

**CITY OF HELEN
COMMISSION MEETING
AUGUST 11, 2020
10:00 A.M.
AGENDA**

1. CALL TO ORDER BY MAYOR STEVE FOWLER
2. ROLL CALL BY CITY CLERK MARILYN CHASTAIN
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES FROM JULY 14, 2020 AND JULY 30, 2020 SPECIAL CALLED MEETING TO SET THE MILLAGE RATE
6. ADMINISTRATIVE OPERATIONS
 - A. UPDATE FROM CITY MANAGER ON CURRENT PROJECTS
 - B. WATER BILLING RATE ANALYSIS
 - C. HOTEL MOTEL TAX RATE ANALYSIS
 - D. VERIFICATION ON LENGTH OF TERM FOR RENEWAL OF THE LEASE CONTRACT FOR THE HELEN ARTS AND HERITAGE CENTER BUILDING
 - E. FINANCIAL REPORT
 - F. CONSIDERATION FOR APPROVAL OF ALCOHOL LICENSE APPLICATION FROM DARLINE DIAZ D/B/A/ HAYLOFT RESTAURANT AND BAR LOCATED AT 69 TANNEN WEG FOR BEER ON PREMISES, WINE ON PREMISES, LIQUOR POURING AND SUNDAY SALES
 - G. FLETCHER HOLIDAY TO DISCUSS STATUS OF WELL PROJECTS
 - H. POTENTIAL OKTOBERFEST ACTIVITIES AND PARADE

"PREVIOUS CHAMBER PARADE SCHEDULED SEPTEMBER 12TH"
 - I. DISCUSSION OF POSSIBLE POLICE DISPATCHER ON SATURDAYS JUNE THRU THE END OF OKTOBERFEST
 - J. DISCUSSION OF POTENTIAL UNIFORMS FOR PUBLIC WORKS EMPLOYEES

- K. DISCUSSION OF RECENTLY APPROVED GEORGIA HOUSE BILL 879—PACKAGE SALES BY DELIVERY

- 7. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

- 8. HELEN/WHITE COUNTY CVB MONTHLY REPORT

- 9. HELEN CHAMBER OF COMMERCE MONTHLY REPORT

- 10. POLICE DEPARTMENT OPERATIONS MONTHLY REPORT
 - A. DISCUSSION OF LONG TERM HOTEL GUEST

- 11. FIRE DEPARTMENT OPERATIONS MONTHLY REPORT

- 12. PUBLIC WORKS, WATER AND WASTE WATER OPERATIONS MONTHLY REPORT

- 13. BUILDING AND ZONING OPERATIONS MONTHLY REPORT
 - A. SIGN VARIANCE REQUEST FOR A THIRD SIGN AT GEORGIA MOUNTAIN COASTER ACROSS FROM MUNICH STRASSE
 - B. EXTERIOR FINISH SCHEDULE AND DISCUSSION OF UPDATED COLOR CHART AND ARCHITECTURAL DESIGN FOR COMMERCIAL BUILDINGS

- 14. PURCHASES AND BIDS

- 15. ORDINANCE 20-08-01; FIRST READING; 20-08-01 AN ORDINANCE OF THE CITY OF HELEN, GEORGIA TO AMEND CHAPTER 6 OF THE HELEN OFFICIAL CODE TO AMEND SECTION 6-68 REGARDING APPLICATION PROCEDURES; SECTION 6-69 REGARDING FACTORS FOR COMMISSION CONSIDERATION; AND SECTION 6-26 REGARDING EXPIRATION, RENEWAL, ADDITIONAL LICENSE TYPES, AND PAYMENT OF FEES

ORDINANCE 20-08-02; FIRST READING; 20-08-02 AN ORDINANCE OF THE CITY OF HELEN, GEORGIA TO AMEND CHAPTER 42 OF THE HELEN OFFICIAL CODE; MISCELLANEOUS OFFENSES AND PROVISIONS; BY THE AMENDMENT OF SECTION 42-2

ORDINANCE 20-08-03; FIRST READING; 20-08-03 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF HELEN, GEORGIA, BY THE AMENDMENT OF CHAPTER 67, HORSE DRAWN CARRIAGES FOR HIRE

16. RESOLUTIONS;

RESOLUTION; 20-08-01, A RESOLUTION OF THE CITY OF HELEN, GEORGIA TO AUTHORIZE THE EXECUTION OF THE CORONAVIRUS RELIEF FUND (CRF) TERMS AND CONDITIONS AGREEMENT; TO AUTHORIZE THE ACCEPTANCE OF GRANT PAYMENTS, INCLUDING ALL UNDERSTANDINGS AND ASSURANCES CONTAINED WITHIN SUCH AGREEMENT; TO DIRECT AND AUTHORIZE THE PERSON IDENTIFIED AS THE OFFICIAL REPRESENTATIVE OF THE CITY, OR THE DISIGNEE OF THE CITY TO ACT IN CONNECTION WITH THE GRANT APPLICATION; AND TO PROVIDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED

RESOLUTION; 20-08-02, A RESOLUTION OF THE CITY OF HELEN, GEORGIA TO REQUEST THAT THE COMMISSIONER OF THE GEORGIA DEPARTMENT OF REVENUE PROVIDE A SALES TAX REPORT TO THE CHIEF FINANCIAL OFFICER OF THE CITY OF HELEN, PURSUANT TO O.C.G.A. 48-2-15 (d)(d.1)(1) FOR THE FISCAL YEAR FROM JULY 1, 2018-JUNE 30, 2019; AND FOR THE FISCAL YEAR FROM JULY 1, 2019-JUNE 31, 2020

17. CITY COMMISSION COMMENTS

18. ADJOURNMENT

THIS AGENDA WAS POSTED AUGUST 7, 2020 @ 11:45 A.M.

THE MEETING AGENDA IS SUBJECT TO CHANGE AND IS NOT FINAL UNTIL APPROVED BY THE CITY OF HELEN COMMISSION AT THE COMMISSION MEETING STATED HEREIN.

**CITY OF HELEN
COMMISSION MEETING
AUGUST 11, 2020
MINUTES OF MEETING**

The Helen City Commission met on Tuesday August 11, 2020 in the Commission Chambers at Helen City Hall with Mayor Steve Fowler calling the meeting to order at 10:00 a.m. Attending were Commissioner Jeff Ash, Commissioner Geneva Elwell, Mayor Steve Fowler, Commissioner Lee Landress, and Commissioner Fred Garmon.

Also attending were Finance Officer Mona Wood, City Manager Jerry Elkins, City Attorney Carl Free, City Clerk Marilyn Chastain, Police Chief Brian Stephens, Fire Chief Jody Prickett, Building & Zoning Director Darrell Westmoreland. Absent was Public Works Director Ross Hewell.

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA; Motion to Amend with the additions of adding in item G in Administration, discussion to include Leak Detection and add as item M, Noise Ordinance discussion made by Commissioner Fred Garmon, 2nd by Commissioner Lee Landress. Motion approved with a unanimous vote of the Commission.

APPROVAL OF MINUTES FROM JULY 14, 2020 AND JULY 30, 2020 SPECIAL CALLED MEETING TO SET THE MILLAGE RATE; Motion to approve both sets of Minutes made by Commissioner Jeff Ash, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

ADMINISTRATIVE OPERATIONS

UPDATE FROM CITY MANAGER ON CURRENT PROJECTS; City Manager Jerry Elkins stated that the Unicoi Hill Park project is turning out well and that the fence at the Veteran's park is scheduled to be installed September 2nd.

WATER BILLING RATE ANALYSIS; Mayor Steve Fowler stated that the cost of supplemental water from White County cost more than what the City could produce it for and that our current rates are lower than other surrounding cities but believes that the rate analysis being done will help determine what should be considered.

HOTEL MOTEL TAX RATE ANALYSIS; Mayor Steve Fowler stated that currently there is no list of properties that should be paying Hotel/Motel taxes and would like to see 2 things done; 1- compile a list of those that should be paying and 2- make sure the list is updated and accurate.

VERIFICATION ON LENGTH OF TERM FOR RENEWAL OF THE LEASE CONTRACT FOR THE HELEN ARTS AND HERITAGE CENTER BUILDING; The term of the lease was discussed. City Attorney Carl Free explained that the current lease expired in July and

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that when renewed previously it had been for 5 years, he explained that the current Commission members may not be serving in 5 years but needed to clarify if the renewal should be for 5 years or what length. Commissioner Lee Landress made the motion to make the lease a 1 year term, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

FINANCIAL REPORT; Finance Officer Mona Wood stated that the City's finances are solid and that Hotel/Motel taxes are higher than in 2019. Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

CONSIDERATION FOR APPROVAL OF ALCOHOL LICENSE APPLICATION FROM DARLINE DIAZ D/B/A/ HAYLOFT RESTAURANT AND BAR LOCATED AT 69 TANNEN WEG FOR BEER ON PREMISES, WINE ON PREMISES, LIQUOR POURING AND SUNDAY SALES; Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

FLETCHER HOLIDAY TO DISCUSS STATUS OF WELL PROJECTS; Fletcher Holiday of EMI explained that water usage has increased and dramatically increased in May by approximately 100,000 gallons a day and suggested having a full leak detection analysis done and recommended a company that he has used in other cities Match Point and gave a cost of having the leak analysis done. Motion to approve the leak detection analysis at a cost of \$7,500.00 and to approve the digitization and AGO of maps at a cost of \$4,000.00 for a total of \$11,500 made by Commissioner Jeff Ash, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

Fletcher Holiday explained the current water meters are approximately 20 years old and are in need of being replaced with more efficient meters. Motion to move forward with getting bids for the water meter replacement program made by Commissioner Jeff Ash, 2nd by Lee Landress. Motion approved with a unanimous vote of the Commission.

Fletcher Holiday explained the possible need for an additional well in the future to help keep cost down on producing water and suggested having a hydrologist look at possible sites.

Fletcher Holiday stated that the smoke testing that had been recently done had found 64 defects and is waiting on the final report being generated.

Commissioner Fred Garmon left the meeting at 10:55 a.m.

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Fletcher Holiday stated that the manhole evaluations with the numbering and mapping is being done and will show which ones may need repair or replaced, and reminded the Commission that the current sewer plant is at 60% capacity and that a sludge analysis should be done and possibly in 3 to 5 years the sludge may need to be removed which is a costly project that he wanted to make the Commission aware of.

Fletcher Holiday reminded the Commission of the previous Chattahoochee River Sewer line project that had been approved several years ago but were unable to do because of not being able to get access from the adjoining property owner and that the permits that had been obtained had expired and would have to be reapplied for from the current property owner Lesa Long which has granted permission for access to the project. Motion to authorize EMI to proceed in getting necessary permits for the Chattahoochee River Sewer line project at a cost of up to \$7,000.00 made by Commissioner Jeff Ash, 2nd by Commissioner Lee Landress. Motion approved with a unanimous vote of the Commission present.

Fletcher Holiday explained the concrete water tank has no leaks and is waiting on being able to disinfect after the water leak detection company finds the water line leaks.

Fletcher Holiday explained the Hex Strasse well that the gravel patch repair did not set up and is waiting for it to settle then will bid out the project.

Fletcher Holiday explained the Lenzen property well is waiting on EPD approval on the variance of the 50' distance from the home and has had a delay because of Covid-19.

Fletcher Holiday explained the Main lift station is in dire need of replacement and has gotten an easement from the adjoining property owner but suggested waiting until 2021 winter time to try and get grants to help fund the project and hopefully find the other problems first before the replacement.

Innsbruck Water Tank, Fletcher Holiday stated that he suggest finding the water leaks before maintenance is done here.

Mayor Steve Fowler asked if EMI could give a bi-weekly status report which Fletcher Holiday stated yes he could. City Manager Jerry Elkins stated to be aware that the mentioned projects could run between 2 to 3 million dollars.

POTENTIAL OKTOBERFEST ACTIVITIES AND PARADE

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"PREVIOUS CHAMBER PARADE SCHEDULED SEPTEMBER 12TH". CVB Director Jerry Brown stated he had already received 12 applications to be in the parade, and is hoping for a good turn out.

DISCUSSION OF POSSIBLE POLICE DISPATCHER ON SATURDAYS JUNE THRU THE END OF OKTOBERFEST; Commissioner Jeff Ash stated there has been a large volume of people in town Friday thru Sunday and would like to consider having a dispatcher at City Hall. Police Chief Brian Stephens stated that the 911 call center is short staffed and that Helen had 156 calls Saturday and Sunday. Motion to approve having someone for 28 to 30 hours on weekends to answer the phone in the police department thru the end of Oktoberfest at a cost of approximately \$9,000.00 made by Commissioner Lee Landress, 2nd by Commissioner Jeff Ash. Motion approved with a unanimous vote of the Commission present.

DISCUSSION OF POTENTIAL UNIFORMS FOR PUBLIC WORKS EMPLOYEES; to table to the next meeting.

Commissioner Fred Garmon returned to the meeting at 12:14 p.m.

DISCUSSION OF RECENTLY APPROVED GEORGIA HOUSE BILL 879—PACKAGE SALES BY DELIVERY; City Attorney Carl Free explained that the City will either have to approve or deny home delivery alcohol sales. City Attorney Carl Free will put in Ordinance form for the next meeting.

DISCUSSION OF HORSE DRAWN CARRIAGE ROUTES; Mayor Steve Fowler stated that section 67-18 of the Ordinance states that the City Manager is to set the carriage routes or deviation of the routes if different, currently if a carriage company is hired for a different route they call the 911 dispatch to tell of the new route which ties up emergency lines and causes congestion on city streets and wants to add "no pre-arranged routes" without 3 days prior notice before being allowed to the ordinance.

DISCUSSION OF NOISE ORDINANCE; Mayor Steve Fowler stated he thinks music should not be used as an attractant and would rather see it used inside the premises. Commissioner Lee Landress stated he thinks there should be none outside between the hours of 10 p.m. to 7 a.m.

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC; Celena was present to discuss the possibility of a skatepark in Helen and presented the commissioners with a packet of information of other skateparks. Mayor Steve Fowler stated that he see's little support

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from the current commissioners and suggested she meet with each one to explain her proposal as she would need support of at least 3 commissioners for approval.

HELEN/WHITE COUNTY CVB MONTHLY REPORT; Report included as an integral part of the Minutes. Director Jerry Brown was present and gave a verbal report. He also stated the CVB is promoting the Oktoberfest and outdoor activities.

HELEN CHAMBER OF COMMERCE MONTHLY REPORT; No report included. Director Renee Green left before giving a report. There was discussion of events and suggested by Mayor Steve Fowler to have a called meeting on August 18, 2020 to discuss.

POLICE DEPARTMENT OPERATIONS MONTHLY REPORT; Report included as an integral part of the Minutes. Police Chief Brian Stephens gave a verbal report.

DISCUSSION OF LONG TERM HOTEL GUEST; Police Chief Brian Stephens asked the Commission to have a 90 day suspension of allowing any new long term guest because of problems. Motion by Commissioner Lee Landress to suspend allowing all long term guest that are not currently approved for 90 days and not allowing any new long term guest to be added to the approved list, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

FIRE DEPARTMENT OPERATIONS MONTHLY REPORT; Report included as an integral part of the Minutes. Fire Chief Jody Prickett gave a verbal report.

PUBLIC WORKS, WATER AND WASTE WATER OPERATIONS MONTHLY REPORT; No report.

BUILDING AND ZONING OPERATIONS MONTHLY REPORT; Report included as an integral part of the Minutes. Director Darrell Westmoreland was present and gave a verbal report.

SIGN VARIANCE REQUEST FOR A THIRD SIGN AT GEORGIA MOUNTAIN COASTER ACROSS FROM MUNICH STRASSE; Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

EXTERIOR FINISH SCHEDULE AND DISCUSSION OF UPDATED COLOR CHART AND ARCHITECTURAL DESIGN FOR COMMERCIAL BUILDINGS; Motion to approve all 6 items recommended by the PDRB (copy included as an integral part of the minutes) with the addition of item 7 a finish schedule, as item 8 either shingle or grade A metal roofing,

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item 9 new color chart made by Commissioner Lee Landress, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

PURCHASES AND BIDS; None

ORDINANCE 20-08-01; FIRST READING; 20-08-01 AN ORDINANCE OF THE CITY OF HELEN, GEORGIA TO AMEND CHAPTER 6 OF THE HELEN OFFICIAL CODE TO AMEND SECTION 6-68 REGARDING APPLICATION PROCEDURES; SECTION 6-69 REGARDING FACTORS FOR COMMISSION CONSIDERATION; AND SECTION 6-26 REGARDING EXPIRATION, RENEWAL, ADDITIONAL LICENSE TYPES, AND PAYMENT OF FEES; Ordinance was read by City Attorney Carl Free. Motion to approve the first reading made by Commissioner Lee Landress, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

ORDINANCE 20-08-02; FIRST READING; 20-08-02 AN ORDINANCE OF THE CITY OF HELEN, GEORGIA TO AMEND CHAPTER 42 OF THE HELEN OFFICIAL CODE; MISCELLANEOUS OFFENSES AND PROVISIONS; BY THE AMENDMENT OF SECTION 42-2; Ordinance read by Mayor Steve Fowler. Motion to approve the first reading made by Commissioner Fred Garmon, 2nd by Commissioner Lee Landress. Motion approved with a unanimous vote of the Commission

ORDINANCE 20-08-03; FIRST READING; 20-08-03 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF HELEN, GEORGIA, BY THE AMENDMENT OF CHAPTER 67, HORSE DRAWN CARRIAGES FOR HIRE; Ordinance read by City Manager Jerry Elkins. Motion to approve made by Commissioner Fred Garmon 2nd by Commissioner Lee Landress. Motion approved with a unanimous vote of the Commission.

RESOLUTIONS;

RESOLUTION; 20-08-01, A RESOLUTION OF THE CITY OF HELEN, GEORGIA TO AUTHORIZE THE EXECUTION OF THE CORONAVIRUS RELIEF FUND (CRF) TERMS AND CONDITIONS AGREEMENT; TO AUTHORIZE THE ACCEPTANCE OF GRANT PAYMENTS, INCLUDING ALL UNDERSTANDINGS AND ASSURANCES CONTAINED WITHIN SUCH AGREEMENT; TO DIRECT AND AUTHORIZE THE PERSON IDENTIFIED AS THE OFFICIAL REPRESENTATIVE OF THE CITY, OR THE DISIGNEE OF THE CITY TO ACT IN CONNECTION WITH THE GRANT APPLICATION; AND TO PROVIDE SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED; Resolution read by City Manager Jerry Elkins. Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

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RESOLUTION; 20-08-02, A RESOLUTION OF THE CITY OF HELEN, GEORGIA TO REQUEST THAT THE COMMISSIONER OF THE GEORGIA DEPARTMENT OF REVENUE PROVIDE A SALES TAX REPORT TO THE CHIEF FINANCIAL OFFICER OF THE CITY OF HELEN, PURSUANT TO O.C.G.A. 48-2-15 (d)(d.1)(1) FOR THE FISCAL YEAR FROM JULY

1, 2018-JUNE 30, 2019; AND FOR THE FISCAL YEAR FROM JULY 1, 2019-JUNE 31, 2020; Resolution read by Mayor Steve Fowler. Motion to approve made by Commissioner Jeff Ash, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

Motion to amend the Agenda to include adding an Executive Session to discuss personnel and potential or pending litigation made by Commissioner Lee Landress, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

Motion to go into Executive Session at 2:05 p.m. made by Commissioner Lee Landress, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

Motion to resume the regular Commission meeting at 2:17 p.m. made by Commissioner Fred Garmon 2nd by Commissioner Lee Landress. Motion approved with a unanimous vote of the Commission.

There were no motions as a result of the Executive Session.

CITY COMMISSION COMMENTS; None

ADJOURNMENT; Motion to adjourn at 2:18 p.m. made by Commissioner Fred Garmon, 2nd by Commissioner Geneva Elwell. Motion approved with a unanimous vote of the Commission.

RESPECTFULLY PREPARED BY CITY CLERK MARILYN CHASTAIN

