

**CITY OF HELEN  
COMMISSION MEETING  
FEBRUARY 4, 2014  
10:00 A.M.  
AGENDA**

1. CALL TO ORDER BY MAYOR JUDY HOLLOWAY
2. ROLL CALL BY DEPUTY CITY CLERK DEBBIE GERCHMAN
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. OATH OF OFFICE FOR MAYOR PRO TEMPORE COMMISSIONER DONA K BURKE
5. APPROVAL OF AGENDA
6. APPROVAL OF MINUTES FROM JANUARY 21, 2014
7. PETITIONS AND COMMUNICATIONS FROM THE PUBLIC
  - A. READING OF PROCLAMATION AND PRESENTATION TO THE HELEN HERITAGE HALL OF FAME OF MR JIMMY WILKINS.
8. ADMINISTRATIVE OPERATIONS
  - A. PUBLIC HEARING TO DISCUSS A WATER IMPROVEMENTS PROJECT FUNDED BY GEORGIA'S DRINKING WATER STATE REVOLVING FUND (DWSRF). THE PROPOSED PROJECT INCLUDES THE DEVELOPMENT OF A NEW GROUND WATER WELL, REPLACEMENT OF 8-INCH WATERLINE WITH 160 L.F. OF 12-INCH WATERLINE, AND THE EXTENSION OF 850 L.F. OF 4-INCH WATER LINE, WITH MISCELLANEOUS TELEMETRY, VALVING, AND OTHER APPURTENANCES. THE ANTICIPATED COST OF THE PROJECT IS \$413,490.
  - B. DISCUSSION FOR APPROVAL TO MOVE FORWARD WITH REHABILITATION OR REPLACEMENT OF CARY COX LIFT STATION.
  - C. CONSIDERATION FOR APPROVAL ALCOHOL LICENSE FOR WEIZHE SUO D/B/A ALPINE PIZZA & ICE CREAM HAUS @ 8663 N. MAIN ST. FOR BEER ON PREMISES & SUNDAY SALES.
9. POLICE DEPARTMENT OPERATIONS
10. PUBLIC WORKS, WATER AND WASTE WATER OPERATIONS

11. BUILDING AND ZONING OPERATIONS

- A. APPEAL FROM KEITH SEGARS, (CONTRACTOR) FOR THE DENIAL FROM THE CITY OF HELEN TO BE ISSUED A PERMIT FOR THE INSTALLATION OF AN ELECTRIC GATE OPEN/CLOSER AT THE HOME OF JEFFREY DEPASQUALE LOCATED AT 749 ZEPPLIN STRASSE, DUE TO KIETH SEGARS, (CONTRACTOR) HAVING A LOW-VOLTAGE CONTRACTOR LICENSE ONLY.
- B. SIGN VARIANCE REQUEST FROM JEFFREY N ASH FOR CASTLE INN LOCATED AT 8580 N. MAIN STREET.
- C. SHORT TERM SPECIAL EVENT VARIANCE REQUEST FROM THE TWO-MONTH SUBMITTAL REQUIREMENT OF ORDINANCE SECTION 43-4, ON BEHALF OF THE "ALPINE CRAWL" JEEP EVENT.

12. PURCHASES AND BIDS

13. ORDINANCES

- A. DISCUSSION OF THE SALE OF GROWLER BEER
- B. FIRST READING OF ORDINANCE 14-02-01; 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 III, MALT BEVERAGES; DIVISION 2, LICENSING OF BREWERS AND DEALERS; BY THE ADDITION OF CODE SECTION 6-71; WITH THE INTENT OF SAID ADDITIONAL CODE SECTION BEING TO PERMIT THE SALE OF; AND TO DEFINE THE REQUIREMENTS FOR; THE SALE OF GROWLERS BY LICENSED MALT BEVERAGE DEALERS WITHIN THE CITY.

14. RESOLUTIONS

15. CITY COMMISSION COMMENTS

16. ADJOURNMENT

**THIS AGENDA WAS POSTED JANUARY 31, 2014 @ 11:00 A.M.**

**CITY OF HELEN  
COMMISSION MEETING  
FEBRUARY 4, 2014  
10:00 A.M.  
MINUTES OF MEETING**

Meeting called to order by Mayor Judy Holloway at 10:00 a.m.

Roll call by Deputy Clerk Debbie Gerchman: present were Commissioner Fred Garmon, Commissioner Helen Wilkins, Mayor Judy Holloway, Commissioner Dona K Burke, and Commissioner Jeff Ash.

Also attending were City Manager Jerry Elkins, City Attorney Carl Free, Deputy Clerk Debbie Gerchman, Police Chief Jim Couch, Public Works Director Ross Hewell, and Building & Zoning Director Patrick Couch.

Pledge of Allegiance to the Flag was given.

Commissioner Dona K Burke, was sworn in as Mayor Pro Tempore, by taking the Oath of Office.

Motion to approve the Agenda was 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 approve the Minutes from the January 21, 2014 Commission meeting made by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Dona K Burke. Motion approved with a unanimous vote of the Commission.

Petitions and Communications from the Public: None.

Mayor Judy Holloway explained the Helen Heritage Hall of Fame and read a proclamation in recognition of Mr. Jimmy Wilkins. David Wilkins stated on behalf of the family he hoped to see the wall full, that it takes everyone working together.

**CITY OF HELEN  
COMMISSION MEETING  
FEBRUARY 4, 2014  
MINUTES OF MEETING  
PAGE 2**

Administrative Operations:

**A.** Commissioner Jeff Ash made a motion at 10:08 a.m. to go into public hearing, 2<sup>nd</sup> by Commissioner Dona K Burke. Motion was approved with a unanimous vote of the Commission. Fletcher Holliday of Engineering Management, Inc. discussed the water improvements project funded by Georgia's Drinking Water State Revolving Fund (DWSRF). He spoke of some of the GEFA's requirements. He stated that the primary purpose of the project was to increase the City of Helen's water supply. The anticipated cost of the project is \$413,490, with a GEFA Grant of \$103,373 and a low-interest loan through GEFA for the remaining \$310,000, at the current rate of 1.4%. City Manager Jerry Elkins stated that the latest paperwork he had received had the rate at .050% for a 10 year loan. There was discussion of the recent water breaks within the City and the loss of water. Mr. Holliday said the project was in the preliminary funding and design stage. The next steps were this public hearing, submitting the documents back to GEFA, and having everything approved. If everything goes in line, construction will start in May of this year through March of next year. Commissioner Helen Wilkins made a motion at 10:20 a.m. to leave public hearing, 2<sup>nd</sup> by Commissioner Dona k Burke. Motion was approved with a unanimous vote of the Commission.

There was discussion about the 10' strip of land in the Island are that was at one time to be given to the City of Helen. Mr. Elkins said it had been surveyed and was being included in a plat; that he needed to get City Attorney Carl Free involved to see if the City could obtain that piece of property. The Commission approved for Mr. Elkins to move forward with obtaining the property.

**B.** Fletcher Holliday discussed the options of rehabilitating or replacing the Carrie Cox Lift Station. He stated that there were limits to what could be done with the existing lift station and that it was creating a hazardous situation: if the Commission chose to rehabilitate the existing lift station, it was estimated to cost around \$108,000. If the Commission chose to replace the lift station with a new station at another location it would cost \$111,800. Mr. Holliday talked about a piece of property currently owned by Alpine Crest that would be ideal for the project. There was discussion of sinking a new manhole and running a line across the bridge and putting larger pumps in place in consideration of future flow. The Commission agreed to the replacement of the lift station, to moving forward with talks with Alpine Crest about acquiring the property, and for Mr. Holiday to figure the extra costs of the new manhole and line.

**C.** Motion was made by Commissioner Dona K Burke for approval of an Alcohol License for Weizhe Suo D/B/A Alpine Pizza & ice Cream Haus at 8663 N. Main St. for Beer on Premises & Sunday Sales, 2<sup>nd</sup> by Commissioner Helen Wilkins. Motion was approved with a unanimous vote of the Commission.

**CITY OF HELEN  
COMMISSION MEETING  
FEBRUARY 4, 2014  
MINUTES OF MEETING  
PAGE 3**

City Manager Jerry Elkins reported that he had spoken with GMA again about the increase of property values. He said what GMA had agreed to do was to insure the City's property by the new appraisal values with no increase in the cost from last year's coverage. He said the cost would still go up some because of adding some items. He asked if the Commission still wanted to bid it out or accept GMA's offer. The Commission agreed to accept the offer.

Police Department Operations: Police Chief Jim Couch spoke of last year's donation from the Cleveland Police Department of helmets for the children in the White County school system; that he had received a picture with signatures and some letters; that it was a good thing they had done to help Chief Foster and that was what the Community Relations Fund was for, helping with the kids. Chief Couch thanked the City Manager, Public Works Director Ross Hewell, and his people with the remodeling of the book in area of the jail, stating that it would make it safer for the officers when they were doing paperwork. Chief Couch spoke of the weather and that some of his officers had helped some of the residents in Innsbruck to get home; that they had used Facebook and the departments web page to give information about what was going on in the City at the time.

Public Works, Water and Waste Water Operations: Public Works Director Ross Hewell stated his department had had a busy month so far with all the broken water lines and keeping the roads deiced. Mr. Hewell discussed Cliff Hood's property on Erst Strasse, stating that he was getting some erosion problems around his pond. He showed some pictures that he had taken in his investigation, that the erosion and silt going into Mr. Hood's pond was being caused by natural elements and was not coming from the sprayfields.

Building and Zoning Operations:

A. Mr. Keith Segars came before the Commission to appeal the denial of a permit from the City to install an electric gate operating system at the home of Jeffrey Depasquale, due to the fact that Mr. Segars, the contractor for the project, having a low-voltage contractor license only. The denial from Building and Zoning Director Patrick Couch involved Mr. Segars running 125 volt wiring from an existing breaker box to the system being built. Mr. Couch had consulted with the Licensing Board of the State of Georgia and was told that while Mr. Segars license allowed him to install the electric gate operating system, it was illegal for him to run the 125 volt wiring. Mr. Segars had also consulted with the Board and had not, as yet, received an answer. City Attorney Carl Free stated the licensing process is through the State of Georgia, that he understood that Mr. Segars has an argument, but that it's not the City Commissioners job to interpret whether the job fell within the parameters of the code sections Mr. Segars was citing. Mr. Free stated that if he got something from the Licensing Board that they agree with his interpretation, that Mr. Couch would agree. The Commission indicated to Mr. Segars that in their opinion they had no

**CITY OF HELEN  
COMMISSION MEETING  
FEBRUARY 4, 2014  
MINUTES OF MEETING  
PAGE 4**

standing to grant a variance in the matter and that Mr. Segars would have to wait for the governing State Board to render disposition in the matter.

B. Property owner Jeff Ash approached the Commission requesting a sign variance for the Castle Inn located at 8580 N. Main St. Mr. Ash stated that there were two letters missing and that when the tree in front was full, the sign was covered. He wants to lower the sign 15 feet. He is not changing the size or color of the sign, but in moving the sign it will not be in compliance with the present code and that it would require a sign variance. Motion to grant a sign variance to Mr. Ash for the Castle Inn made by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Helen Wilkins. Motion was approved with a majority vote of the Commission with Commissioner Jeff Ash abstaining.

C. Motion was made to approve a Short Term Special Event variance from the two-month submittal requirement of Ordinance Section 43-4 to Lindsey Holt on behalf of the "Alpine Crawl" Jeep event by Commissioner Jeff Ash, 2<sup>nd</sup> by Commissioner Fred Garmon. Motion was approved with a unanimous vote of the Commission.

Purchases and Bids: None

Ordinances:

**A.** City Attorney Carl Free stated that the Georgia Department of Revenue's position is that establishments that have a beer or wine package license are permitted to sell Growler beer. Stores that sell distilled spirits are not allowed to sell Growler beer. He stated basically that it's high-end crafts beers that would be sold in large containers that have are sealed by store personnel, purchased, and taken home. He stated that many counties and municipalities around the state are permitting the sales of Growler beer and have stated that they do not include convenience stores due to the difficulty of control. He stated City Clerk Marilyn Chastain had pointed out to him that the Ordinance did not incorporate wine tasting rooms in the City. If the Commission wanted to, they could amend the Ordinance after the first reading to also allow people that have a wine package license to sell Growler beer. He also stated that it's not necessary to have a separate license, but there would have to be some kind of reference in their license to indicate that they qualify to sell Growler beer. The Commission decided not to charge an additional licensing fee.

**B.** City Manager Jerry Elkins read Ordinance 14-02-01. Motion to approve with the addition of wine package license made by Commissioner Helen Wilkins, 2<sup>nd</sup> by Commissioner Dona K Burke. Motion was approved by a unanimous vote of the Commission.

Resolutions: None

**CITY OF HELEN  
COMMISSION MEETING  
FEBRUARY 4, 2014  
MINUTES OF MEETING  
PAGE 5**

City Commission Comments: Commissioner Jeff Ash stated that the NCRB in Innsbruck was drafting a manual and they have asked Building & Zoning Director Patrick Couch to participate so that the residents and contractors would know what was required before any work began.

Commissioner Fred Garmon suggested that we might get some sort of recycling program going, maybe starting with paper. There was discussion of it being tried before. It was suggested that there be one drop off spot open one or two days a month for a couple of hours, manned by a Public Works employee.

Motion to adjourn made at 11:37 a.m. by Commissioner Dona K Burke, 2<sup>nd</sup> by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

RESPECTFULLY SUBMITTED,

DEPUTY CLERK DEBBIE GERCHMAN