

**CITY OF HELEN
COMMISSION MEETING
MARCH 17, 2015
3:00 P.M.
AGENDA**

1. CALL TO ORDER BY MAYOR DONA K BURKE
2. ROLL CALL BY CITY CLERK MARILYN CHASTAIN
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES FROM MARCH 3, 2015
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. FINANCIAL REPORT
 - B. CONSIDERATION FOR APPROVAL TO REPLACE THE BAFFLE IN THE WASTEWATER TREAT POND.
10. POLICE DEPARTMENT MONTHLY REPORT
9. FIRE DEPARTMENT MONTHLY REPORT
10. PUBLIC WORKS, WATER AND WASTE WATER MONTHLY REPORT
11. BUILDING AND ZONING DEPARTMENT MONTHLY REPORT
 - A. CONSIDERATION FOR REAPPOINTMENT TO THE PLANNING DESIGN AND REVIEW BOARD FOR BOARD MEMBERS WITH EXPIRING TERMS BILL MILES AND CHARLIE KNOWLES FOR TWO YEAR TERMS
 - B. DISCUSSION AND CONSIDERATION OF SIGN FOR KETTLE CORN JERKY BAVARIAN NUT FACTORY THAT WAS FORWARDED FROM THE PDRB FOR DETERMINATION IF SHAPE OF SIGN IS CONSIDERED A GRAPHIC OR LOGO
12. PURCHASES AND BIDS

13. ORDINANCES; SECOND READING OF ORDINANCE 15-02-01 AN ORDINANCE OF THE CITY OF HELEN, GEORGIA, TO AMEND THE OFFICIAL CODE OF THE CITY OF HELEN, GEORGIA BY THE DELETION OF THE PRIOR CHAPTER 43, SHORT TERM SPECIAL EVENTS, IN ITS ENTIRETY; AND ITS REPLACEMENT WITH A NEW CHAPTER 43, SHORT TERM SPECIAL EVENTS
14. RESOLUTIONS
15. EXECUTIVE SESSION FOR THE PURPOSE OF LAND ACQUISITION AND PERSONNEL
16. CITY COMMISSION COMMENTS
17. ADJOURNMENT

THIS AGENDA WAS POSTED MARCH 13, 2015 AT 11:00 A.M.

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The Helen City Commission met on Tuesday March 17, 2015 in the Commission Chambers at Helen City Hall with Mayor Dona K Burke calling the meeting to order at 3:00 p.m.

City Clerk Marilyn Chastain called the roll and the following were present Commissioner Fred Garmon, Commissioner Helen Wilkins, Mayor Dona K Burke, Commissioner Judy Holloway, Commissioner Jeff Ash.

Also attending were City Manager Jerry Elkins, City Attorney Carl Free, City Clerk Marilyn Chastain, Police Chief Jim Couch, Public Works Director Ross Hewell, Building & Zoning Director Larry Krul, and Fire Captain Lee Poteat.

Pledge of Allegiance to the Flag was given.

Approval of Agenda; Noted and changes made of the correction of re-numbering items after 10. Police Department to; 11. as Fire Department monthly report, 12. as Public Works monthly report, 13. as Building and Zoning monthly report, 14. as Purchases and Bids, 15. as Ordinances, 16. as Resolutions, 17. as Executive Session, 18. as Comments from the Commission, 19. as Adjournment, Motion to Amend the Agenda by adding the following to the Agenda after the numbering correction; Under Item 9, Administrative as item C. Discussion for consideration of allowing overtime pay if needed, for compliance of a subpoena from the Supreme Court of the United States in the case of State of Florida v. the State of Georgia, Under item 14, Purchases and Bids as item A. Consideration of approval of bid from Wilkerson Concrete for the following Projects; Sidewalk Project at Alpine Village Inn \$15,246.00 and Parking area at new Public Works building \$3,473.00, and under Item 17 Executive Session add Discussion of Pending Litigation and Property Lease, made by Commissioner Jeff Ash, 2nd by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission present.

Approval of Minutes from March 3, 2015; Motion to approve made by Commissioner Fred Garmon, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Petitions and Communications from the Public; Jody Shahan presented the Commission a proposal for Entertainment for 2 City Street Dances on May 9, 2015 and on September 26, 2015 for a total cost of \$3,200.00. She also said that she wanted to ask to have 2 dances this year because the ones in the past had been such a huge success. The written proposal is included as an integral part of the Minutes which includes details of the cost, and details of the entertainment. Police Chief Jim Couch reminded the Commission that the Street Dance planned for May 9, 2015 would be the weekend before SOWO and would require additional officers to work 2 weekends in a row and of the added cost for their wages.

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There were also questions as to how many additional Public Works men it would take for the Dance which Public Works Director Ross Hewell explained 2 would be sufficient. Motion to Amend the budget to pay for the additional payroll that will be needed for the event from the Police Department and Public Works Department and to approve the Dates and cost of the Street Dances made by Commissioner Jeff Ash, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Alpine Helen/White County CVB monthly report; Report included as an integral part of the Agenda. Director Jerry Brown was present and presented Magazines to the Commission that advertisements had been purchased in, and reported that Hotel/Motel taxes were up and had exceeded the amount they had Budgeted. Commissioner Jeff Ash commended them on their financials.

Helen Chamber of Commerce monthly report; Report included as an integral part of the Agenda. Director Renee Chacon was not present. Commissioner Fred Garmon asked that the BINGO games at the Fest Hall be placed on the Water bills to let Helen residents know the days and times in case any were interested in going.

Administrative

A. Financial; City Manager Jerry Elkins explained to the Commission that the revenues for the Hotel/Motel tax were higher than expected and that the Financial report was on track. Motion to approve the Financial Report made by Commissioner Helen Wilkins, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

B. Consideration for approval to replace the Baffle in the Wastewater Treatment Pond. Fletcher Holiday from EMI explained that while they have been making repairs to the Treatment Pond that it was discovered that the original Baffle that had been installed when the treatment ponds were installed had deteriorated to the point of not working and estimates the cost to be approximately \$50,000.00 to install the new type of Baffle that will improve function of the treatment pond. City Manager Jerry Elkins stated the cost could come from SPLOST funds. Fletcher Holiday recommended getting bids for the Baffle replacement from the 3 top Contractors qualified to do the job. Motion to approve City Manager Jerry Elkins the authority to move forward and take bids from the top 3 Companies qualified to perform the job made by Commissioner Jeff Ash, 2nd by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission.

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C. Discussion for consideration of allowing overtime pay if needed for the Administrative staff if needed for compliance of a subpoena from the Supreme Court of the United States in the case of the State of Florida v. the State of Georgia. City Manager Jerry Elkins explained that a Subpoena had been delivered to the City for records of all water storage, consumption, wells and anything basically that has to do with any water and stated that complying with the subpoena will take a tremendous amount of time and due to the amount of work already required of the staff to do normal duties, overtime will be needed, and also explained that he has asked City Attorney Carl Free to look at what will be required. City Attorney Carl Free stated that he plans to talk with GMA about how the other Cities are interpreting the subpoena. Motion to approve overtime pay if needed for compliance of the subpoena from the Supreme Court of the United States in the Case of the State of Florida v. the State of Georgia made by Commissioner Jeff Ash, 2nd by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission.

Police Department monthly report; Report included as an integral part of the Minutes. Police Chief Jim Couch was present and informed the Commission that crowds of people are coming back to town now and that some of the Patrol cars were needing repairs, but all is fine in the Department.

Fire Department monthly report; Report included as an integral part of the Minutes. Fire Captain Lee Poteat was present for the meeting. Commissioner Fred Garmon asked if the yearly Inspections had been completed on the Fire Trucks and Captain Lee Poteat replied that the Ladder truck has been inspected and that an electrical issue had been found and repaired and that the other trucks were to be inspected next week.

Public Works, Water and Waste Water monthly report; Report included as an integral part of the Minutes. Public Works Director Ross Hewell was present for the meeting and informed the Commission that Scott with Square Deal had come in and is starting to work on Phase 2 of the Island project. He also informed the Commission that in order to install Christmas lights on some of the Street Lights, that outlets would have to be installed and is working with Georgia Power to address the issue of whether they should have installed outlets when the poles were installed originally. Commissioner Fred Garmon asked how many Street Lights were out in Town, and City Manager Jerry Elkins stated he knows of 6 coming into town on the South end. Public Works Director Ross Hewell stated he has been in constant contact with Georgia Power to get those back on and hopes that LED bulbs can be installed.

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Building and Zoning Department monthly report; Report included as an integral part of the Minutes. Director Larry Krul was present for the meeting.

A. Consideration for reappointment to the Planning Design and Review Board for Board members with expiring terms of Bill Miles and Charlie Knowles for two year terms; Motion to approve reappointment of Bill Miles and Charlie Knowles to the Planning Design and Review Board for two year terms made by Commissioner Jeff Ash, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

B. Discussion and Consideration of Sign for Kettle Corn Jerky Bavarian Nut Factory that was forwarded from the PDRB for determination if the shape of the sign submitted is considered a graphic or logo. City Attorney Carl Free stated the current Sign Ordinance does not prohibit the shape of signs if the size requirement is met. Motion to approve the sign as submitted stating that the shape is not a logo made by Commissioner Fred Garmon, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Purchases and Bids; Item was added in the Amended Agenda as Item A.

A. Consideration for approval of bid from Wilkerson Concrete for the following projects; Sidewalk project at Alpine Village Inn for \$15,246.00, and parking area at the new Public Works Building for \$3,473.00. Motion to approve made by Commissioner Judy Holloway, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Ordinances; Second reading of ORDINANCE 15-02-01 AN ORDINANCE OF THE CITY OF HELEN, GEORGIA, TO AMEND THE OFFICIAL CODE OF THE CITY OF HELEN, GEORGIA BY THE DELETION OF THE PRIOR CHAPTER 43, SHORT TERM SPECIAL EVENTS, IN ITS ENTIRETY; AND ITS REPLACEMENT WITH A NEW CHAPTER 43, SHORT TERM SPECIAL EVENTS; Motion to approve made by Commissioner Helen Wilkins, 2nd by Commissioner Judy Holloway. Motion approved with a unanimous vote of the Commission.

Resolutions; None

City Manager Jerry Elkins informed the Commission of the past Discussion at a previous Commission meeting of not allowing Tubing buses to travel on River Street and Unicoi Streets and that he had sent the Companies letters in the past asking them not to use the City Streets. City Attorney Carl Free stated that if the Commission decides to not allow the Tubing buses on these streets it should be in a Motion for safety reasons.

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The Commission discussed their concerns on the safety of pedestrians walking along, and crossing these streets going to the public restrooms, shops, restaurants Hotels, and of the additional traffic congestion the buses would cause there, being the Horse carriages already use this route as do delivery trucks.

Commissioner Fred Garmon made a motion to not allow buses on River Street and Unicoi Street for transporting tubes and tubers for the safety of the public, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Executive Session for the Purpose of Land Acquisition and Personnel, and added in the Amended Agenda Discussion of Pending Litigation and Property Lease during the Executive Session. Motion to go into the Executive Session at 4:18 p.m. made by Commissioner Jeff Ash, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

Regular Commission resumed at 5:00 p.m. and the following motion was made as a result of the Executive Session; Motion to approve entering a Contractual agreement with Barbara Roper to purchase 1.43 ac of property on Alternate Hwy 75 for \$29,000 with the Contingency that Ms. Roper have the use Zoned for Commercial use made by Commissioner Jeff Ash, 2nd by Commissioner Fred Garmon. Motion approved with a unanimous vote of the Commission.

City Commission comments; None

Motion to adjourn @ 5:04 p.m. made by Commissioner Judy Holloway, 2nd by Commissioner Helen Wilkins. Motion approved with a unanimous vote of the Commission.

RESPECTFULLY PREPARED BY CITY CLERK MARILYN CHASTAIN