

**CITY OF HELEN  
COMMISSION MEETING  
JULY 2, 2013  
10:00 A.M.  
AGENDA**

1. CALL TO ORDER BY MAYOR LYNN WHITENER
2. ROLL CALL BY CITY CLERK MARILYN CHASTAIN
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES FROM JUNE 18, 2013
6. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC
7. ADMINISTRATIVE OPERATIONS
  - A. Discussion of Show Cause Hearing for Violation of Alcohol License Ordinance by George Ramirez, License Holder of Club Escape located at 8600 N. Main Street.
  - B. Discussion of Tax Digest and Millage rate.
8. POLICE DEPARTMENT OPERATIONS
9. PUBLIC WORKS, WATER AND WASTE WATER OPERATIONS
10. BUILDING AND ZONING OPERATIONS
11. ORDINANCES
  - A. Second Reading of Ordinance 13-06-02. An Ordinance of the City of Helen, Georgia, to amend the Official Code of the City of Helen, Georgia, by amending Chapter 58; Conditions for the use of the Market Platz, City Parks and Band Shell: By the addition of a Sub-Section (7) to the list of prohibited activities: with said list of activities to include the prohibition of animals and animal acts, including birds, within the Market Platz area where said acts create sanitation issues, including potential public safety issues and damage to public property: and by the addition of a sub-section (8) prohibiting any Market Platz performer from placing any items: displays or signs in the City planters.
  - B. First Reading and Consideration of Ordinance 13-07-01. An Ordinance of the City of Helen, Georgia, to Amend the Official Code of the City of Helen, Georgia, by Amending Chapter 6: Alcoholic Beverages; Article II: Licenses Generally: Section 6-30 Employee Licensing by eliminating the words "Host and/or Hostess: to the Exclusion from employee licensing provisions of Paragraph (3); and BY adding Paragraph (9) to said code section; incorporating O.C.G.A. Section 3-3-24.

C. First Reading and Consideration of Ordinance 13-07-02, an ordinance of the City of Helen, Georgia, to amend the official code of the City of Helen, Georgia, by amending Chapter 42: Miscellaneous Offenses and Provisions, Article I, Section. 42-3. Camping within the City; Permit; by its deletion and substituting in lieu of, a New Sec. 42-3, Camping Prohibited within City Limits, to provide for Definitions of Camping and for other purposes.

12. RESOLUTIONS

13. EXECUTIVE SESSION TO DISCUSS PERSONNEL

14. PURCHASES AND BIDS

15. CITY COMMISSION COMMENTS

16. ADJOURNMENT

**THIS AGENDA WAS POSTED JUNE 28, 2013 AT 9:00 A.M.**

**THIS AGENDA WAS AMENDED AND POSTED JUNE 28, 2013 AT 3:00 P.M.**

**CITY OF HELEN  
COMMISSION MEETING  
JULY 2, 2013  
10:00 A.M.  
MINUTES OF MEETING**

The Helen City Commission met on Tuesday July 2, 2013 at 10:00 a.m. in the Commission chambers at Helen City Hall.

Mayor Lynn Whitener called the meeting to order at 10:00 a.m. City Clerk Marilyn Chastain called the roll and the following were present: Commissioner Judy Holloway, Commissioner Helen Wilkins, Mayor Lynn Whitener, Commissioner Dona K Burke, and Commissioner Jeff Ash. Also present were: City Manager Jerry Elkins, City Attorney Carl Free, Police Chief Jim Couch, Fireman Lee Potete, City Clerk Marilyn Chastain.

City Manager Jerry Elkins requested to Amend the Agenda to add under Executive Session, discussion of potential litigation, Motion to approve the Amended Agenda made by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Helen Wilkins.

Motion approved with a unanimous vote of the Commission.

Motion to approve the Minutes from the June 18, 2013 Commission meeting made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Jeff Ash.

Motion approved with a unanimous vote of the Commission.

Petitions and Communications from the Public: None

Administrative Operations:

- A. Discussion of having a Show Cause Hearing for Violation of Alcohol License Ordinance by Jorge Ramirez, License holder of Club Escape located at 8600 N. Main Street. City Manager Jerry Elkins explained there had been 9 citations issued to Mark Turner a business partner of Club Escape for selling alcohol after hours allowed.

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City Attorney Carl Free informed the Commission of the time frame allowed of holding a Show Cause Hearing after Citations were written. Police Chief Jim Couch explained the tickets written. Motion to have a Show Cause Hearing for Jorge Ramirez on August 6, 2013 at 12:00 p.m. made by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Dona K Burke.  
Motion approved with a unanimous vote of the Commission.

- B. Discussion of Tax digest and Millage rate. City Manager Jerry Elkins explained that the final figures on the approved Tax Digest had been received from the White County Tax Commissioner Cindy Cannon, and that the previous approved property tax increase of 6.75 was over the rollback figure of 6.739, if not lowered there would need to be 3 public meetings held and a final meeting of the Commission to adopt the higher millage rate. Motion to lower the property tax to 6.739 made by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Dona K Burke.  
Motion approved with a unanimous vote of the Commission.

City Manager Jerry Elkins inquired of the Commission if they felt the Fireworks scheduled for July 4, 2013 should be postponed due to the forecast of 100% rain. After much discussion, Commissioner Dona K Burke made a motion to postpone the Fireworks until August 17, 2013 for the City's 100<sup>th</sup> Birthday celebration, 2<sup>nd</sup> by Commissioner Jeff Ash.  
Motion approved with a unanimous vote of the Commission.

Police Department Operations: Police Chief Jim Couch stated all is going well with the Department and that he had hired a new part time officer, he also informed the Commission that both 4 wheelers were ready for use, and that the Helen Police Department had done an undercover operation for alcohol sales to underage persons. Of the 10 establishments tested, 6 of the establishments did sell to underage and tickets were being processed.

Public Works, Water and Waste Water Operations: None

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Building and Zoning Operations: City Manager Jerry Elkins stated he had talked with White County about doing our inspections until the City either contracted with a company or hires someone for the position of Building and Zoning Administrator.

Fire Department: None

Ordinances:

- A. There was not a 2<sup>nd</sup> reading of Ordinance 13-06-02 because the required time between readings was not met. The 2<sup>nd</sup> reading will be held at the July 16, 2013 Commission meeting.
- B. First reading and Consideration of Ordinance 13-07-01 an Ordinance of the City of Helen, Georgia, to Amend the Official Code of the City of Helen, Georgia, by Amending Chapter 6: Alcoholic Beverages: Article II: Licenses Generally: Section 6-30 Employee Licensing by eliminating the words "Host and or Hostess": to the exclusion from employee licensing provisions of Paragraph (3); and by adding Paragraph (9) to said code section; incorporating O.C.G.A. Section 3-3-24. City Manager Jerry Elkins read the Ordinance. Motion to approve the first reading of Ordinance 13-07-01 made by Commissioner Judy Holloway, 2<sup>nd</sup> by Commissioner Dona K Burke.  
Motion approved with a unanimous vote of the Commission.
- C. First reading and Consideration of Ordinance 13-07-02, an Ordinance of the City of Helen, Georgia, to Amend the Official Code of the City of Helen, Georgia, by Amending Chapter 42: Miscellaneous Offenses and Provisions, Article I, Section 42-3, Camping Prohibited within City Limits, to provide for Definitions of Camping and for other purposes. City Manager Jerry Elkins read the Ordinance. Mayor Lynn Whitener asked when someone was considered camping. City Manager Jerry Elkins stated that staying overnight was considered camping. Motion to approve the first reading of Ordinance 13-07-02 made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Judy Holloway.  
Mayor Lynn Whitener voted no.  
Motion approved with a majority vote of the Commission.

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Resolutions: None

Motion to go into Executive Session to Discuss Personnel and Possible Litigation at 10:50 a.m. made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Dona K Burke.  
Motion approved with a unanimous vote of the Commission

Motion to go out of Executive Session and back to the regular Commission meeting at 11:10 a.m. made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Jeff Ash.  
Motion approved with a unanimous vote of the Commission.  
No action was made from the Executive Session.

Purchases and Bids: None

City Commission Comments: Commissioner Dona K Burke wished everyone a Happy 4<sup>th</sup>.

Motion to adjourn at 11:15 a.m. made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Judy Holloway.  
Motion approved with a unanimous vote of the Commission.

**Respectfully Submitted,**

**Marilyn Chastain / City Clerk**