if necessary.

**BE IT FURTHER RESOLVED** that the Mayor, City Manager, City Clerk and City Attorney be authorized, empowered and directed, on behalf of the City Commission, 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 2<sup>nd</sup> day of March, 2021.

**CITY OF WAYCROSS**  
**BY: MICHAEL-ANGELO JAMES, Mayor**

**ATTEST:**  
**MICHELLE LOVE, City Clerk**

A Resolution of the City of Waycross, Georgia To Send A Letter To Owners of Confederate Memorial and Civil War Era Cannon that are Located in Phoenix Park was approved by motion from Commissioner Norman Davis. The motion was seconded by Commissioner Marian Solomon-Gaines and approved by 3-2 vote.

A Resolution of the City of Waycross, Georgia to Award a Contract to Utility Asset Management, Inc. for E. L. Saunders Drive Culvert Repair Project was presented for review.

**RESOLUTION NO. R21-16**

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,  
TO AWARD A CONTRACT TO UTILITY ASSET MANAGEMENT, INC. FOR E. L.  
SAUNDERS DRIVE CULVERT REPAIR PROJECT; AND FOR OTHER PURPOSES.**

**WHEREAS**, an existing corrugated metal pipe runs generally parallel to E. L. Saunders Drive for approximately 385 linear feet behind the homes located on E. L. Saunders Drive, beginning at Quarterman Street and daylighting into a drainage canal; and

**WHEREAS**, sections of the bottom have begun to deteriorate and have allowed silt/soil around the pipe to erode causing several large sinkholes to appear; and

**WHEREAS**, this work needs to be completed on an emergency basis since additional rainfall will further burden and damage the area; and

**WHEREAS**, in accordance with the Code of Ordinances of the City of Waycross, section 2-320 (b), the city manager and/or her designee used best efforts to obtain competitive pricing for said emergency services and all actions taken by the city manager and/or her designee were pursuant to Code section 2-320 and were otherwise reasonable under the circumstances; and

**WHEREAS**, said matter being considered.



**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that the City of Waycross approves the emergency procedures used by the city manager and/or her designee and that a contract be awarded to Utility Asset Management, Inc. for the contract price of not more than \$105,378.00 for the E. L. Saunders Drive Culvert Repair Project, to be paid out of available SPLOST funds.

**BE IT FURTHER RESOLVED** that the Mayor, City Manager, City Clerk 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 of this Resolution, hereby ratifying and confirming all actions taken and to be taken.

**SO RESOLVED**, this 2<sup>nd</sup> day of March, 2021.

**CITY OF WAYCROSS**

**BY: MICHAEL-ANGELO JAMES, Mayor**

**ATTEST:**

**MICHELLE LOVE, City Clerk**

A Resolution of the City of Waycross, Georgia to Award a Contract to Utility Asset Management, Inc. for E. L. Saunders Drive Culvert Repair Project was approved by motion from Commissioner Norman Davis. The motion was seconded by Mayor Pro Tem Henry Strickland. All Commissioners voted yes and the motion passed with a 5-0 vote.

After last call, Mayor Michael-Angelo James discussed the Youth Council. Commissioner Norman Davis 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, Mayor**

**ATTEST:**

  
**MICHELLE LOVE, City Clerk**