

**CITY OF HELEN  
COMMISSION MEETING  
MAY 7, 2013  
10:00 A.M.  
AGENDA**

1. CALL TO ORDER BY MAYOR LYNN WHITENER
2. ROLL CALL BY CITY CLERK MARILYN CHASTAIN
3. SALUTE TO THE FLAG
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES FROM
6. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC
7. ADMINISTRATIVE OPERATIONS
  - A. Consideration of Alcohol License for Cynthia F. Morris d/b/a Helenbach, located at 8660 North Main Street. For Wine on Premises and Wine Package.
  - B. Consideration of Alcohol License for Susan L. Kearns d/b/a Cosmo's Slice of Helen, located at 11 River Street. For Beer on Premises, Wine on Premises, and Sunday Sales.
  - C. Appointment of representative for the City of Helen to the White County Water Authority Board.
  - D. Discussion of approval for Walker & Associates to perform the 2013 City of Helen audit.
  - E. Acceptance of Real Property Exchange for Public Improvements, Island Area, Dodson and Ivie Properties
  - F. Consideration for approval of agreement with White County for the detention of persons arrested for violations of municipal ordinances of the city and state statutes.
8. FIRE DEPARTMENT OPERATIONS
9. POLICE DEPARTMENT OPERATIONS
10. PUBLIC WORKS, WATER AND WASTE WATER OPERATIONS
11. BUILDING AND ZONING OPERATIONS

12. ORDINANCES

- A. First reading of Ordinance 13-04-01. An Ordinance to Permit Alcohol Sales at Special Events sponsored by the City of Helen.

13. RESOLUTIONS

- A. Resolution Number 13-05-01, A Resolution by the City of Helen for the purpose of awarding a Construction Contract for Concrete Water Tank Rehabilitation and to authorize the City Manager and City Clerk to execute appropriate documents for implementation of the project.
- B. Resolution Number 13-05-02, A Resolution to adopt the White County Board of Health rules, of Department of Human Resources Public Health Chapter 290-5-14, Food Service.
- C. Resolution Number 13-05-03, A Resolution to adopt the White County Board of Health for Public Swimming Pools, Spas, and Recreational Water Parks Regulations.
- D. Resolution Number 13-05-4, A Resolution to adopt the White County Board of Health Rules, of the Department of Human Resources Chapter 290-5-18 Tourist Accommodations.

14. PURCHASES AND BIDS

15. Executive session for Personnel and possible Litigation

16. CITY COMMISSION COMMENTS

17. ADJOURNMENT

**THIS AGENDA WAS POSTED MAY 3, 2013 AT 11:45 A.M.**

**CITY OF HELEN  
COMMISSION MEETING  
MAY 7, 2013  
10:00 A.M.  
MINUTES OF MEETING**

The Helen City Commission met on Tuesday May 7, 2013 at 10:00 a.m. in the Commission Chambers at Helen City Hall.

Mayor Pro tem Jeff Ash called the meeting to order at 10:04 a.m. City Clerk Marilyn Chastain called the roll and the following were present: Commissioner Judy Holloway, Commissioner Dona K Burke, Commissioner Jeff Ash, and Commissioner Helen Wilkins. Mayor Lynn Whitener was absent. Also present were City Manager Jerry Elkins, Police Chief Jim Couch, Public Works Director Ross Hewell, City Attorney Carl Free, and City Clerk Marilyn Chastain. Building and Zoning Director Randy Deshon was absent.

Approval of Agenda. Commissioner Judy Holloway made a motion to approve the Agenda, 2<sup>nd</sup> by Commissioner Helen Wilkins.

Motion approved with a unanimous vote of the Commission present.

Approval of Minutes. Commissioner Helen Wilkins made a motion to approve the Minutes from the April 16, 2013 Commission meeting, 2<sup>nd</sup> by Commissioner Judy Holloway.

Motion approved with a majority vote of the Commissioners, with Commissioner Jeff Ash abstaining.

Petitions and Communication from the Public. Chris Seymour of Alpine Carriage addressed the Commission by asking that the wording in the Carriage Company Ordinance regarding soliciting customers be changed. City Manager Jerry Elkins explained why it is written the way it is, so as to not harass the general public to solicit customers. The suggestion was to leave the Ordinance as is, but to allow a Carriage Driver to ask a potential customer that approached a Carriage if they would like to pay for a ride as long as it is done in a non-harassing manner. Commissioner Jeff Ash suggested taking the matter up again at the next Commission meeting and talking with Police Chief Jim Couch more about the idea.

**CITY OF HELEN  
COMMISSION MEETING  
MAY 7, 2013  
MINUTES OF MEETING  
PAGE 2**

Administrative Operations.

- A. Consideration of Alcohol License for Cynthia F. Morris d/b/a Helenbach to move Alcohol License to 8660 N. Main Street. Commissioner Helen Wilkins made a motion to approve the new location for the Alcohol License of Cynthia F. Morris d/b/a Helenbach to 8660 N. Main Street, 2<sup>nd</sup> by Commissioner Dona K Burke. Motion approved with a unanimous vote of the Commission present.
- B. Consideration of Alcohol License for Susan L. Kearns d/b/a Cosmo's Slice of Helen at 11 River Street. City Clerk Marilyn Chastain told the Commission that Susan L. Kearns had requested to withdraw her application due to the business closing and requested consideration for a refund of application fees. Commissioner Jeff Ash made a motion to allow withdrawal of the application and refunding the application fee for the license, but to deny the return of the \$140.00 background, fingerprint, and advertising fees because these items had already been done at an expense to the City, 2<sup>nd</sup> by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission present.
- C. Appointment of representative for the City of Helen to the White County Water Authority Board. Motion to appoint Mully Ash made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission present.
- D. Discussion of approval for Walker & Associates to perform the 2013 City of Helen audit. Motion to approve Walker & Associates to perform the 2013 City of Helen audit made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission present.
- E. Acceptance of Real Property Exchange for Public Improvements in the Island area with property owners Dodson and Ivie. City Manager Jerry Elkins explained the exchange and presented a plat showing the property lines, he also explained there is no cost involved other than the survey that the City paid. Commissioner Jeff Ash made a motion to accept the property exchange with property owners Ivie and Dodson in the Island area and to allow City Manager Jerry Elkins to execute the exchange on behalf of the City of Helen, 2<sup>nd</sup> by Commissioner Dona K Burke. Motion approved with a unanimous vote of the Commission present.

**CITY OF HELEN  
COMMISSION MEETING  
MAY 7, 2013  
MINUTES OF MEETING  
PAGE 3**

- F. Consideration for approval of agreement with White County for the detention of persons arrested for violations of municipal ordinances for the City and State Statutes. City Manager Jerry Elkins explained to the Commission this is the same agreement and terms as in years past. Commissioner Dona K Burke made the motion to accept the agreement with White County for the detention of persons arrested for violations of municipal ordinances for the City and State Statutes, 2<sup>nd</sup> by Commissioner Judy Holloway.  
Motion approved with a unanimous vote of the Commission present.

Fire Department Operations. City Manager Jerry Elkins reported the Department is running smoothly.

Police Department Operations. Police Chief Jim Couch told the Commission he had hired a new part time officer, Officer Lumpkin. He also explained the new Bonding procedure he had worked out with the White County Sheriff's office that will help keep on duty officers in town instead of having to make an extra trip to Cleveland when a prisoner bonds out. Police Chief Jim Couch informed the Commission he has been having trouble with the MDS system merging files incorrectly together and needs to be updated.

Public Works, Water and Waste Water Operations. Public Works Director Ross Hewell informed the Commission his Department has been busy with mowing and plans to hang the new Banners after the SOWO and Biker events.

Building and Zoning Operations. Director Randy Deshon was not present for the meeting.

Ordinances. First reading of Ordinance 13-04-01. An Ordinance to Permit Alcohol Sales at Special Events sponsored by the City of Helen. City Manager Jerry Elkins read the Ordinance. Commissioner Dona K Burke made a motion to approve the first reading of Ordinance 13-04-01, 2<sup>nd</sup> by Commissioner Helen Wilkins.  
Motion approved with a unanimous vote of the Commission present.

**COMMISSION MEETING  
MAY 7, 2013  
MINUTES OF MEETING  
PAGE 4**

Resolutions.

- A. Resolution 13-05-01, A Resolution by the City of Helen for the purpose of awarding a Construction Contract for Concrete Water Tank Rehabilitation and to authorize the City Manager and City Clerk to execute appropriate documents for implementation of the project. City Manager Jerry Elkins read Resolution 13-05-01 to the Commission. Motion to approve Resolution 13-05-01 as submitted made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Helen Wilkins. Resolution 13-05-01 will become an integral part of the minutes.  
Motion approved with a unanimous vote of the Commission present.
- B. Resolution Number 13-05-02, A Resolution to adopt the White County Board of Health rules, of Department of Human Resources Public Health chapter 290-5-14, Food Service. City Manager Jerry Elkins read Resolution 13-05-02 to the Commission. Resolution 13-05-02 will become and integral part of the minutes. Motion to approve Resolution 13-05-02 as submitted made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Helen Wilkins.  
Motion approved with a unanimous vote of the Commission present.
- C. Resolution Number 13-05-03, A Resolution to adopt the White County Board of Health for Public Swimming Pools, Spas, and Recreational Water Parks Regulations. City Manager Jerry Elkins read Resolution 13-05-03 to the Commission. Resolution 13-05-03 will become an integral part of the minutes. Motion to approve as submitted made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Dona K Burke.  
Motion approved with a unanimous vote of the Commission present.
- D. Resolution Number 13-05-04, A Resolution to adopt the White County Board of Health Rules, of the Department of Human Resources Chapter 290-5-18 Tourist Accommodations. City Manager Jerry Elkins read Resolution 13-05-04 to the Commission. Resolution 13-05-04 will become an integral part of the minutes. Motion to approve Resolution 13-05-04 as submitted made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Dona K Burke.  
Motion approved with a unanimous vote of the Commission present.

Purchases and Bids. None

**MAY 7, 2013**  
**MINUTES OF MEETING**  
**PAGE 5**

Motion to go into Executive Session for Personnel and possible Litigation made at 11:05 a.m. by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

The announcement made that action may be taken after the Executive Session.

Commissioners present for the Executive Session were Commissioner Helen Wilkins, Commissioner Judy Holloway, Commissioner Dona K Burke, Commissioner Jeff Ash.

Motion to end Executive Session and resume the regular Commission meeting made by Commissioner Dona K Burke at 11:45 a.m., 2<sup>nd</sup> by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

Commissioner Jeff Ash made a motion to end the Restroom renovation contract with Jonathon Sims, Pinnacle Construction on Tuesday May 14, 2013 at 5:00 p.m., 2<sup>nd</sup> by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

City Commission Comments. None

Motion to adjourn at 11:53 a.m. made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

**Respectfully Submitted,**

**Marilyn Chastain/City Clerk**