

**CITY OF HELEN
COMMISSION MEETING
JUNE 18, 2013
3:00 P.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 4, 2013
6. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC
7. ALPINE HELEN/WHITE COUNTY CVB MONTHLY REPORT
8. HELEN CHAMBER OF COMMERCE MONTHLY REPORT
9. ADMINISTRATIVE
 - A. Presentation from Georgia Down Under of new City of Helen Website
 - B. Consideration for approval of Alcohol License for Carl N. Fisk d/b/a/ Rib Country located at 11 River Street, Helen, Georgia 30545, for beer on premises, wine on premises and Sunday sales.
 - C. Consideration for approval of Alcohol License for Eason Guy Dupree d/b/a Cowboys and Angels located at 60 Chattahoochee St, unit 303, Helen, GA 30545, for beer on premises, wine on premises, liquor pouring, and Sunday Sales.
 - D. Consideration of Unicoi Hill Park easement for Windstream
 - E. Discussion of City Park(s) being used for personal profit
 - F. Fletcher Holliday with Engineering Management Inc., for presentation of final plans for the Island Area development.
 - G. Discussion of request from Chris Cooley to submit proposal for SOWO event by June 30.
 - H. Financial Report
10. FIRE DEPARTMENT MONTHLY REPORT
11. POLICE DEPARTMENT MONTHLY REPORT
 - A. Consideration for approval of new Standard Operating Procedures manual
12. PUBLIC WORKS, WATER AND WASTE WATER MONTHLY REPORT

13. BUILDING AND ZONING DEPARTMENT MONTHLY REPORT

14. ORDINANCES

A. Public hearing for Ordinance 13-06-01 and Ordinance of the Budgetary Appropriations for fiscal year 2013/2014

B. Second reading and consideration of approval of Ordinance 13-06-01, an Ordinance of the city of Helen Georgia making Budgetary Appropriations for fiscal year 2013/2014.

C. First reading of Ordinance 13-06-02 an Ordinance to amend the Official Code of the City of Helen, amending chapter 58: conditions for the use of the Market Platz, City Parks, and band shell; by the Amendment of section 58-407; 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.

D. First reading of Ordinance 13-06-03 an Ordinance of the City of Helen Georgia to amend the Official Code Chapter 34: Land Development Code; Article VII: Signs; by the Amendment of the definitions section a definition for "Shadow Boxes" To Section 34-1-1; And also by the addition of a new section to Article VII, Signage: Section 34-1-118: Standards and requirements for Shadow Box signs.

15. RESOLUTIONS

A. Resolution 13-06-01 for authorizing a Comprehensive Adjustment to FY 2012/ 2013 Budget Appropriations

16. PURCHASES AND BIDS

17. CITY COMMISSION COMMENTS

18. ADJOURNMENT

THIS AGENDA WAS POSTED JUNE 14, 2013 AT 11:00 A.M.

**CITY OF HELEN
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JUNE 18, 2013
3:00 P.M.
MINUTES OF MEETING**

The Helen City Commission met on Tuesday June 18, 2013 at 3:00 p.m. in the Commission chambers at Helen City Hall.

Mayor Lynn Whitener called the meeting to order at 3:00 p.m. City Clerk Marilyn Chastain called the roll and the following were present: Commissioner Judy Holloway, Mayor Lynn Whitener, Commissioner Dona K Burke and Commissioner Jeff Ash.

Absent were Commissioner Helen Wilkins, and Fireman Lee Poteat.

Also present were City Manager Jerry Elkins, Finance Officer Debbie Gerchman, City Attorney Carl Free, Police Chief Jim Couch, Building and Zoning Director Randy DeShon, Public Works Director Ross Hewell and City Clerk Marilyn Chastain.

Motion to Amend, and Approve the Agenda to add as item #17 Executive Session to discuss possible Litigation, and to change the Resolution number from 13-06-01 to 13-06-02 under Resolutions made by Commissioner Dona K Burke, 2nd by Commissioner Jeff Ash.

Motion approved with a unanimous vote of the Commission present.

Motion to approve the Minutes from the June 4, 2013 Commission meeting made by Commissioner Dona K Burke, 2nd by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

Petitions and Communications from the Public. None

Alpine Helen/White County CVB Report. Copy of report included as a part of these minutes. Jerry Brown Director was present from the CVB and read the report.

Helen Chamber of Commerce Monthly Report. Renee Chacon Director was present and reported the Centennial T-Shirts had arrived, that Bingo is still going on at the Fest Hall, and that they are still getting bids on the remodeling work that is going to be done.

Administrative.

A. Wayne Kraska of Georgia Down Under the web-site developer, spoke to the Commission about the progress he has made getting the site together, and plans to go live hopefully by the weekend.

B. Motion to approve the Alcohol License for Carl N. Fisk d/b/a/ Rib Country at 11 River Street for Beer and Wine on premises made by Commissioner Jeff Ash, 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

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C. Motion to approve the Alcohol License for Eason Guy Dupree d/b/a Cowboys and Angles at 60 Chattahoochee Strasse for Beer and Wine on Premises, Liquor Pouring and Sunday Sales made by Commissioner Dona K Burke, 2nd by Commissioner Jeff Ash.

Motion approved with a unanimous vote of the Commission present.

D. Consideration of Unicoi Hill Park easement for Windstream. City Manager Jerry Elkins explained the easement that had been requested. Commissioner Jeff Ash made a motion to allow City Manager Jerry Elkins and City Attorney Carl Free the authority to execute the required documents to allow for an under- ground utility only easement, 2nd by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

E. Discussion of City Park(s) being used for personal profit. City Manager Jerry Elkins explained that there had been a call requesting use of the Riverside Park to conduct a Yoga class, and that the caller also had informed the City that another class was already being held there and that the students taking the class have paid the instructor for the classes. The caller was requesting to be allowed to do the same. After discussion and clarity from City Attorney Carl Free on public use of the park, Commissioner Jeff Ash made a motion to allow City Manager Jerry Elkins to amend the Park Rules and regulations to prohibit use of the City Parks for profit, 2nd by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

F. Fletcher Holliday with Engineering Management Inc., presented the final plans for the Island area to the Commission and discussed the drainage, catch basins, parking spaces, sidewalk, roadway, and the possible need to relocate the 2 phone post to allow parking for 4 additional spaces. There was discussion on the possible cost to have the phone post moved by Windstream, Fletcher Holliday estimated the cost to be between \$750.00 to \$1000.00, and also informed the Commission that the cost of the project does not include landscaping. Commissioner Jeff Ash made a motion to allow Fletcher Holliday with Engineering Management Inc, to draw up the Bid forms for the Island project, 2nd by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

G. Discussion of request from Chris Cooley to submit proposal for SOWO event by June 30. City Manager Jerry Elkins informed the Commission that he had received an email from Mr. Cooley requesting a proposal from the City for the next SOWO event, he also reminded the Commission that at the last meeting Mr. Cooley was told that he had not yet submitted his application for the Special Event and would need to do so before the Special Event could be considered for approval by the Planning Design and Review Board. Commissioner Jeff Ash made a motion to have City Manager Jerry Elkins send a letter by Certified Mail that in order for SOWO to have their event they must submit a formal Application and apply thru the PDRB, doing so in a timely fashion and list every single functional thing that the Ordinance on Special Events ask for, including how they are going to help with certain cost and to submit the application within 30 days, 2nd by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

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H. Financial Report. City Manager Jerry Elkins stated that the Financial Report looks good. Commissioner Jeff Ash stated he had gone over the report and it looks good to him also. Commissioner Jeff Ash made a motion to approve the Financial Report, 2nd by Commissioner Dona K Burke.
Motion approved with a unanimous vote of the Commission present.

Fire Department Monthly Report: None. Fireman Lee Poteat was not present at the meeting.

Police Department Monthly Report. Report is included as an integral part of these minutes. Police Chief Jim Couch asked the Commission to approve the Donation made to the Police Department to be allowed to use that donation to purchase equipment for the new 4 wheeler, which was agreed upon, no motion necessary, he also reported that he had hired Lee Johansen as a part time officer. A. Police Chief Jim Couch presented the Standard Operating Procedures manual he had created for the Police Department. City Attorney Carl Free stated he had read the manual ,and thinks the manual is fine. Commissioner Judy Holloway made a motion to approve the new Standard Operating Procedures manual for the Police Department, 2nd by Commissioner Dona K Burke.
Motion approved with a unanimous vote of the Commission present.

Public Works, Water and Waste Water Monthly Report. Public Works Director Ross Hewell was present and presented his report that will be included as an integral part of these minutes.

Building and Zoning Department Monthly Report. Building and Zoning Director was present and his report will be included as an integral part of these minutes.

City Manager Jerry Elkins reported to the Commission that Building and Zoning Director Randy DeShon had submitted his formal resignation, stating the reason was to be near family in Kansas, and had taken a job with the State of Kansas. Each Commissioner stated they were sorry to see him go and that he had done an excellent job working for the City of Helen.

Ordinances.

A. Public hearing for Ordinance 13-06-01 and Ordinance of the Budgetary Appropriations for fiscal year 2013/2014. Commissioner Judy Holloway made a motion to go into the Public Hearing at 4:14 p.m., 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission.

No one from the Public had any comments.

Motion to go out of the Public Hearing at 4:15 p.m. made by Commissioner Judy Holloway, 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission Present.

B. Second Reading and consideration of approval of Ordinance 13-06-01, an Ordinance of the City of Helen Georgia making Budgetary Appropriations for fiscal year 2013/2014.

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Motion to approve the Second Reading of Ordinance 13-06-01 and to approve Ordinance 13-06-01 with the changes of the milage rate to increase to 6.75% and a salary increase of 3% across the board for each employee, made by Commissioner Dona K Burke, 2nd by Commissioner Judy Holloway.

Motion approved with a unanimous vote of the Commission present.

To clarify the the motion just made, Commissioner Jeff Ash made a motion that the Second Reading of Ordinance 13-06-01, an Ordinance of the City of Helen making Budgetary Appropriations for the fiscal year 2013/2014 be approved with the following changes: The Tax Milage increase from 6.45 to 6.75 to generate the same amount of property tax as was budgeted for last year and that a 3% Salary Increase be added for all City Employees to compensate for the additional 2% increase in employment taxes to the employees, and that the budget be reviewed each quarter for projected revenues and consider an additional 2% salary increase in December, 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

Mayor Lynn Whitener reminded the Commission that City Manager Jerry Elkins Salary increase had to be voted on in a separate motion per his Contract with the City. Commissioner Dona K Burke made a motion to give City Manager Jerry Elkins a 3% salary increase, 2nd by Commissioner Jeff Ash.

Motion approved with a unanimous vote of the Commission present.

C. First Reading of Ordinance 13-06-02 a Code change to the Market Platz Ordinance. City Manager Jerry Elkins read the Ordinance.

Motion to approve the First Reading of Ordinance 13-06-02 made by Commissioner Judy Holloway, 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

D. First Reading of Ordinance 13-06-03 to amend the Official Code Chapter 34: Land Development Code; Article VII: Signs; by the Amendment of the definitions section a definition for "Shadow Boxes" to Section 34-1-1; and also by the addition of a new section to Article VII, Signage: Section 34-1-118: Standards and requirements for Shadow Box signs. Motion to approve the First Reading of Ordinance 13-06-03 made by Commissioner Judy Holloway, 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

Resolutions.

A. Resolution 13-06-02 for authorizing a Comprehensive Adjustment to FY 2012/2013 Budget Appropriations. Motion to approve Resolution 13-06-02 made by Commissioner Judy Holloway, 2nd by Commissioner Dona K Burke.

Motion approved with a unanimous vote of the Commission present.

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Purchases & Bids: None

Executive Session: Motion to go into Executive Session to discuss possible Litigation made by Commissioner Judy Holloway at 4:40 p.m., 2nd by Commissioner Dona K Burke.
Motion approved with a unanimous vote of the Commission present.

Motion to come out of Executive Session and resume the regular Commission meeting made by Commissioner Jeff Ash at 4:51 p.m., 2nd by Commissioner Dona K Burke.
Motion approved with a unanimous vote of the Commission present.

No action taken from the Executive Session.

City Commission Comments: Commissioner Judy Holloway stated she had received several complaints from residents about Campers staying in the pay parking lot on Unicoi Street, there was further discussion about the issue, with no action taken.

The motion to adjourn at 5:10 p.m. made by Commissioner Jeff Ash, 2nd by Commissioner Judy Holloway.
Motion approved with a unanimous vote of the Commission present.

Respectfully Submitted,

Marilyn Chastain / City Clerk